



CITY OF NORMAN, OK CITY COUNCIL REGULAR MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069
Tuesday, May 09, 2023 at 6:30 PM

AMENDED AGENDA

It is the policy of the City of Norman that no person or groups of persons shall on the grounds of race, color, religion, ancestry, national origin, age, place of birth, sex, sexual orientation, gender identity or expression, familial status, marital status, including marriage to a person of the same sex, disability, retaliation, or genetic information, be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination in employment activities or in all programs, services, or activities administered by the City, its recipients, sub-recipients, and contractors. In the event of any comments, complaints, modifications, accommodations, alternative formats, and auxiliary aids and services regarding accessibility or inclusion, please contact the ADA Technician at 405-366-5424, Relay Service: 711. To better serve you, five (5) business days' advance notice is preferred.

CITY COUNCIL, NORMAN UTILITIES AUTHORITY, NORMAN MUNICIPAL AUTHORITY, AND NORMAN TAX INCREMENT FINANCE AUTHORITY

You are required to sign up in advance of the meeting on the City's webpage, by calling the City Clerk's Office (405-366-5406), or at the Council Chambers prior to the start of the meeting with your name, ward, and item you wish to speak to including whether you are a proponent or opponent. When the time comes for public comments, the Clerk will call your name and you can make your way to the podium. Comments may be limited on items of higher interest, if so, the Mayor will announce that at the beginning of the meeting. Participants may speak one time only up to 3 minutes per person per item. There will be no yielding of time to another person. Sign up does not guarantee you will get to speak if the allotted time for that item has already been exhausted. If there is time remaining after those registered to speak have spoken, persons not previously signed up may have the opportunity to speak. Comments received must be limited to the motion on the floor only.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF THE MINUTES AS FOLLOWS:
CITY COUNCIL MINUTES OF FEBRUARY 28, 2023
NORMAN UTILITIES AUTHORITY MINUTES OF FEBRUARY 28, 2023
NORMAN MUNICIPAL AUTHORITY MINUTES OF FEBRUARY 28, 2023
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF FEBRUARY 28, 2023
CITY COUNCIL SPECIAL MEETING MINUTES OF APRIL 13, 2023

COUNCIL ANNOUNCEMENTS

Proclamations

2. CONSIDERATION OF ACKNOWLEDGMENT, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2223-21: A PROCLAMATION OF THE MAY PROCLAIMING MAY 9 THROUGH MAY 27, 2023, AS PUBLIC WORKS WEEKS IN THE CITY OF NORMAN.
3. CONSIDERATION OF ACKNOWLEDGEMENT, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2223-22: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING SUNDAY, MAY 20, 2023, AS KIDS TO PARKS DAY IN THE CITY OF NORMAN.
4. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2223-24: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING MONDAY, MAY 15, 2023, AS PEACE OFFICERS MEMORIAL DAY AND THE WEEK OF MAY 14 THROUGH MAY 20, 2023, AS NATIONAL POLICE WEEK IN THE CITY OF NORMAN.
5. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2223-25: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF MAY, 2023, AS BIKE MONTH AND FRIDAY, MAY 19, 2023, AS BIKE-TO-WORK DAY IN THE CITY OF NORMAN.
6. CONSIDERATION OF ACKNOWLEDGEMENT, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2223-26: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF MAY 8 THROUGH 12, 2023, AS ECONOMIC DEVELOPMENT WEEK IN THE CITY OF NORMAN.
7. CONSIDERATION OF ACKNOWLEDGEMENT, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2223-27: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF MAY 7 THROUGH MAY 13, 2023, AS NATIONAL TRAVEL AND TOURISM WEEK IN THE CITY OF NORMAN
8. CONSIDERATION OF ACKNOWLEDGEMENT, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2223-28: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF MAY 21 THROUGH MAY 27, 2023, AS EMERGENCY MEDICAL SERVICES WEEK IN THE CITY OF NORMAN

CONSENT DOCKET

This item is placed on the agenda so that the City Council, by unanimous consent, can designate those routine agenda items that they wish to be approved or acknowledged by one motion. If any item proposed does not meet with approval of all Councilmembers, that item will be heard in regular order. Staff recommends that Item 9 through Item 27 be placed on the consent docket.

First Reading Ordinance

9. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-29 UPON FIRST READING BY TITLE:
AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE A PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION SIX (6), TOWNSHIP EIGHT (8) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT, AND PLACE SAME IN THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1309 SOUTH BERRY ROAD)
10. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-30 UPON FIRST READING BY TITLE:
AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE CENTER CITY PLANNED UNIT DEVELOPMENT ESTABLISHED IN ORDINANCE O-2021-23, TO ALLOW FOR SPECIFIC TENANT SIGNAGE AND MODIFY THE LANDSCAPING FOR LOTS FIFTEEN (15) AND SIXTEEN (16), IN BLOCK SEVENTY-TWO (72) OF ORIGINAL TOWN OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (231 WEST MAIN STREET)
11. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-33 UPON FIRST READING BY TITLE:
AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOT 2A, BLOCK 23 OF T.R. WAGGONER'S FIRST ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE C-2, GENERAL COMMERCIAL DISTRICT, AND PLACE SAME IN THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (601 WEST EUFAULA STREET)
12. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-40 UPON FIRST READING BY TITLE:
AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLES 14-I AND 14-11 OF THE CODE OF THE CITY OF NORMAN SO AS TO ADOPT AND AMEND THE 2018 INTERNATIONAL FIRE CODE; AND PROVIDING FOR THE SEVERABILITY THEREOF.
13. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-41 UPON FIRST READING BY TITLE:
AN ORDINANCE OF THE CITY OF NORMAN, OKLAHOMA AMENDING SECTION 16-601 OF ARTICLE 16-VI OF THE CODE OF THE CITY OF NORMAN SO AS TO ADOPT AND AMEND THE 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

14. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-42 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLES 6-I, 6-II, AND 6-IV OF THE CODE OF THE CITY OF NORMAN SO AS TO ADOPT AND AMEND THE 2018 INTERNATIONAL BUILDING CODE, THE 2018 INTERNATIONAL EXISTING BUILDING CODE, THE 2006 ENERGY CONSERVATION CODE, THE 2018 INTERNATIONAL PLUMBING CODE, THE 2018 INTERNATIONAL MECHANICAL CODE, THE 2018 INTERNATIONAL FUEL GAS CODE, THE 2020 NATIONAL ELECTRIC CODE, AND THE 2018 INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO- FAMILY DWELLINGS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

15. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF ORDINANCE O-2223-43 ON FIRST READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, FIXING THE COMPENSATION OF THE CITY ATTORNEY CONSISTENT WITH REQUIREMENTS FOR THE CITY MANAGER'S COMPENSATION IN ARTICLE XVII, SECTION 1, OF THE CHARTER OF THE CITY OF NORMAN; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Reports/Communications

16. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE SUBMISSION OF THE NORMAN FORWARD IMPLEMENTATION PLAN REVISED MARCH, 2023.

Easement

17. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF EASEMENT E-2223-27: A PERMANENT PUBLIC UTILITY EASEMENT DONATED BY UNIVERSITY TOWN CENTER, L.L.C., TO SERVE UNIVERSITY NORTH PARK ADDITION, SECTION XX. (LOCATED EAST OF 24TH AVENUE N.W. BETWEEN ROBINSON STREET AND ROCK CREEK ROAD.)

18. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF EASEMENT E-2223-28: A PERMANENT ACCESS AND PUBLIC UTILITY EASEMENT DONATED BY UNIVERSITY TOWN CENTER, L.L.C., TO SERVE UNIVERSITY NORTH PARK ADDITION, SECTION XX. (LOCATED EAST OF 24TH AVENUE N.W. BETWEEN ROBINSON STREET AND ROCK CREEK ROAD.)

19. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF EASEMENT E-2223-29: A PERMANENT DRAINAGE AND PUBLIC UTILITY EASEMENT DONATED BY UNIVERSITY TOWN CENTER, L.L.C., TO SERVE UNIVERSITY NORTH PARK ADDITION, SECTION XX. (LOCATED EAST OF 24TH AVENUE N.W., BETWEEN ROBINSON STREET AND ROCK CREEK ROAD.)

20. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF EASEMENT E-2223-30: A PERMANENT DRAINAGE AND PUBLIC UTILITY EASEMENT DONATED BY UNIVERSITY TOWN CENTER, L.L.C., TO SERVE UNIVERSITY NORTH PARK ADDITION, SECTION XX. (LOCATED EAST OF 24TH AVENUE N.W., BETWEEN ROBINSON STREET AND ROCK CREEK ROAD)
21. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF EASEMENT E-2223-31: A PERMANENT DRAINAGE EASEMENT DONATED UNIVERSITY TOWN CENTER TO SERVE UNIVERSITY NORTH PARK ADDITION, SECTION XX (LOCATED EAST OF 24TH AVENUE N.W., BETWEEN ROBINSON STREET AND ROCK CREEK ROAD.)

Contracts

22. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BID-2223-60 AND CONTRACT K-2223-126: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND G&S SIGN SERVICES, L.L.C., IN THE AMOUNT OF \$175,100 FOR THE INSTALLATION OF WAYFINDING SIGNS, PHASE 2, ON ROBINSON STREET, FLOOD AVENUE, AND TECUMSEH ROAD AS WELL AS PERFORMANCE BOND B-2223-75, STATUTORY BOND B-2223-76, MAINTENANCE BOND MB-2223-62, AND RESOLUTION R-2223-113 GRANTING TAX EXEMPT STATUS.
23. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2223-143: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND GARVER, L.L.C. IN THE AMOUNT OF \$130,000 FOR THE FLOOD AVENUE AT VENTURE DRIVE SIGNALIZATION AND INTERSECTION IMPROVEMENT PROJECT AND BUDGET TRANSFER AS OUTLINED IN THE STAFF REPORT.
24. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF CONTRACT K-2223-150: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND COX COYLE INVESTMENTS, L.L.C., IN THE AMOUNT OF \$33,000 FOR THE PURCHASE OF REAL ESTATE LOCATED AT 218 SOUTH LAHOMA AVENUE AND BUDGET APPROPRIATION TO COVER VARIOUS CLOSING AND DUE DILIGENCE COSTS AS OUTLINED IN THE STAFF REPORT.

Resolutions

25. CONSIDERATION OF ADOPTION, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-130: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, TRANSFERRING \$60,000 FROM THE LINDSEY STREET/HIGHWAY 9 WAYFINDING CONSTRUCTION ACCOUNT AND \$90,000 FROM THE 718 N. PORTER ARCHITECTURAL AND ENGINEERING ACCOUNT TO BE USED TO FUND THE FESTIVAL STREET BOLLARDS PILOT PROJECT ON CAMPUS CORNER.

26. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-132: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA FOR APPROPRIATION OF FUNDS IN THE AMOUNT OF \$33,897 FROM THE REIMBURSEMENTS-MISCELLANEOUS RISK MANAGEMENT ACCOUNT TO REPLENISH THE MISCELLANEOUS SERVICES-UNINSURED LOSSES ACCOUNT.
27. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-135: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$20,000 FROM THE GENERAL FUND BALANCE TO BE USED FOR WESTWOOD PARK RESTAURANT AND CONCESSIONS OPERATIONS FOR THE REMAINDER OF FYE 2023.

NON-CONSENT ITEMS

28. CONDUCTING AND CLOSING A PUBLIC HEARING FOR CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE PROPOSED FOURTH YEAR ACTION PLAN FOR THE FORTY-EIGHTH YEAR NORMAN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION WHICH INCLUDES THE 2023 HOME PROGRAM TOTALING \$1,400,424 TO BE SUBMITTED TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).
29. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-109: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO REMOVE PART OF LOT TEN (10) OF SECTION TWO (2), TOWNSHIP EIGHT (8) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, FROM THE SPECIAL PLANNING AREA ONE (1) DESIGNATION WHILE RETAINING THE COMMERCIAL DESIGNATION. (2516 BRIGGS STREET)
30. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-28 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE PART OF LOT TEN (10) OF SECTION TWO (2), TOWNSHIP EIGHT (8) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT AND PLACE THE SAME IN THE C-2, GENERAL COMMERCIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (2516 BRIGGS STREET)
31. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-131: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, REQUESTING A PARTIAL EXEMPTION FROM CURRENT CITY STANDARDS RELATING TO 2516 BRIGGS STREET WITH ADVANCEMENT OF THE SHORT FORM PLAT PROCESS.

MISCELLANEOUS COMMENTS

This is an opportunity for citizens to address City Council. Due to Open Meeting Act regulations, Council is not able to participate in discussion during miscellaneous comments. Remarks should be directed to the Council as a whole and limited to three minutes or less.

32. CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUTES, UNDER TITLE 25 § 307(B)(4) TO DISCUSS PENDING LITIGATION ASSOCIATED WITH SHAZ INVESTMENT GROUP, L.L.C., VS. THE CITY OF NORMAN, CLEVELAND COUNTY COURT CASE CJ-2021-1044(K).

ADJOURNMENT

File Attachments for Item:

1. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF THE MINUTES AS FOLLOWS:

CITY COUNCIL MINUTES OF FEBRUARY 28, 2023

NORMAN UTILITIES AUTHORITY MINUTES OF FEBRUARY 28, 2023

NORMAN MUNICIPAL AUTHORITY MINUTES OF FEBRUARY 28, 2023

NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF FEBRUARY 28, 2023

CITY COUNCIL SPECIAL MEETING MINUTES OF APRIL 13, 2023



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/09/2023

REQUESTER: Brenda Hall

PRESENTER: Brenda Hall, City Clerk

ITEM TITLE: CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT AND/OR
POSTPONEMENT OF THE MINUTES AS FOLLOWS:

CITY COUNCIL MINUTES OF FEBRUARY 28, 2023
NORMAN UTILITIES AUTHORITY MINUTES OF FEBRUARY 28, 2023
NORMAN MUNICIPAL AUTHORITY MINUTES OF FEBRUARY 28, 2023
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF
FEBRUARY 28, 2023
CITY COUNCIL SPECIAL MEETING MINUTES OF APRIL 13, 2023

**CITY COUNCIL REGULAR MEETING****Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069****Tuesday, February 28, 2023 at 6:30 PM**

MINUTES

It is the policy of the City of Norman that no person or groups of persons shall on the grounds of race, color, religion, ancestry, national origin, age, place of birth, sex, sexual orientation, gender identity or expression, familial status, marital status, including marriage to a person of the same sex, disability, retaliation, or genetic information, be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination in employment activities or in all programs, services, or activities administered by the City, its recipients, sub-recipients, and contractors. In the event of any comments, complaints, modifications, accommodations, alternative formats, and auxiliary aids and services regarding accessibility or inclusion, please contact the ADA Technician at 405-366-5424, Relay Service: 711. To better serve you, five (5) business days' advance notice is preferred.

CALL TO ORDER

Mayor Heikkila called the Meeting to Order at 6:30 p.m.

ROLL CALL**PRESENT**

Mayor Larry Heikkila
Councilmember Ward 2 Lauren Schueler
Councilmember Ward 3 Kelly Lynn
Councilmember Ward 4 Helen Grant
Councilmember Ward 5 Rarchar Tortorello
Councilmember Ward 6 Elizabeth Foreman (arrived at 6:34 p.m.)
Councilmember Ward 7 Stephen Holman
Councilmember Ward 8 Matthew Peacock

PLEDGE OF ALLEGIANCE

Mayor Heikkila led the Pledge of Allegiance.

APPROVAL OF MINUTES

1. CONSIDERATION OF APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL CONFERENCE MINUTES OF OCTOBER 25, 2022
 CITY COUNCIL STUDY SESSION MINUTES OF NOVEMBER 1, 2022
 CITY COUNCIL CONFERENCE MINUTES OF NOVEMBER 8, 2022
 CITY COUNCIL STUDY SESSION MINUTES OF NOVEMBER 15, 2022
 CITY COUNCIL STUDY SESSION MINUTES OF NOVEMBER 29, 2022
 CITY COUNCIL STUDY SESSION MINUTES OF DECEMBER 6, 2022
 CITY COUNCIL CONFERENCE MINUTES OF DECEMBER 13, 2022
 CITY COUNCIL MINUTES OF DECEMBER 13, 2022
 NORMAN UTILITIES AUTHORITY MINUTES OF DECEMBER 13, 2022
 NORMAN MUNICIPAL AUTHORITY MINUTES OF DECEMBER 13, 2022
 NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF DECEMBER 13, 2022
 CITY COUNCIL FINANCE COMMITTEE MINUTES OF JANUARY 19, 2023

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 2 Schueler.

Voting Yea: Mayor Heikkila, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated February 28, 2023, from Brenda Hall, City Clerk
2. City Council Conference minutes of October 25, 2022
3. City Council Study Session minutes of November 1, 2022
4. City Council Conference minutes of November 8, 2022
5. City Council Study Session minutes of November 15, 2022
6. City Council Study Session minutes of November 29, 2022
7. City Council Study Session minutes of December 6, 2022
8. City Council Conference minutes of December 13, 2022
9. City Council minutes of December 13, 2022
10. Norman Utilities Authority minutes of December 13, 2022
11. Norman Municipal Authority minutes of December 13, 2022
12. Norman Tax Increment Finance Committee minutes of December 13, 2022
13. City Council Finance Committee minutes of January 19, 2023

The Minutes were Approved.

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AWARDS AND PRESENTATIONS

2. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF NOMINATION AND APPOINTMENT OF AN ELIGIBLE PERSON TO FILL THE COUNCIL VACANCY IN WARD ONE.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated February 28, 2023, from Brenda Hall, City Clerk

Austin Ball was nominated and appointed to fill the Council Vacancy in Ward One.

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3. ADMINISTERING THE OATH OF OFFICE TO AND SEATING OF COUNCILMEMBER-ELECT AUSTIN BALL, WARD 1.

Associate Judge Blaine Nice administered the Oath of Office to the newly elected Councilmember.

Items submitted for the record

1. Staff Report dated February 28, 2023, from Brenda Hall, City Clerk

Thereupon, Councilmember Austin Ball was formally seated.

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4. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-101: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, COMMENDING AND EXTENDING RECOGNITION TO THE STUDENTS AND FACULTY AT WHITTIER MIDDLE SCHOOL FOR THE 50TH YEAR ANNIVERSARY OF WHITTIER MIDDLE SCHOOL.

Motion made by Councilmember Ward 2 Schueler, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Item 4, continued:

Items submitted for the record

1. Staff Report dated February 28, 2023, from Brenda Hall, City Clerk
2. Resolution R-2223-101

Participants in discussion

1. Ms. Liz Olsen, Vice-Principal, Whittier Middle School, accepted the resolution and thanked the Council

Resolution R-2223-101 was Adopted.

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COUNCIL ANNOUNCEMENTS

NEDC Visioning Process. Councilmember Peacock said the Norman Economic Development Coalition has launched a four-month long Visioning process and Council is encouraging approximately 150 stakeholders to participate. He said for those interested, please go to OneNorman.org and fill out the application. He said the selection committee will begin next month.

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Norman Music Festival. Councilmember Peacock said Item 26 is a resolution declaring Norman Music Festival a quality event. He said doing this would allow the sponsors of the event to apply for the state's Quality Events Initiative, which potentially will award up to a \$250,000 grant. He thanked the City Manager and staff for putting all of the information together so quickly.

*

Tornado Event. Councilmember Holman thanked all of the emergency response personnel for the work they have been doing the last few days. He asked residents to check the City's Website or any of the City of Norman social media pages for information regarding resources, traffic information, and updates as the City continues to evaluate the overall damage and the cleanup efforts.

Councilmember Foreman thanked the emergency responders who have done a great job taking care of everything after the tornado event on February 27th. She is grateful the residents in Ward 6 are OK.

Councilmember Tortorello thanked the first responders and the utility companies for their rapid response. He also thanked the residents of Ward 5 for coming together and going door-to-door to check on each other. He warned those who want to go see all the damage to please look at the pictures on social media. He said the traffic is heavy and congested on 48th Avenue, 60th Avenue, and Alameda all the way to Highway 9. He said first responders and utility companies need to get to these homes and they are competing with the people wanting to see everything. He asked them to please wait a week before going to see the damage so the roads where the damage will be accessible. He thanked Chief Foster, Chief King, the Cleveland County Sheriff's Department, EMSSTAT, and everyone who came out to help on Monday after the tornado. He said Mr. Paul Wilson donated twenty cases of water to be handed out to workers and residents of the neighborhood. He said additional donations of water, food, and generators would be appreciated. He said it would also be helpful for neighbors to store residents' food in their refrigerator/freezer until power is restored.

Council Announcements, continued:

Tornado Event, continued. Councilmember Grant said donations could be dropped off for Ward 4 residents at Yellow Dog Coffee. She said for those missing a pet, Annie's Ruffhouse, may have the missing animal sheltered.

Councilmember Lynn said his thoughts go out to victims of the tornado and he hopes that everything will be taken care of.

Councilmember Schueler thanked First Responders, City Staff, and residents for all they have done. She said one thing she knows about Oklahoma is that people show up for their neighbors and citizens in need. She urged those who can help to reach out to those in need. She reminded everyone that predatory contractors will be coming in during a time when people are in serious need and easy to take advantage of. She urged people to select trusted locally owned contractors that have been operating for a very long time.

Mayor Heikkila thanked City Staff for trying to get everything back to normal after the tornado. He said Southern Baptist Disaster Relief is in town helping the affected neighborhoods. He thanked the University of Oklahoma Police Department; OG&E; Noble Police Department; Cleveland County Sheriff's Office; Highway Patrol; the National Weather Service; Oklahoma Natural Gas; CrossPointe Church; Victory Church; Bethel Baptist Church; OU Women's Softball; and OU Men's Football for helping residents. He said it is a wonderful reflection of Norman. He said the Construction Industries Board can provide information about contractors that have come to town.

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Access in Eaglecliff Addition. Councilmember Holman said access has been a problem in Eaglecliff Addition for many years because there are only two ways in and out. He said there are five different neighborhoods in the area with over 2,000 residents. He said it becomes a serious problem if any of the two access points are blocked off. He said one access point crosses the railroad tracks, which compounds the problem. He said there is an unfunded project to connect Cedar Lane Road to Jenkins Avenue. He just wants citizens to know that Council and Staff are aware and there are future plans to address the issue.

*

Community Planning and Transportation Committee (CPTC) Meeting. Councilmember Holman encouraged residents to go to YouTube to watch last week's CPTC Meeting. He said the Committee talked about traffic issues around schools and an Emergency Response Plan for a train derailment. He said the status of the new routes for Public Transit and the new Central Transit Hub located on the southwest corner of Porter Avenue and Comanche Street that will be available this fall.

Councilmember Grant said she was at the CPTC Meeting and she added some information on her Ward 4 Facebook Page about the Central Transit Hub. She said it is still on track to open in March, 2023, and her Facebook Page has renderings for the public to see.

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Council Announcements, continued:

Election Tuesday March 14. Councilmember Holman reminded everyone about the Election on Tuesday, March 14th. The proposition to be voted on is Recreational Marijuana.

Councilmember Tortorello said he could not tell people how to vote but the election is a very important one. He said if this proposition passes, it would change the laws in Oklahoma forever and not in a good way.

*

Appointments. Councilmember Grant thanked Ward 4 residents who are being appointed or reappointed to a Board/Commission. She recognized Lee Krumholz, Misty Grantham, Peggy Stockwell, and Trae Carson.

Councilmember Schuler congratulated Sarah Shanks and Russell Rice for agreeing to be reappointed.

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Norman Arts Council Fundraiser. Councilmember Grant announced an Art Event entitled "ONE: Mashup" can be seen at Main Site Contemporary Art on Saturday, March 25th. She said this is the annual fundraiser for Norman Arts Council.

*

Congratulations to Bree Montoya. Councilmember Lynn congratulated his opponent, Bree Montoya, on her win for Ward 3.

*

Fly In to Washington DC. Councilmember Lynn said he was looking forward to a great opportunity to go with the Norman Chamber of Commerce and City Staff to the Fly In to Washington D.C.

*

School Pickup and Drop-off. Councilmember Schueler thanked the Staff and students at Whittier Middle School for achieving 50 years. She said at the CPTC meeting, school pick up and drop off was discussed. She said in the central part of Ward 2, there are three schools, Whittier Middle School, Alcott Middle School, and Jackson Elementary School all in a small area and then Monroe Elementary School is just down the road. She gets many calls about the traffic, how to work with the school system, and ways to mitigate the problem.

*

The Future of Norman. Councilmember Schueler urged citizens who are interested in what Norman will look like in the future, there are several new items coming forward such as the Comprehensive Land Use Plan, Strong Towns, and Neighborhood Alliance, which, is on the agenda tonight.

*

Council Announcements, continued:

Councilmember Ball. Councilmember Schueler welcomed Councilmember Ball to the dais and wished him "Good Luck".

Councilmember Ball said he had not expected to take office this soon but it is an honor to serve. He thanked his family and friends who helped him win the election. He said he is looking forward to doing his best for Ward 1.

* * * * *

CONSENT DOCKET

This item is placed on the agenda so that the City Council, by unanimous consent, can designate those routine agenda items that they wish to be approved or acknowledged by one motion. If any item proposed does not meet with approval of all Councilmembers, that item will be heard in regular order. Staff recommends that Item 5 through Item 27 excluding Item 17, be placed on the consent docket.

Motion made by Councilmember Ward 7 Holman; seconded by Councilmember Ward 6 Foreman

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Item 5 through Item 27 excluding Item 17, were Placed on the Consent Docket.

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Appointments

5. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

BICYCLE ADVISORY COMMITTEE

TERM: 02-28-23 TO 02-13-24: JIM ELLER, WARD 6

TERM: 02-13-23 TO 02-13-26: HAL CANTWELL, WARD 3

TERM: 02-13-23 TO 02-13-26: SARAH SHANKS, WARD 2

TERM: 02-13-23 TO 02-13-26: LEE KRUMHOLZ, WARD 4

NORMAN FORWARD CITIZENS FINANCIAL OVERSIGHT BOARD

TERM: 02-28-23 TO 12-22-23: MISTY GRANTHAM, WARD 4

NORMAN HOUSING AUTHORITY

TERM: 02-28-23 TO 11-21-24: PEGGY STOCKWELL, WARD 4

BOARD OF PARKS COMMISSIONERS

TERM: 01-01-23 to 01-01-26: BILLY DAVISON, WARD 5

TERM: 01-01-23 to 01-01-26: KRISTI WRIGHT, WARD 1

TERM: 02-28-23 to 01-01-26: SHERREL SHERIFF, WARD 3

Item 5, continued:

PIONEER MULTI-COUNTY LIBRARY BOARD

TERM: 02-28-23 TO 07-01-24: TRAE CARSON, WARD 4

PUBLIC SAFETY OVERSIGHT COMMITTEE

TERM: 02-10-23 TO 02-10-26: RUSSELL RICE, WARD 2

TERM: 02-10-23 TO 02-10-26: MARK EMERSON, WARD 5

TERM: 02-10-23 TO 02-10-26: KENNY ORR, WARD 8

SOCIAL AND VOLUNTARY SERVICES

TERM: 02-28-23 TO 12-09-24 TRUDY SICKLES, WARD 5

NORMAN FORWARD SAXON PARK AD HOC COMMITTEE

SHAVONNE EVANS, WARD 1

TYLER MCMANAMAN, WARD 5

DAN SCHEMM, WARD 5

WARREN QUETON, REPRESENTATIVE FROM THE KIOWA TRIBE

KAREN GOODCHILD, WARD 5

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated February 28, 2023, from Brenda Hall, City Clerk

Resolution R-2223-101 was Adopted.

* * * * *

Reports/Communications

6. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF JANUARY 31, 2023, AND DIRECTING THE FILING THEREOF.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Item 6, continued:

Items submitted for the record

1. Staff Report dated February 28, 2023, from Anthony Francisco, Director of Finance
2. Finance Director's Investment Report as of January 31, 2023

Receipt of the Finance Director's Investment Report as of January 31, 2023, was Acknowledged.

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7. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF FEBRUARY, 2023.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated February 28, 2023, from Stacey Parker, Administrative Assistant
2. Monthly Department Reports for the month of January, 2023

Receipt of the Monthly Departmental Reports for the month of January, 2023, was Acknowledged.

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8. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE CITY MANAGER'S CONTRACT AND CHANGE ORDER REPORT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Item 8, continued:

Items submitted for the record

1. Staff Report dated February 28, 2023, from Brenda Hall, City Clerk
2. Letter dated December 16, 2022, from Rebecca Poole, P.E., Project Manager, Associate Vice President, Carollo Engineers, Inc. to Chris Mattingly, P.E., Utilities Director
3. Change Order No. Five to Contract K-1819-44

Receipt of the City Manager's Contract and Change Order Report was Acknowledged.

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Bids

9. CONSIDERATION OF AWARDING, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BID-2223-39: SUBMITTED BY S.W. GILLIS AND MEYER DIRT WORK TO RAISE SANITARY SEWER MANHOLES AT VARIOUS LOCATIONS THROUGHOUT THE SEWER COLLECTION SYSTEM FOR THE LINE MAINTENANCE DIVISION.

Acting as the Norman Utilities Authority

Motion made by Trustee Ward 7 Holman, Seconded by Trustee Ward 8 Peacock.

Voting Yea: Chairman Heikkila, Trustee Ward 1 Ball, Trustee Ward 2 Schueler, Trustee Ward 3 Lynn, Trustee Ward 4 Grant, Trustee Ward 5 Tortorello, Trustee Ward 7 Holman, Trustee Ward 8 Peacock

Items submitted for the record

1. Staff Report dated February 28, 2023, from Scott Aynes, Line Maintenance Manager
2. Bid Tabulation dated February 9, 2023, for Raising of Sanitary Sewer Manholes

Bid 2223-23 for Asphalt Materials was Awarded to Meyer Dirt Work as the Lowest and Best Bidder Meeting Specifications.

* * * * *

Request for Payment

10. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A WORKERS' COMPENSATION COMMISSION COURT ORDER IN THE AMOUNT OF \$38,167.50 REGARDING JERRY WAYNE YOUNTS VS. THE CITY OF NORMAN, OKLAHOMA WORKERS' COMPENSATION COMMISSION CASE 2020-06911 F.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Item 10, continued:

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated February 28, 2023, from Jeanne Snider, Assistant City Attorney
2. Order Determining Compensability and Awarding Permanent Partial Disability Benefits filed February 3, 2023, for Jerry Wayne Younts, Oklahoma Workers' Compensation Commission File CM3-2020-06911F
3. Settlement Calculations
4. Payment Schedule

A Workers' Compensation Commission Court Order in the amount of \$38,167.50 regarding Jerry Wayne Younts vs. the City of Norman, Oklahoma Workers' Compensation Commission Case 2020-06911 F was approved.

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Final Plat

11. CONSIDERATION OF AWARDING, ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF FINAL PLAT FP-2223-10: A FINAL PLAT AND SITE PLAN FOR ALPINE MOTORSPORTS ADDITION AND THE PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED ONE HALF MILE WEST OF PORTER AVENUE ON THE SOUTH SIDE OF WEST TECUMSEH ROAD.)

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated February 28, 2023, from Ken Danner, Subdivision Development Manager
2. Location map
3. Final plat
4. Preliminary plat
5. Site plan
6. Development Committee Staff Report dated February 10, 2023
7. Application for Development Committee Action dated February 6, 2023, from Michael Roberts, Sole Member Elysium for Alpine Motorsports

The Final Plat and Site Plan for Alpine Motorsports Addition were Approved.

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12. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT TEN TO CONTRACT K-1617-114: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, THE NORMAN MUNICIPAL AUTHORITY, AND P.D.G., L.L.C., D/B/A PLANNING DESIGN GROUP, IN THE AMOUNT OF \$12,500 FOR A REVISED CONTRACT AMOUNT OF \$1,919,857.50 TO PROVIDE ADDITIONAL DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES RELATING TO GRIFFIN PARK AND ROBINSON STREET WIDENING AND SIGNALIZATION; AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

Acting as the City of Norman and the Norman Municipal Authority

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated February 28, 2023, from Tim Miles, Capital Projects Engineer
2. Amendment No. Ten to Contract K-1617-114 with Exhibit B, Compensation

Amendment No. Ten to Contract K-1617-114 with P.D.G., L.L.C., d/b/a Planning Design Group, in the amount of \$12,500 was Approved.

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13. CONSIDERATION OF APPROVAL, ACCEPTANCE, ADOPTION, REJECTION, AND/OR POSTPONEMENT OF AMENDMENT FOUR TO CONTRACT K-1920-40: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND FRANKFURT-SHORT-BRUZA ASSOCIATES, P.C. (FSB) INCREASING THE CONTRACT AMOUNT BY A TOTAL AMOUNT NOT-TO-EXCEED \$200,000 FOR A REVISED CONTRACT AMOUNT NOT-TO-EXCEED OF \$3,530,975 TO PROVIDE ADDITIONAL PROFESSIONAL SERVICES AND CONTINGENCY FOR THE YOUNG FAMILY ATHLETIC CENTER AND SENIOR WELLNESS CENTER; AND BUDGET TRANSFER AS OUTLINED IN THE STAFF REPORT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Item 13, continued:

Items submitted for the record

1. Staff Report dated February 28, 2023, from Jason Olsen, Director of Parks and Recreation
2. Amendment No. Four to Contract K-1920-40 with Exhibit B, Consultant's Compensation for Services; Exhibit C, and Extended Construction Administration Additional Services Proposal

Amendment No. Four to Contract K-1920-40 with Frankfurt-Short-Bruza Associates, P.C. (FSB) in an amount not-to-exceed of \$200,000 was Approved.

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14. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND OR POSTPONEMENT OF AMENDMENT NO. ONE TO CONTRACT K-2122-57: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF COMMERCE (ODOC) FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT CV2 PROGRAM FOR 2020 DECREASING THE GRANT AMOUNT BY \$905,500 FOR A NEW TOTAL OF \$611,000.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated February 28, 2023, from Lisa D. Krieg, CDBG Grants Manager
2. Amendment No. One to Contract K-2122-57

Amendment No. One to Contract K-2122-57 with the Oklahoma Department of Commerce decreasing the grant amount by \$905,500 was Approved.

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15. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT NO. ONE TO CONTRACT K-2122-96: A REIMBURSEMENT AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, A MUNICIPAL CORPORATION, AND WESTERN FARMERS ELECTRIC COOPERATIVE INCREASING THE CONTRACT AMOUNT BY \$12,807.84 FOR A REVISED CONTRACT AMOUNT OF \$459,276.97, FINALIZING COST SHARE FOR TRANSMISSION LINE RELOCATION OCCASIONED BY THE 36TH AVENUE BOND PROJECT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Item 15, continued:

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated February 28, 2023, from Lisa D. Krieg, CDBG Grants Manager
2. Amendment No. One to Contract K-2122-96 with Supplement to Appendix A, Services
3. Contract K-2122-96 with Appendix A, Services

Amendment No. One to Contract K-2122-96 with Western Farmers Electric Cooperative in the amount of \$12,807.84 was Approved.

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16. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CHANGE ORDER NO. ONE TO CONTRACT K-2223-1: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND ARROYO'S CONCRETE, L.L.C., INCREASING THE CONTRACT AMOUNT BY \$14,826.10 FOR A REVISED CONTRACT AMOUNT OF \$1,139,197.60 ADDING REPAIR OF CONCRETE MEDIAN ISLANDS AT FLOOD AVENUE AND ROBINSON STREET TO THE SIDEWALK CONCRETE PROJECTS AND ADDING 35 CALENDAR DAYS TO THE CONTRACT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated February 28, 2023, from Joseph Hill, Streets Program Manager
2. Change Order No. One to Contract K-2223-1

Change Order No. One to Contract K-2223-1 with Arroyo's Concrete, L.L.C., in the amount of \$14,826.10 and adding 35 Calendar Days to the Contract was Approved.

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18. CONSIDERATION OF AWARDING, ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BID 2223-37 AND CONTRACT K-2223-74: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND ARROYO'S CONCRETE, L.L.C., IN THE AMOUNT OF \$508,568.25 FOR THE FYE 2023 URBAN RECONSTRUCTION PROJECT, JUNIPER LANE FROM LAHOMA AVENUE TO CHAUTAUQUA AVENUE AND FAIRFIELD DRIVE FROM MCCALL DRIVE TO WILLOW LANE; PERFORMANCE BOND B-2223-44; STATUTORY BOND B-2223-45; MAINTENANCE BOND MB-2223-63, AND RESOLUTION R-2223-72 GRANTING TAX-EXEMPT STATUS.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated February 28, 2023, from Joseph Hill, Streets Program Manager
2. Contract K-2223-74
3. Performance Bond B-2223-44
4. Statutory Bond B-2223-45
5. Maintenance Bond MB-2223-63
6. Location map
7. Resolution R-2223-72

The Bid was Awarded to Arroyo's Concrete, L.L.C. in the amount of \$508,568.25; Contract K-2223-74 and the Associated Bonds were Approved, and Resolution R-2223-72 granting tax-exempt status was Adopted.

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19. CONSIDERATION OF AWARDING, ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BID 2223-40 AND CONTRACT K-2223-76: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND RUDY CONSTRUCTION COMPANY IN THE AMOUNT OF \$589,486.60, CHANGE ORDER NO. ONE TO CONTRACT K-2223-76 INCREASING THE AMOUNT BY \$15,400 FOR A TOTAL CONTRACT AMOUNT OF \$604,886.60, FOR THE ROBINSON STREET WIDENING AND SIGNALIZATION PROJECT, PERFORMANCE BOND B-2223-46; STATUTORY BOND B-2223-47; MAINTENANCE BOND MB-2223-40, RESOLUTION R-2223-78 GRANTING TAX-EXEMPT STATUS, AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Item 19, continued:

Voting Yea: Mayor Heikkila, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated February 28, 2023, from Jeff Fordice, Capital Projects Engineer
2. Contract K-2223-76
3. Performance Bond B-2223-46
4. Statutory Bond B-2223-47
5. Maintenance Bond MB-2223-40
6. Letter of Recommendation dated January 31, 2023, from Geoffery Evans, PLA, Principal/Project Manager, PDG – Planning Design Group, to Mr. Shawn O’Leary, Director, Public Works Department
7. Resolution R-2223-78
8. Change Order No. One to Contract K-2223-76

The Bid was Awarded to Rudy Construction Company, Inc., in the amount of \$508,568.25, Contract K-2223-76, Change Order No. One increasing the contract by \$15,400, and the Associated Bonds were Approved, Resolution R-2223-78 granting tax-exempt status was Adopted, and the Budget Appropriation was Approved.

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20. CONSIDERATION OF AWARDING, ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BID 2223-41 AND CONTRACT K-2223-77: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND ARROYO’S CONCRETE, L.L.C., IN THE AMOUNT OF \$499,172.70 FOR THE STREET MAINTENANCE ALLEY PROGRAM CONCRETE PAVEMENT PROJECT, FYE 2023 LOCATIONS; PERFORMANCE BOND B-2223-51; STATUTORY BOND B-2223-52; MAINTENANCE BOND MB-2223-44, AND RESOLUTION R-2223-79 GRANTING TAX-EXEMPT STATUS

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated February 28, 2023, from Joseph Hill, Streets Program Manager
2. Contract K-2223-77
3. Project location map
4. Performance Bond B-2223-51

Item 20, continued:

Items submitted for the record, continued

5. Statutory Bond B-2223-52
6. Maintenance Bond MB-2223-44
7. Resolution R-2223-79

The Bid was Awarded to Arroyo's Concrete, L.L.C., in the amount of \$499,172.70; Contract K-2223-77 and the Associated Bonds were Approved, and Resolution R-2223-79 granting tax-exempt status was Adopted.

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21. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2223-116: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE SANBORN MAP COMPANY, INC., IN AN AMOUNT NOT-TO-EXCEED \$127,782.79 TO PROVIDE DIGITAL ORTHOPHOTOGRAPHY, TOPOGRAPHIC MAPPING, AND PLANIMETRIC MAPPING FOR THE GEOGRAPHIC INFORMATION SYSTEMS DIVISION.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated February 28, 2023, from Joyce Green, GIS Services Manager
2. Contract K-2223-116 with Exhibit A, Services and Deliverables, and Exhibit B, Compensation

Contract K-2223-116 in the amount of \$127,782.29 with Sanborn Map Company, Inc., was Approved.

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22. CONSIDERATION OF APPROVAL, ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2223-117: A PROJECT MAINTENANCE, FINANCING, AND RIGHT-OF-WAY AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR PROJECT J3-6407(004)AG, STATE JOB 36407(04), TO PROVIDE EMERGENCY VEHICLE PRE-EMPTION UPGRADES AND RESOLUTION R-2223-94.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Item 22, continued:

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated February 28, 2023, from David Riesland, Transportation Engineer
2. Contract K-2223-117
3. Resolution R-2223-94
4. Project location map

Contract K-2223-117 with the Oklahoma Department of Transportation was Approved and Resolution R-2223-94 was Adopted.

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23. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2223-119: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND ATLAS COPCO COMPRESSORS, L.L.C., AT NO INITIAL COST FOR WASTEWATER RECLAMATION FACILITY AERATION BASIN TURBO BLOWER REPLACEMENT

Acting as the Norman Utilities Authority

Motion made by Trustee Ward 7 Holman, Seconded by Trustee Ward 5 Tortorello.

Voting Yea: Chairman Heikkila, Trustee Ward 1 Ball, Trustee Ward 2 Schueler, Trustee Ward 3 Lynn, Trustee Ward 4 Grant, Trustee Ward 5 Tortorello, Trustee Ward 6 Foreman, Trustee Ward 7 Holman, Trustee Ward 8 Peacock

Items submitted for the record

1. Staff Report dated February 28, 2023, from Nathan Madenwald, Utilities Engineer
2. Contract K-2223-119 with Exhibit A, Atlas Copco Scope of Supply; Exhibit B, Original Project Specifications (for reference only); Exhibit C, Original HIS Blower Performance Curves (for reference only); Exhibit D, Notice of Final Acceptance; and Exhibit E, Atlas Copco Service Plan Required for 5 Year Extended Warranty

Contract K-2223-119 with Atlas Copco Compressors, L.L.C., at no additional cost was Approved.

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24. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-99: A RESOLUTION FIXING THE AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2023A TO MATURE EACH YEAR; FIXING THE TIME AND PLACE THE BONDS ARE TO BE SOLD; DESIGNATING A PAYING AGENT/REGISTRAR AND DISCLOSURE COUNSEL; APPROVING THE PRELIMINARY OFFICIAL STATEMENT AND DISTRIBUTION THEREOF; AND AUTHORIZING THE CLERK TO GIVE NOTICE OF SAID SALE AS REQUIRED BY LAW AND FIXING OTHER DETAILS OF THE ISSUE.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated February 28, 2023, from Anthony Francisco, Director of Finance
2. Resolution R-2223-99
3. Notice of Sale of 2023A Bonds

Resolution R-2223-99 was Adopted.

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25. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-100: A RESOLUTION FIXING THE AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2023B TO MATURE EACH YEAR; FIXING THE TIME AND PLACE THE BONDS ARE TO BE SOLD; DESIGNATING A PAYING AGENT/REGISTRAR AND DISCLOSURE COUNSEL; APPROVING THE PRELIMINARY OFFICIAL STATEMENT AND DISTRIBUTION THEREOF; AND AUTHORIZING THE CLERK TO GIVE NOTICE OF SAID SALE AS REQUIRED BY LAW AND FIXING OTHER DETAILS OF THE ISSUE.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated February 28, 2023, from Anthony Francisco, Director of Finance
2. Resolution R-2223-100
3. Notice of Sale of 2023B Bonds

Resolution R-2223-100 was Adopted.

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26. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF RESOLUTION R-2223-105: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, DECLARING THE 2023 NORMAN MUSIC FESTIVAL AND LIONS CLUB CARNIVAL TO BE HELD IN THE CITY OF NORMAN FROM APRIL 27, 2023, THROUGH APRIL 29, 2023, AS A QUALITY EVENT FOR THE PURPOSE OF APPLYING FOR TAX INCENTIVES PURSUANT TO THE STATE OF OKLAHOMA'S QUALITY EVENTS INCENTIVES ACT, DESIGNATING THE LIONS CLUB, IN CONJUNCTION WITH THE NORMAN MUSIC ALLIANCE, AS THE CERTIFIED SPONSOR AUTHORIZED TO PROMOTE AND CONDUCT THE QUALITY EVENT, AND IDENTIFYING ELIGIBLE EXPENSES FOR SUCH INCENTIVES.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated February 28, 2023, from Jason Olsen, Director of Parks and Recreation
2. Resolution R-2223-105
3. Informational Flyer regarding the Quality Events Act provided by the Oklahoma Tax Commission and the Oklahoma Department of Commerce

Resolution R-2223-105 was Adopted.

* * * * *

27. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-106: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING AND APPOINTING CROSSLAND CONSTRUCTION, INC., AS PROJECT AGENT FOR THE EMERGENCY COMMUNICATIONS AND OPERATIONS CENTER (ECOC) FOR THE CITY OF NORMAN.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated February 28, 2023, from Brenda Hall, City Clerk
2. Resolution R-2223-106

Resolution R-2223-106 was Adopted.

* * * * *

NON-CONSENT ITEMS

17. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2223-24: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND NEIGHBORHOOD ALLIANCE OF CENTRAL OKLAHOMA, INC., IN THE AMOUNT OF \$100,000 FOR THE NORMAN NEIGHBORS PROGRAM ACTIVITIES.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Voting Nay: Councilmember Ward 3 Lynn,

Items submitted for the record

1. Staff Report dated February 28, 2023, from Lisa D. Krieg, CDBG Grants Manager
2. Contract K-2223-24

Items submitted for the record

1. Ms. Georgie Rasco, Executive Director, Neighborhood Alliance
2. Mr. Evan Dunn, Ward 7, proponent

Contract K-2223-24 with Neighborhood Alliance of Central Oklahoma, Inc., in the amount of \$100,000 was Approved.

* * * * *

28. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF RESOLUTION R-2223-104: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPOINTING COMMUNITY MEMBERS AND ALTERNATES TO THE STRONG TOWN AD HOC COMMITTEE TO SERVE AS PART OF THE LEADERSHIP TEAM FOR THE COMMUNITY ACTION LAB AND SETTING FORTH GROUND RULES FOR PARTICIPATION.

Motion made by Councilmember Ward 8 Peacock, Seconded by Councilmember Ward 2 Schueler.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated February 28, 2023, from Brenda Hall, City Clerk
2. Resolution R-2223-104

Item 28, continued:

Items submitted for the record

1. Mr. Dave Moore, Ward 3, protestant
2. Mr. Evan Dunn, Ward 7, protestant
3. Ms. Cynthia Rogers, Ward 4, made comments
4. Mr. Steve Ellis, Ward 4, made comments
5. Mr. Kevin Tobar, Ward 8, made comments

Resolution R-2223-104 was Adopted.

* * * * *

29. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-98: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, GRANTING A PARTIAL EXEMPTION FROM CURRENT STANDARDS RELATING TO PROPOSED HISTORIC BERRY FARMS WITH ADVANCEMENT OF THE SHORT FORM PLAT PROCESS. (LOCATED AT 1300 WEST LINDSEY STREET)

Motion made to Postpone Resolution R-2223-98 until March 14, 2023, by Councilmember Ward 3 Lynn, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated February 28, 2023, from Ken Danner, Subdivision Development Manager
2. Location map
3. Request for Partial Exemption for Current Standards dated January 10, 2023, from Steve Rollins, P.E., Arc Engineering Consultants, L.L.C., to Ms. Brenda Hall, City Clerk with Attachment A, Land Title Survey, and Attachment B, Site Plan

Participants in discussion

1. Mr. Sean Rieger, Rieger, Rieger Law Group, 136 Thompson Drive, attorney representing the applicant

Resolution R-2223-98 was Postponed until March 14, 2023

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30. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF ORDINANCE O-2223-22 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOT ONE (1), BLOCK ONE (1), OF HISTORIC BERRY FARMS ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE CO, SUBURBAN OFFICE COMMERCIAL DISTRICT, AND R-3, MULTI-FAMILY DWELLING DISTRICT, AND PLACE SAME IN THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1300 WEST LINDSEY STREET)

Motion made to Postpone Ordinance O-2223-22 until March 14, 2023, by Councilmember Ward 3 Lynn, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated February 28, 2023, from Jane Hudson, Director of Planning and Community Development
2. Application for Simple Planned Unit Development and Norman 2025 Amendment dated November 28, 2022, and revised December 22, 2022, prepared by Rieger Law Group, P.L.L.C., with Exhibit A, Legal Description; Exhibit B, Preliminary Site Development Plan; Exhibit C, Allowable Uses; Exhibit D, Preliminary Open Space Plan
3. Ordinance O-2223-22
4. Planning Commission Staff Report dated January 12, 2023
5. Location map
6. Pertinent excerpts from Planning Commission minutes of January 12, 2023

Participants in discussion

1. Mr. Sean Rieger, Rieger, Rieger Law Group, 136 Thompson Drive, attorney representing the applicant

Resolution O-2223-22 was Postponed until March 14, 2023

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31. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-23 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING AND ENACTING A NEW CODE FOR THE CITY; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Motion made by Councilmember Ward 2 Schueler, Seconded by Councilmember Ward 7 Holman.

Item 31, continued:

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated January 24, 2023, from Jeanne Snider, Assistant City Attorney
2. Ordinance O-2223-23
3. Legislatively notated copy of Ordinance O-2223-23

Participants in discussion

1. Ms. Jeanne Snider, Assistant City Attorney
2. Ms. Brenda Hall, City Clerk

Ordinance O-2223-23 was Adopted Upon Second Reading Section by Section

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Ordinance O-2223-23 was Adopted Upon Final Reading as a Whole

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32. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-24 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE I OF CHAPTER 16 (PUBLIC IMPROVEMENTS) OF THE CODE OF THE CITY OF NORMAN BY ADOPTING AND INCORPORATING BY REFERENCE THEREIN THE CITY OF NORMAN STANDARD SPECIFICATIONS AND CONSTRUCTION DRAWINGS AND THE ENGINEERING DESIGN CRITERIA FOR STREETS, STORMWATER, WATER LINES, AND SANITARY SEWERS DATED FEBRUARY 28, 2023, PROVIDING ENFORCEMENT REMEDIES INCLUDING PENALTIES FOR VIOLATION; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 2 Schueler.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Item 32, continued:

Items submitted for the record

1. Staff Report dated February 14, 2023, from Scott Sturtz, City Engineer
2. Ordinance O-2223-24
3. Legislatively notated copy of Ordinance O-2223-24
4. Standard Specifications and Construction Drawings
5. Engineering Design Criteria dated February 2, 2023, with Appendix A, Traffic Study Guidelines; Appendix B, Complete Streets Manual; Appendix C, Water Quality Protection Zone (WQPZ) Ordinance; and Appendix D, Fee Schedule
6. Website Comment Log
7. Additional Stakeholder Comments

Participants in discussion

1. Mr. Scott Sturtz, City Engineer
2. Ms. Dawn Warrick, Urban Planner, Freese & Nichols

Ordinance O-2223-24 was Adopted Upon Second Reading Section by Section.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 2 Schueler.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Ordinance O-2223-24 was Adopted Upon Final Reading as a Whole.

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33. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF ORDINANCE O-2223-25 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 8-503 OF THE CODE OF ORDINANCES CONTINGENT ON VOTER APPROVAL OF ORDINANCE O-2223-26 TO INCREASE THE EXCISE TAX UPON THE GROSS PROCEEDS OR GROSS RECEIPTS DERIVED FROM RENTS RECEIVED FROM OCCUPANCY OF HOTEL ROOMS; PROVIDING FOR AN EFFECTIVE DATE FOR SAID INCREASE SUBJECT TO VOTER APPROVAL; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Motion made by Councilmember Ward 8 Peacock, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Item 33, continued:

Items submitted for the record

1. Staff Report dated February 14, 2023, from Dan Schemm, Visit Norman Executive Director
2. Ordinance O-2223-25
3. Legislatively notated copy of Ordinance O-2223-25

Participants in discussion

1. Mr. Dan Schemm, Executive Director, VisitNorman
2. Ms. Erinn Gavaghan, Executive Director, Norman Arts Council
3. Mr. Steve Ellis, Ward 4, made comments
4. Ms. Cindy Rogers, Ward 4, made comments
5. Mr. Evan Dunn, Ward 7, proponent
6. Mr. Paul Wilson, Ward 1, protestant
7. Mr. Anthony Francisco, Director of Finance

Ordinance O-2223-25 was Adopted Upon Second Reading Section by Section

Motion made by Councilmember Ward 8 Peacock, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Ordinance O-2223-25 was Adopted Upon Final Reading as a Whole.

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34. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF ORDINANCE O-2223-26 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING THE CALLING AND HOLDING OF A SPECIAL ELECTION IN SAID CITY OF NORMAN, STATE OF OKLAHOMA, (THE CITY), ON THE NINTH DAY OF MAY, 2023, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED, QUALIFIED ELECTORS OF SAID CITY THE QUESTION OF APPROVING OR REJECTING ORDINANCE O-2223-25, WHICH ORDINANCE AMENDS SECTION 8-503 OF CHAPTER 8 OF THE CODE OF ORDINANCES OF THE CITY OF NORMAN, OKLAHOMA, BY INCREASING THE EXCISE TAX UPON THE GROSS PROCEEDS OR GROSS RECEIPTS DERIVED FROM RENTS RECEIVED FROM OCCUPANCY OF HOTEL ROOMS BY THREE PERCENT (3%) TO A TOTAL OF EIGHT PERCENT (8%); PROVIDING AN EFFECTIVE DATE FOR SAID INCREASE SUBJECT TO VOTER APPROVAL; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 7 Holman.

Item 34, continued:

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 7 Holman.

Items submitted for the record

1. Staff Report dated February 14, 2023, from Dan Schemm, Visit Norman Executive Director
2. Ordinance O-2223-26

Participants in discussion

1. Ms. Cindy Rogers, Ward 4, made comments
2. Ms. Kathryn Walker, City Attorney

Ordinance O-2223-34 was Adopted Upon Second Reading Section by Section.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 7 Holman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Ordinance O-2223-34 was Adopted Upon Final Reading as a Whole.

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MISCELLANEOUS COMMENTS

Strong Towns. Mr. Steve Ellis, Ward 4, said the Strong Towns meeting held Monday, February 27th, was a successful meeting. He said he was interested in the suggestion that Norman should be viewed as a business. He said state and local governments expect a return on their investments and each community should think of itself like a business that sells certain resources, infrastructure, and amenities. He said each party profits when it values what it gets more than it gives.

*

Third Death at the Jail. Ms. Cindy Rogers, Ward 4, said one of the City services is Police Services and our citizens are taken to a place where there have been three deaths since the beginning of the year. She said she is worried about other people that need help being sent to jail and the options that officers have in order to follow protocol. She want everyone to think about ways to save people's lives and the emergency response crew and not treating people in crisis as criminals.

*

Miscellaneous Comments, continued:

Warming Shelter. Mr. Paul Wilson, Ward 1, said he found out that the City was not going to renegotiate the contract for the Warming Shelter. He said the contract will end on March 31st, right during tornado season. He said a tornado can happen anytime and these people will be on the streets with no shelter. He asked Council to consider renewing the contract.

*

"Breath". Mr. Evan Dunn, Ward 7, said he recently gave Council a book called "Breath" and asked Council what if we could buy 10,000 copies of the book and mail it to random people to help them have a better life.

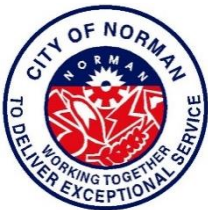
ADJOURNMENT

The Meeting Adjourned at 9:14 p.m.

ATTEST:

City Clerk

Mayor



CITY OF NORMAN, OK CITY COUNCIL SPECIAL MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069
Thursday, April 13, 2023 at 4:00 PM

MINUTES

It is the policy of the City of Norman that no person or groups of persons shall on the grounds of race, color, religion, ancestry, national origin, age, place of birth, sex, sexual orientation, gender identity or expression, familial status, marital status, including marriage to a person of the same sex, disability, retaliation, or genetic information, be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination in employment activities or in all programs, services, or activities administered by the City, its recipients, sub-recipients, and contractors. In the event of any comments, complaints, modifications, accommodations, alternative formats, and auxiliary aids and services regarding accessibility or inclusion, please contact the ADA Technician at 405-366-5424, Relay Service: 711. To better serve you, five (5) business days' advance notice is preferred.

CALL TO ORDER

Mayor Heikkila called the Meeting to Order at 4:00 p.m.

ROLL CALL:

Present:

Mayor Larry Heikkila
Councilmember Ward 1 Austin Ball
Councilmember Ward 2 Lauren Schueler
Councilmember Ward 4 Helen Grant
Councilmember Ward 6 Elizabeth Foreman
Councilmember Ward 7 Stephen Holman

Absent:

Councilmember Ward 3 Kelly Lynn
Councilmember Ward 5 Rarchar Tortorello
Councilmember Ward 8 Matthew Peacock

PLEDGE OF ALLEGIANCE

Mayor Heikkila led the Pledge of Allegiance.

AGENDA ITEMS

1. CONSIDERATION OF APPROVAL, REJECTION, OR POSTPONEMENT OF ELECTION TO PARTICIPATE IN THE 2022 GLOBAL OPIOID SETTLEMENTS WITH CVS, WAL-MART, WALGREENS, ALLERGAN, AND TEVA, INCLUDING AGREEING TO THE TERMS OF THE GLOBAL SETTLEMENTS, THE RELEASE OF ALL CLAIMS AGAINST THESE ENTITIES, AND THE PERMISSIBLE USES OF MONIES RECEIVED PURSUANT TO THE SETTLEMENTS FOR OPIOID ABATEMENT; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE PARTICIPATION FORMS FOR EACH SETTLEMENT ON THE CITY OF NORMAN'S BEHALF.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 2 Schueler.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 4 Grant, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman

Participation in the Settlement was Approved and the City Manager was Authorized to Execute the Participation Forms for each Settlement.

Participants in Discussion

1. Ms. Kathryn Walker, City Attorney

ADJOURNMENT

The Meeting Adjourned at 4:08 p.m.

File Attachments for Item:

2. CONSIDERATION OF ACKNOWLEDGMENT, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2223-21: A PROCLAMATION OF THE MAY PROCLAIMING MAY 9 THROUGH MAY 27, 2023, AS PUBLIC WORKS WEEKS IN THE CITY OF NORMAN.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/09/2023

REQUESTER: Shawn O'Leary, Director of Public Works

PRESENTER: Shawn O'Leary, Director of Public Works

ITEM TITLE: CONSIDERATION OF ACKNOWLEDGMENT, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2223-21: A PROCLAMATION OF THE MAY PROCLAIMING MAY 9 THROUGH MAY 27, 2023, AS PUBLIC WORKS WEEKS IN THE CITY OF NORMAN.

Proclamation

P-2223-21

A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING MAY 9 THROUGH MAY 27, 2023, AS PUBLIC WORKS WEEKS IN THE CITY OF NORMAN.

- § 1. WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of Norman, Oklahoma; and
- § 2. WHEREAS, these facilities, infrastructure, and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government, who are responsible for rebuilding, improving, and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and
- § 3. WHEREAS, it is in the public interest of the citizens including young people in the City of Norman to gain knowledge of and to maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and
- § 4. WHEREAS, the City of Norman Public Works Department will celebrate Public Works Weeks by recognizing employees for their outstanding support of the goals of public works on May 10th, educating local school children in the aspects of public works operations on May 18th, and volunteering time to beautify a local public space on May 12th; and
- § 5. WHEREAS, the year 2023 marks the 63rd annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association be it now.

NOW, THEREFORE, I, MAYOR OF THE CITY OF NORMAN, OKLAHOMA:

- § 6. Do hereby designate May 9 through 27, 2023, as National Public Works Weeks; I urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and employees and to recognize the substantial contributions they make to protect our national health, safety, and quality of life.

PASSED AND APPROVED this 9th day of May, 2023.

Mayor

ATTEST:

City Clerk



File Attachments for Item:

3. CONSIDERATION OF ACKNOWLEDGEMENT, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2223-22: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING SUNDAY, MAY 20, 2023, AS KIDS TO PARKS DAY IN THE CITY OF NORMAN.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/09/2023

REQUESTER: Lisa Griggs, Senior Program Coordinator

PRESENTER: Jason Olsen, Director of Parks and Recreation

ITEM TITLE: CONSIDERATION OF ACKNOWLEDGEMENT, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2223-22: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING SUNDAY, MAY 20, 2023, AS KIDS TO PARKS DAY IN THE CITY OF NORMAN.

P-2223-22

A PROCLAMATION OF THE MAYOR OF THE
CITY OF NORMAN, OKLAHOMA, PROCLAIMING
SATURDAY, MAY 20, 2023, AS KIDS TO PARKS
DAY IN THE CITY OF NORMAN.

- § 1. WHEREAS, May 20, 2023, is the Kids to Parks Day organized and launched by the National Park Trust held annually on the third Saturday of May; and
- § 2. WHEREAS, Kids to Parks Day empowers kids and encourages families to get outdoors and visit the City of Norman's parks, public lands and waters; and
- § 3. WHEREAS, we should encourage children to lead a more active lifestyle to combat issues of childhood obesity, diabetes, hypertension and hypercholesterolemia; and
- § 4. WHEREAS, Kids to Parks Day will broaden children's appreciation for nature and outdoors; and
- § 5. WHEREAS, Kids to Parks Day will recognize the importance of recreating responsibly while enjoying the benefits of the outdoors; and
- § 6. WHEREAS, The City of Norman invites the public to celebrate Kids to Parks Day with a special event on Saturday May, 20 2023, at 12:00 p.m. at Rotary Park; and
- NOW, THEREFORE, I, MAYOR OF THE CITY OF NORMAN, OKLAHOMA:
- § 7. Do hereby proclaim that Saturday, May 20, 2023 as Kids to Parks Day in the City of Norman.

PASSED AND APPROVED this 9th day of May, 2023.

Mayor

ATTEST:

City Clerk



File Attachments for Item:

4. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2223-24: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING MONDAY, MAY 15, 2023, AS PEACE OFFICERS MEMORIAL DAY AND THE WEEK OF MAY 14 THROUGH MAY 20, 2023, AS NATIONAL POLICE WEEK IN THE CITY OF NORMAN.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/09/2023

REQUESTER: Brenda Hall, City Clerk

PRESENTER: Brenda Hall, City Clerk

ITEM TITLE: CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2223-24: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING MONDAY, MAY 15, 2023, AS PEACE OFFICERS MEMORIAL DAY AND THE WEEK OF MAY 14 THROUGH MAY 20, 2023, AS NATIONAL POLICE WEEK IN THE CITY OF NORMAN.

Proclamation

P-2223-24

A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING MONDAY, MAY 15, 2023, AS PEACE OFFICERS MEMORIAL DAY AND THE WEEK OF MAY 14 THROUGH MAY 20, 2023, AS NATIONAL POLICE WEEK IN THE CITY OF NORMAN.

- § 1. WHEREAS, Congress and the President of the United States have designated May 15 as National Peace Officers' Memorial Day and the week of May 14 through 20, 2023, as National Police Week; and
- § 2. WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and
- § 3. WHEREAS, members of the Fraternal Order of Police Auxiliary invite residents of Norman to participate in "Project Blue Light" by placing a blue light in front of their homes or place of business during National Police Week in remembrance of those law enforcement officers who gave their lives in the line of duty and for the officers who continue to keep our neighborhoods and communities safe.

NOW, THEREFORE, I, MAYOR OF THE CITY OF NORMAN, OKLAHOMA:

- § 4. Do hereby proclaim Monday, May 15, 2023, as Peace Officers Memorial Day and the week of May 14 through May 20, 2023, as National Police Week in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty and let us recognize and pay respect to the survivors of fallen heroes.
- § 5. Do hereby invite all citizens to attend the Norman Law Enforcement Memorial Service on Monday, May 15, 2023, at 6:00 p.m. at the Legacy Park Amphitheater located at 1898 Legacy Park Drive.

PASSED AND APPROVED this 9th day of May, 2023.

Mayor

ATTEST:

City Clerk



File Attachments for Item:

5. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2223-25: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF MAY, 2023, AS BIKE MONTH AND FRIDAY, MAY 19, 2023, AS BIKE-TO-WORK DAY IN THE CITY OF NORMAN.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/09/2023

REQUESTER: James Briggs, Park Development Manager

PRESENTER: James Briggs, Park Development Manager

ITEM TITLE: CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2223-25: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF MAY, 2023, AS BIKE MONTH AND FRIDAY, MAY 19, 2023, AS BIKE-TO-WORK DAY IN THE CITY OF NORMAN.

Proclamation

P-2223-25

A PROCLAMATION OF THE MAYOR OF THE CITY
OF NORMAN, OKLAHOMA, PROCLAIMING THE
MONTH OF MAY, 2023, AS BIKE MONTH AND
FRIDAY, MAY 19, 2023, AS BIKE-TO-WORK DAY IN
THE CITY OF NORMAN.

- § 1. WHEREAS, today, millions of Americans engage in bicycling because it is a viable and environmentally friendly form of transportation, an excellent form of fitness, provides quality recreation, and helps relieve the fiscal strain of high gas prices; and
- § 2. WHEREAS, the education of cyclists and motorists as to the proper and safe operation of bicycles is important to ensure the safety and comfort of all users; and
- § 3. WHEREAS, the City of Norman continues to update its bicycle plan and bicycle transportation network, including several planned bicycle facilities such as the inclusion of safe bike transportation accommodations on the road widening project on 36th Avenue N.W. and the continued design and construction of multi-modal off-street bike paths along State Highway 9, along Flood Avenue from Robinson street to Tecumseh Road, and along Constitution Street from Jenkins Avenue to Classen Boulevard; and
- § 4. WHEREAS, the City of Norman has been designated by the League of American Bicyclists as an official **"Bicycle Friendly Community" for over 10 years**; and
- § 5. WHEREAS, the Norman Bicycle Advisory Committee, the Bicycle League of Norman, and independent cyclists throughout our state are promoting greater public awareness of bicycle operation and safety education in an effort to reduce accidents, injuries and fatalities for all.

NOW, THEREFORE, I, MAYOR OF THE CITY OF NORMAN, OKLAHOMA:

- § 6. Do hereby proclaim the month of May, 2023, as Bike Month, and also proclaim Friday, May 19, 2023, as Bike-To-Work Day in the City of Norman and encourage all citizens to recognize the importance of bicycle safety, be more aware of cyclists on our streets and highways; and invite all to ride their bicycles to Andrews Park that morning as they bike to work for an 8:30 a.m. rally as a show of support for bicycle use for all those reasons named herein.

PASSED AND APPROVED this 9th day of May, 2023.

Mayor

ATTEST:

City Clerk



File Attachments for Item:

6. CONSIDERATION OF ACKNOWLEDGEMENT, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2223-26: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF MAY 8 THROUGH 12, 2023, AS ECONOMIC DEVELOPMENT WEEK IN THE CITY OF NORMAN.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/09/2023

REQUESTER: Brenda Hall

PRESENTER: Lawrence McKinney, Norman Economic Development Coalition

ITEM TITLE: CONSIDERATION OF ACKNOWLEDGEMENT, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2223-26: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF MAY 8 THROUGH 12, 2023, AS ECONOMIC DEVELOPMENT WEEK IN THE CITY OF NORMAN.

Proclamation

P-2223-26

A PROCLAMATION OF THE MAYOR OF THE CITY OF
NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF
MAY 8 THROUGH MAY 12, 2023, AS ECONOMIC
DEVELOPMENT WEEK IN THE CITY OF NORMAN.

- § 1. WHEREAS, the International Economic Development Council is the largest professional economic development organization dedicated to serving economic developers; and
- § 2. WHEREAS, the International Economic Development Council provides leadership and excellence in economic development for communities, members, and partners through conferences, training courses, advisory services and research, in-depth publications, public policy advocacy, and initiatives such as the Accredited Economic Development Organization program, the Certified Economic Developer designation, and the Entrepreneurship Development Professional; and
- § 3. WHEREAS, economic developers promote economic well-being and quality of life for their communities by creating, retaining, and expanding jobs that facilitate growth, enhance wealth, and provide a stable tax base; and
- § 4. WHEREAS, economic developers stimulate and incubate entrepreneurship in order to help establish the next generation of new businesses, which is the hallmark of the American economy; and
- § 5. WHEREAS, economic developers are engaged in a wide variety of settings including rural and urban, local, state, provincial, and federal governments, public-private partnerships, chambers of commerce, universities, and a variety of other institutions; and
- § 6. WHEREAS, economic developers attract and retain high-quality jobs, develop vibrant communities, and improve the quality of life in their regions; and
- § 7. WHEREAS, economic developers work in the City of Norman within the State of Oklahoma.

NOW, THEREFORE, I, MAYOR OF THE CITY OF NORMAN, OKLAHOMA:

- § 8. Do hereby proclaim the week of May 8 through May 12, 2023, as Economic Development Week in the City of Norman, Oklahoma, and remind individuals of the importance of this community celebration, which supports expanding career opportunities and making lives better.

PASSED AND APPROVED this 9th day of May, 2023.

Mayor

ATTEST:

City Clerk



File Attachments for Item:

7. CONSIDERATION OF ACKNOWLEDGEMENT, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2223-27: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF MAY 7 THROUGH MAY 13, 2023, AS NATIONAL TRAVEL AND TOURISM WEEK IN THE CITY OF NORMAN



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/09/2022

REQUESTER: Brenda Hall, City Clerk

PRESENTER: Brenda Hall, City Clerk

ITEM TITLE: CONSIDERATION OF ACKNOWLEDGEMENT, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2223-27: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF MAY 7 THROUGH MAY 13, 2023, AS NATIONAL TRAVEL AND TOURISM WEEK IN THE CITY OF NORMAN

P-2223-27

A PROCLAMATION OF THE MAYOR OF THE CITY OF
NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF
MAY 7 THROUGH 13, 2023, AS NATIONAL TRAVEL AND
TOURISM WEEK IN THE CITY OF NORMAN.

- § 1. WHEREAS, the travel industry fuels every industry and will continue to be an essential part of the City of Norman's economy, development, and workforce; and
- § 2. WHEREAS, travel is an economic powerhouse for every state and destination across the country, with an economic output of \$2.6 trillion in 2022, supporting 14.5 million American jobs; and
- § 3. WHEREAS, travel spending supports vibrant and safe communities in the City of Norman and across the United States by generating \$84 billion in state and local tax revenue in 2022 to support essential services, such as education, emergency response, public safety and more; and
- § 4. WHEREAS, travel enables success for all industries, including manufacturing, agriculture, defense, healthcare, and more by driving sales growth, innovation, education and operations that move our economy, our nation and the City of Norman forward; and
- § 5. WHEREAS, travel and tourism produce \$165 million in travel spending, \$6.2 million in local tax revenue from tourism and 2,800 tourism employees in Norman and is the third largest industry in the state of Oklahoma; and
- § 6. WHEREAS, the travel industry's success will grow Norman's economy and workforce, since, prior to the pandemic, small businesses accounted for 60% of leisure and hospitality employment; and
- § 7. WHEREAS, travel is an essential industry, and we must continue to communicate that growing travel leads to economic growth, benefits businesses and fosters mutual understanding.

NOW, THEREFORE, I, MAYOR OF THE CITY OF NORMAN, OKLAHOMA:

- § 8. Do hereby proclaim the week of May 7 through 13, 2023, as National Travel and Tourism Week in the City of Norman and urge the citizens of our city to join City Council in recognizing the critical role this industry plays in the City of Norman.

PASSED AND APPROVED this 9th day of May, 2023.

Mayor

ATTEST:

City Clerk

File Attachments for Item:

8. CONSIDERATION OF ACKNOWLEDGEMENT, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2223-28: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF MAY 21 THROUGH MAY 27, 2023, AS EMERGENCY MEDICAL SERVICES WEEK IN THE CITY OF NORMAN



CITY OF NORMAN, OK STAFF REPORT

Item 2

MEETING DATE: 05/09/2023

REQUESTER: Brenda Hall, City Clerk

PRESENTER: Brenda Hall, City Clerk

ITEM TITLE: CONSIDERATION OF ACKNOWLEDGEMENT, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2223-28: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF MAY 21 THROUGH MAY 27, 2023, AS EMERGENCY MEDICAL SERVICES WEEK IN THE CITY OF NORMAN

Proclamation

P-2223-28

A PROCLAMATION OF THE MAYOR OF THE CITY OF
NORMAN, OKLAHOMA, PROCLAIMING THE WEEK
OF MAY 21 THROUGH 27, 2023, AS EMERGENCY
MEDICAL SERVICES WEEK IN THE CITY OF
NORMAN.

- § 1. WHEREAS, emergency medical services are a vital public service as members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and
- § 2. WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and
- § 3. WHEREAS, emergency medical services teams consist of emergency medical technicians, emergency physicians, emergency nurses, paramedics, firefighters, educators, and administrators who engage in hours of specialized training and continuing education to enhance their lifesaving skills; and
- § 4. WHEREAS, the citizens of Norman benefit daily from the knowledge and skills of these highly trained individuals and value the accomplishments of emergency medical services providers; and
- § 5. WHEREAS, injury prevention and the appropriate use of the emergency medical services system will help reduce national health care costs.

NOW, THEREFORE, I, MAYOR OF THE CITY OF NORMAN, OKLAHOMA:

- § 6. Do hereby proclaim the week of May 21 through 27, 2023, as Emergency Medical Services Week in the City of Norman.

PASSED AND APPROVED this 10th day of May, 2023.

Mayor

ATTEST:

City Clerk



File Attachments for Item:

9. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-29 UPON FIRST READING BY TITLE:
AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE A PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION SIX (6), TOWNSHIP EIGHT (8) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT, AND PLACE SAME IN THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1309 SOUTH BERRY ROAD)



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/09/2023

REQUESTER: CA McCarty Construction, L.L.C.

PRESENTER: Jane Hudson, Director of Planning & Community Development

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-29 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE A PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION SIX (6), TOWNSHIP EIGHT (8) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT, AND PLACE SAME IN THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1309 SOUTH BERRY ROAD)

PROJECT OVERVIEW:

This Simple Planned Unit Development (the "SPUD") is submitted for the property located at 1309 S. Berry Road. It seeks to rezone the Property from the existing R-1, Single Family Dwelling District, to allow the applicant to split and develop the Property as two single family residential lots.

PROCEDURAL REQUIREMENTS:

GREENBELT MEETING: PD23-04, March 21, 2023

The preliminary plat accompanying this request was on the March 21, 2023 Greenbelt Commission agenda. The Commission had no quorum for this meeting, therefore there are no comments to forward to the Planning Commission for this item.

PRE-DEVELOPMENT MEETING: PD 23-09, March 23, 2023

The neighbors attending were concerned with easements in the property, fencing, storm water runoff, size of dwellings, and setbacks.

In discussion with the applicant, the neighbors felt better knowing the details of the project. All concerns are addressed in the narrative of the SPUD application.

ZONING ORDINANCE CITATION:

CHAPTER 36-510 – SIMPLE PLANNED UNIT DEVELOPMENTS

1. General Description. The Simple 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.

2. 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 achieving the goals of comprehensive plan of record. In addition, the SPUD provides for the following:

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.

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 Zoning Ordinance, and other applicable plans, policies, standards and regulations on record.

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 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.

STAFF ANALYSIS: The particulars of this SPUD include:

USE: This SPUD, Simple Planned Unit Development, proposes certain residential uses for the property. A complete list of proposed uses is included as Exhibit C in the SPUD Narrative. The following are the general uses proposed as part of this SPUD:

- Detached one family dwelling.
- Family day care home.
- General purpose farm or garden.
- Home occupation.
- Municipal recreation or water supply.
- Accessory buildings.

- Commercial parking only on days when the University of Oklahoma football team plays at home, subject to restrictions and conditions.
- Model Home, subject to an annual permit.
- Short-term rentals.

OPEN SPACE/PARKLAND: Open space shall be utilized on the Property as shown on the Site Development Plan. The impervious area and building coverage for the Property shall not exceed 65% per lot.

SITE PLAN: The Property shall be developed as depicted on the Site Development Plan, attached hereto as Exhibit B, subject to final design development and the changes allowed by Section 36-510 (k) of the City of Norman's SPUD Ordinance, as may be amended from time to time.

The following shall be the required building setbacks:

- The Front Yard setback shall be a minimum of ten (10) feet.
- All other building setbacks shall be a minimum of five (5) feet, except in the areas where, as shown on the attached Site Development Plan, the setback shall be three (3) feet on the east side, between Lot One and Lot Two, and on the southeast, between Lot Two and the adjacent property to the South.

FENCING: The site may be fenced, but it is not required. Fencing may be brick, stone, wood, wrought iron or other material. The maximum fence height for the Property shall be eight (8) feet.

ACCESS: There will be one access point on Berry Road. Traffic circulation and access to the Property shall be allowed in the manner shown on the attached Site Development Plan.

LANDSCAPING: Landscaping shall be installed and maintained in order to meet or exceed the City of Norman's applicable landscaping requirements for single-family residential lots, as amended from time to time. The locations and types of landscaping are subject to modification during final site development.

SIGNAGE: All signs shall comply with the sign standards of the City of Norman Sign Code as applicable to Low Density Residential Zone Sign Standards.

LIGHTING: The Property shall comply with the City of Norman's applicable lighting requirements for single-family residential lots, as amended from time to time.

SANITATION: Sanitation services for the Property shall be consistent with the City of Norman's applicable sanitation standards and regulations applicable to single-family residential lots, as amended from time to time, such as poly cart service for each lot.

UTILITIES: All necessary utilities for this project (including water, sewer, gas, telecommunications, and electric) are currently located within the necessary proximity to serve the Property, or they will be extended by the Applicant, as necessary.

PARKING: The Property shall comply with Norman's applicable parking ordinances, as amended from time to time.

SIDEWALKS: A five (5) foot sidewalk will be installed in the location shown on the Site Development Plan and will meet or exceed the City of Norman's applicable standards and ordinances for sidewalk design and construction, as amended from time to time.

EXTERIOR BUILDING MATERIALS: The exterior materials of the building to be constructed on the Property may be brick, glass, stone, synthetic stone, stucco, EIFS, masonry, metal accents, composition shingles, and any combination thereof.

EXISTING ZONING: The subject property is currently R-1, Single Family Residential District.

ALTERNATIVES/ISSUES:

IMPACTS: Surrounding properties are R-1 single-family homes. This SPUD will increase the density of this property. Other high-density dwelling options exist directly across S. Berry Road, such as RM-6, Medium Density Apartment District and R-2, Two Family Dwelling District.

OTHER AGENCY COMMENTS:

FIRE DEPARTMENT: No comments.

PUBLIC WORKS/ENGINEERING: Please see the report from Engineering regarding the associated preliminary plat request.

TRAFFIC ENGINEER: Please see the Development Review Form – Transportation Impacts from the City Traffic Engineer.

UTILITIES: No comments.

CONCLUSION: Staff forwards this request for rezoning from R-1, Single Family Dwelling District, to SPUD, Simple Planned Unit Development, as Ordinance No. O-2223-29 for consideration by City Council.

Planning Commission, at their April 13, 2023 meeting, unanimously recommended adoption of Ordinance O-2223-29, by a vote of 9-0.

O-2223-29

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE A PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION SIX (6), TOWNSHIP EIGHT (8) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT, AND PLACE SAME IN THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1309 S. Berry Road)

- § 1. WHEREAS, CA McCarty Construction, L.L.C., the owners of the hereinafter described property, have made application to have the subject property removed from the R-1, Single Family Dwelling District and placed in the SPUD, Simple Planned Unit Development District; and
- § 2. WHEREAS, said application has been referred to the Planning Commission of said City and said body has, after conducting a public hearing as required by law, considered the same and recommended that the same should be granted and an ordinance adopted to effect and accomplish such rezoning; and
- § 3. WHEREAS, the City Council of the City of Norman, Oklahoma, has thereafter considered said application and has determined that said application should be granted and an ordinance adopted to effect and accomplish such rezoning.

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

- § 4. That Section 36-201 of the Code of the City of Norman, Oklahoma, is hereby amended so as to remove the following described property from the R-1, Single Family Dwelling District and place the same in the SPUD, Simple Planned Unit Development District, to wit:

A PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION SIX (6), TOWNSHIP EIGHT (8) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN IN THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA, SAID PART BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northwest Corner of the Northwest Quarter (NW/4) of said Section Six (6); Thence South 00°13'57" West, along the West line of said Northwest Quarter (NW/4) a distance of 555.86 feet; Thence North 89°53'04" East a distance of 50.00 feet to the POINT OF BEGINNING;

Ordinance No. O-2223-29

Page 2

Thence continuing North 89°53'04" East a distance of 401.00 feet;
 Thence South 00°13'57" West a distance of 109.00 feet;
 Thence South 89°53'04" West a distance of 401.00 feet;
 Thence North 00°13'57" East a distance of 109.00 feet to the POINT OF BEGINNING.

Containing 43708.1593± square feet or 1.003± acres more or less.

§ 5. Further, pursuant to the provisions of Section 36-510 of the Code of the City of Norman, as amended, the following condition is hereby attached to the zoning of the tract:

- a. The site shall be developed in accordance with the SPUD Narrative, Site Development Plan, and supporting documentation approved by the Planning Commission on April 13, 2023, and made a part hereof.

§ 6. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ADOPTED this _____ day of _____, 2023.

NOT ADOPTED this _____ day of _____, 2023.

 (Mayor)

 (Mayor)

ATTEST:

 (City Clerk)

McCOOP ABODE ADDITION

SIMPLE PLANNED UNIT DEVELOPMENT

APPLICANT:

CA MCCARTY CONSTRUCTION, LLC

APPLICATION FOR:

PRELIMINARY PLAT AND
SIMPLE PLANNED UNIT DEVELOPMENT

SUBMITTED: MARCH 1, 2023

REVISED: APRIL 4, 2023

PREPARED BY:

RIEGER LAW GROUP PLLC
136 Thompson Drive
Norman, Oklahoma 73069

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I. INTRODUCTION

This Simple Planned Unit Development (the “**SPUD**”) is being submitted for the property located at 1309 S. Berry Road, as more particularly described on **Exhibit A** (the “**Property**”). This SPUD seeks to rezone the Property from the existing R-1, Single Family Dwelling designation to allow the applicant to split and develop the Property as two single family residential lots.

II. PROPERTY DESCRIPTIONS; EXISTING CONDITIONS

A. Location

The Property is located at 1309 S. Berry Road, which is near the intersection of W Lindsey Street and S. Berry Road.

B. Existing Land Use and Zoning

The existing zoning is R-1, Single Family Dwelling, and the existing NORMAN 2025 Land Use Plan designation is Low Density Residential.

C. Elevation and Topography

The Property is undeveloped and the topography of the Property slopes gradually from East to West.

D. Utility Services

All necessary utilities for this project (including water, sewer, gas, telecommunications, and electric) are currently located within the necessary proximity to serve the Property, or they will be extended by the Applicant, as necessary.

E. Fire Protection Services

Fire Protection services will be provided by the City of Norman Fire Department and by the Applicant as such are required by applicable City codes, ordinances, and/or regulations.

F. Traffic Circulation and Access

Traffic circulation and access to the Property shall be allowed in the manner shown on the attached Site Development Plan.

III. DEVELOPMENT PLAN AND DESIGN CONCEPT

A. Uses Permitted

This SPUD seeks to retain the Property's existing allowable uses under R-1, Single Family Dwelling to allow for the development of two single family residential structures on the Property, as well as accompanying uses. A complete list of allowable uses on the Property is attached as **Exhibit C**.

B. Site Plan

The Property shall be developed as depicted on the Site Development Plan, attached hereto as **Exhibit B**, subject to final design development and the changes allowed by Section 36-510 (k) of the City of Norman's SPUD Ordinance, as may be amended from time to time.

The following shall be the required building setbacks:

- The Front Yard setback shall be a minimum of ten (10) feet.
- All other building setbacks shall be a minimum of five (5) feet, except in the areas where, as shown on the attached Site Development Plan, the setback shall be three (3) feet on the east side, between lot one and lot two, and on the southeast, between lot two and the adjacent property to the South.

C. Traffic access/circulation/sidewalks

Traffic circulation and access to the Property shall be allowed in the manner shown on the attached Site Development Plan.

D. Open Space

Open space shall be utilized on the Property as shown on the Site Development Plan. The impervious area and building coverage for the Property shall not exceed 65% per lot.

E. Signage

All signs shall comply with the sign standards of the City of Norman Sign Code as applicable to a zoning of R-1, Single Family Dwelling designation.

F. Height

No buildings shall exceed three and one-half (3-1/2) stories or thirty-five (35) feet in height, excluding any necessary roof top mechanical units, equipment, screening, or parapet walls.

G. Parking

The Property shall comply with Norman's applicable parking ordinances, as amended from time to time.

H. Exterior Materials

The exterior materials of the building to be constructed on the Property may be brick, glass, stone, synthetic stone, stucco, EIFS, masonry, metal accents, composition shingles, synthetic slate shingles, metal roofs, or other comparable roofing materials, and any combination thereof.

I. Fencing

Fencing is permissible along the perimeter of the Property but is not required. Fencing may be brick, stone, wood, wrought iron, or other material. The maximum fence height for the Property shall be eight (8) feet.

J. Drainage

A preliminary drainage report has been provided to City Staff. The development of the Property shall meet or exceed the applicable ordinances and standards of the City, as amended from time to time.

K. Landscaping

Landscaping shall be installed and maintained in order to meet or exceed the City of Norman's applicable landscaping requirements for single-family residential lots, as amended from time to time. The locations and types of landscaping are subject to modification during final site development.

L. Lighting

The Property shall comply with the City of Norman's applicable lighting requirements for single-family residential lots, as amended from time to time.

M. Sidewalks

A five (5) foot sidewalk will be installed in the location shown on the Site Development Plan and will meet or exceed the City of Norman's applicable standards and ordinances for sidewalk design and construction, as amended from time to time.

N. Sanitation

Sanitation services for the Property shall be consistent with the City of Norman's applicable sanitation standards and regulations applicable to single family residential lots, as amended from time to time, such as poly cart service for each lot.

EXHIBIT A

Legal Description of the Property

A PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION SIX (6), TOWNSHIP EIGHT (8) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN IN THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA, SAID PART BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northwest Corner of the Northwest Quarter (NW/4) of said Section Six (6);
Thence South 00°13'57" West, along the West line of said Northwest Quarter (NW/4) a distance of 555.86 feet;
Thence North 89°53'04" East a distance of 50.00 feet to the POINT OF BEGINNING;
Thence continuing North 89°53'04" East a distance of 401.00 feet;
Thence South 00°13'57" West a distance of 109.00 feet;
Thence South 89°53'04" West a distance of 401.00 feet;
Thence North 00°13'57" East a distance of 109.00 feet to the POINT OF BEGINNING.

Containing 43708.1593± square feet or 1.003± acres more or less.

EXHIBIT B

Site Development Plan

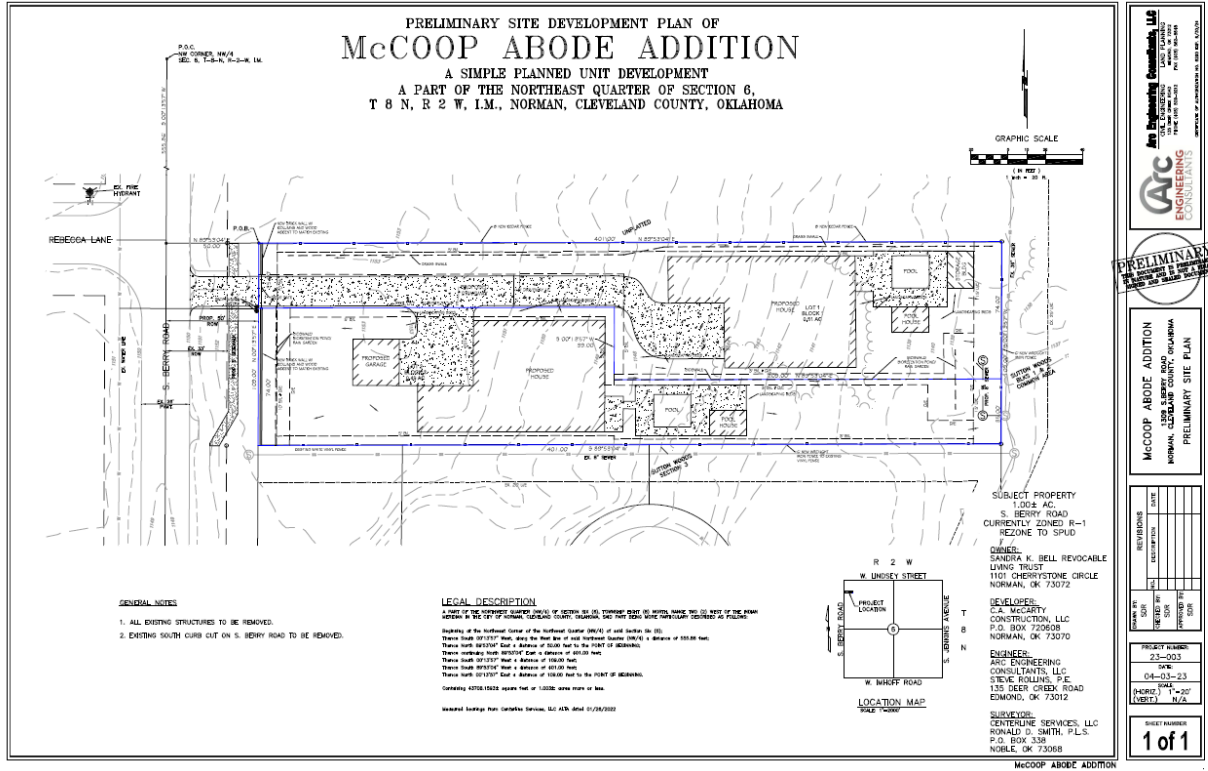
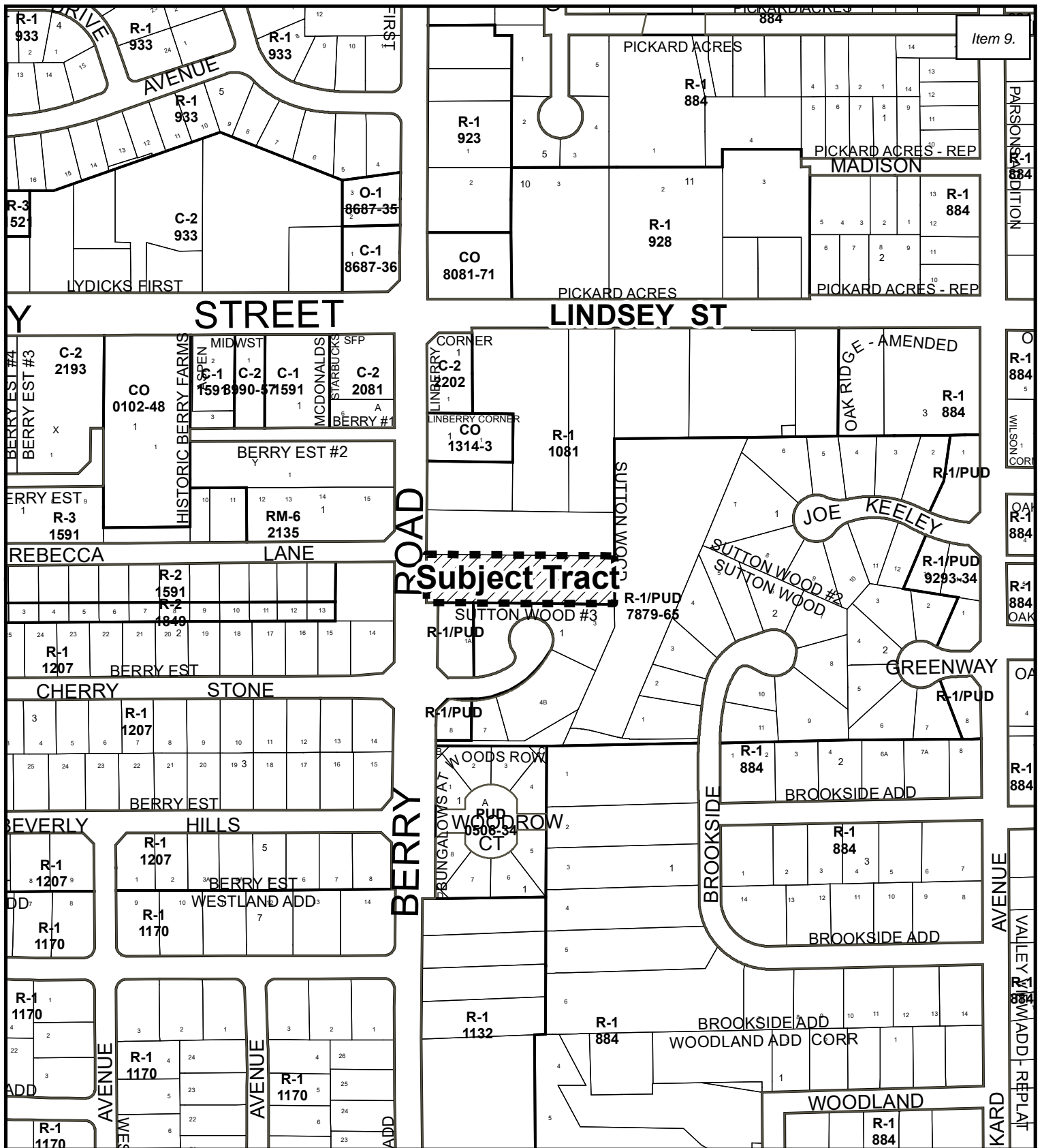


EXHIBIT C

Allowable Uses

Allowable Uses:

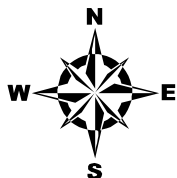
- (a) Detached one family dwelling.
- (b) Family day care home.
- (c) General purpose farm or garden.
- (d) Home occupation.
- (e) Municipal recreation or water supply.
- (f) Accessory buildings.
- (g) Commercial parking only on days when the University of Oklahoma football team plays at home, subject to the following restrictions and conditions:
 - (1) On all sides of the parking area abutting other property a barrier shall be erected so as to prevent vehicles from damaging fences, trees, shrubs or other improvements on the adjoining property, such barrier to be at least two (2) feet within the property line of the property used for parking. All vehicles shall be parked within the property line of such property.
 - (2) An attendant over 18 years of age shall be on duty at all times when vehicles are parked on the property.
 - (3) All papers, containers and other trash shall be removed from the premises immediately after the vehicles have been removed.
 - (4) No vehicle shall ever be parked between the property line and any adjoining street.
 - (5) Unless a driveway is provided, a wooden or metal incline shall be placed in the gutter next to the curb on any street where there is a concrete curb, and the same shall be removed immediately after the last parked vehicle has departed. Such incline shall not exceed 25 feet in length or 12 inches in width.
 - (6) Any violation of the foregoing restrictions, whether by the owner of the property, driver of a vehicle, or other person, shall constitute an offense, and in addition to the other penalties provided by law, the owner or operator of such property so used for parking, upon conviction of such offense, shall not use said property for such purpose for the remainder of the year during which such violation occurs.
- (h) Model home, subject to an annual permit, as defined in NCC 36-101, for no more than four years.
- (i) Short-term rentals.



Location Map



Map Produced by the City of Norman
Geographic Information System.
The City of Norman assumes no
responsibility for errors or omissions
in the information presented.

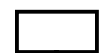


March 3, 2023

0 150 300 Ft.



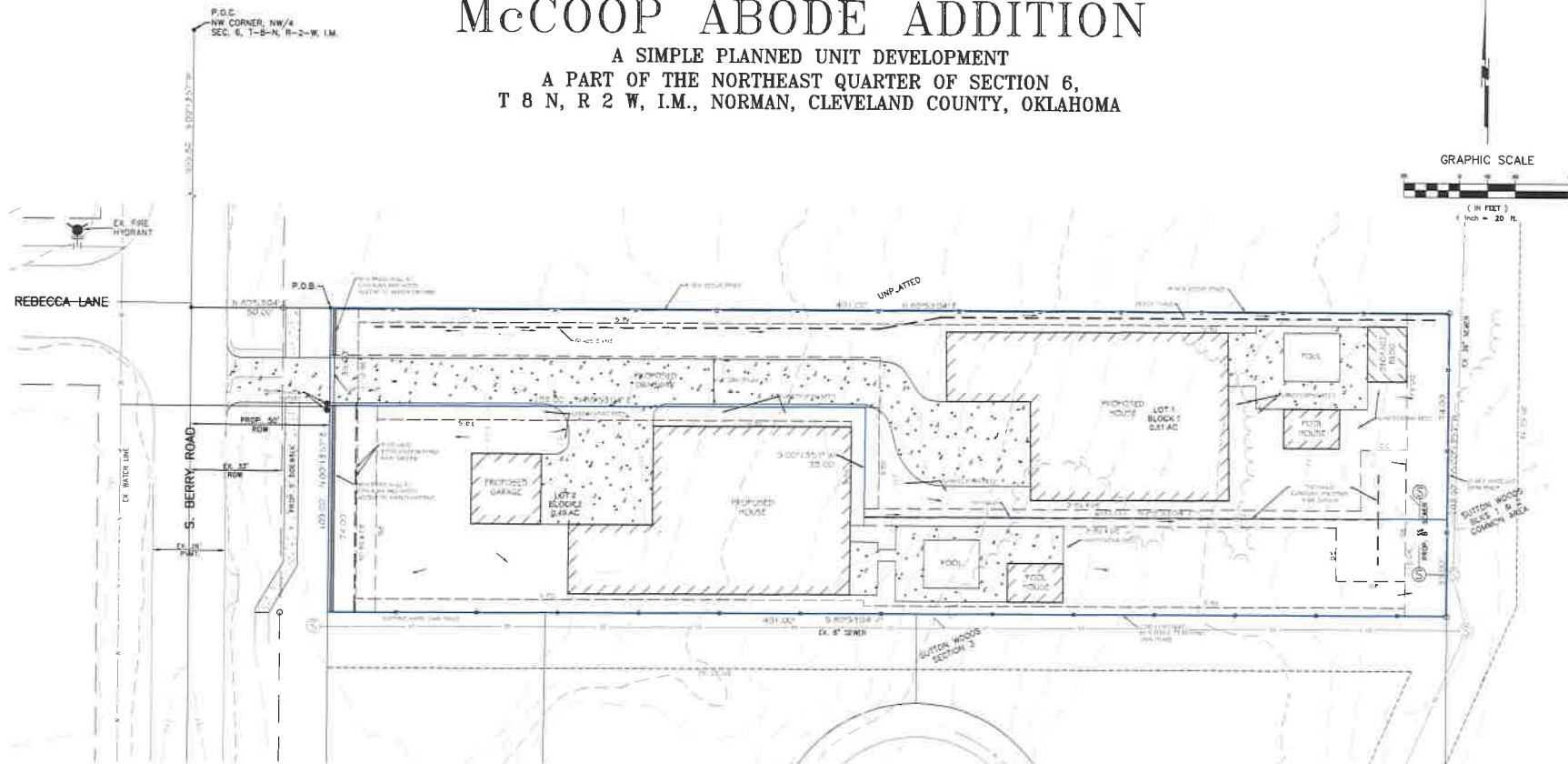
Subject Tract



Zoning

PRELIMINARY SITE DEVELOPMENT PLAN OF McCOOP ABODE ADDITION

A SIMPLE PLANNED UNIT DEVELOPMENT
A PART OF THE NORTHEAST QUARTER OF SECTION 6,
T 8 N, R 2 W, I.M., NORMAN, CLEVELAND COUNTY, OKLAHOMA



GENERAL NOTES

1. ALL EXISTING STRUCTURES TO BE REMOVED.
2. EXISTING SOUTH CURB CUT ON S. BERRY ROAD TO BE REMOVED.

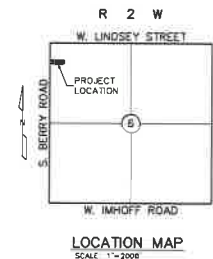
LEGAL DESCRIPTION

A PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION SIX (6), TOWNSHIP EIGHT (8) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN IN THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA, SAID PART BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northwest Corner of the Northwest Quarter (NW/4) of said Section Six (6);
Thence South 02°13'04" West, along the West line of said Northwest Quarter (NW/4) a distance of 535.85 feet;
Thence North 89°23'04" East a distance of 50.00 feet to the POINT OF BEGINNING;
Thence continuing North 89°23'04" East a distance of 401.00 feet;
Thence South 02°13'57" West a distance of 100.00 feet;
Thence South 89°10'04" West a distance of 420.00 feet;
Thence North 02°13'57" East a distance of 100.00 feet to the POINT OF BEGINNING.

Containing 43708.1962± square feet or 1.002± acres more or less.

Measured bearings from Centerline Services, LLC ALTA dated 01/26/2022



SUBJECT PROPERTY
1.00± AC
S. BERRY ROAD
CURRENTLY ZONED R-1
REZONE TO SPUD

OWNER/DEVELOPER:
C.A. McCARTY
CONSTRUCTION, LLC
P.O. BOX 720608
NORMAN, OK 73070

ENGINEER:
ARC ENGINEERING
CONSULTANTS, LLC
STEVE ROLLINS, P.E.
135 DEER CREEK ROAD
EDMOND, OK 73012

SURVEYOR:
CENTERLINE SERVICES, LLC
RONALD D. SMITH, P.L.S.
P.O. BOX 338
NOBLE, OK 73068

ARC
ENGINEERING
CONSULTANTS
Arc Engineering Consultants, LLC
CIVIL ENGINEERING
LAND PLANNING
SURVEYING
P.O. BOX 338
NORMAN, OK 73068
PHONE (405) 542-0073 FAX (405) 542-0048
CERTIFICATE OF REGISTRATION NO. 5306 EXP. 4/30/24

McCOOP ABODE ADDITION
1308 S BERRY ROAD
NORMAN, CLEVELAND COUNTY, OKLAHOMA
PRELIMINARY SITE PLAN

REVISIONS	DESCRIPTION	DATE
SDR	CREATED BY	
SDR	APPROVED BY	

PROJECT NUMBER:
23-003
DATE:
04-06-23
SCALE:
(HORIZ.) 1"=20'
(VERT.) N/A

SHEET NUMBER
1 of 1

McCOOP ABODE ADDITION

ORDINANCE NO. O-2223-29

ITEM NO. 5

STAFF REPORT**GENERAL INFORMATION**

APPLICANT	CA McCarty Construction, L.L.C.
REQUESTED ACTION	Rezoning to SPUD, Simple Planned Unit Development District
EXISTING ZONING	R-1, Single Family Dwelling District
SURROUNDING ZONING	North: R-1, Single Family Dwelling District East: Flood Hazard Zone AE South: R-1, Single Family Dwelling District West: R-1, Single Family Dwelling District
LOCATION	1309 S. Berry Road
WARD	4
CORE AREA	Yes
AREA/SF	1.04 acres more or less
PURPOSE	Residential
EXISTING LAND USE	Low density residential
SURROUNDING LAND USE	North: Low density residential East: Floodway South: Low density residential West: Low density residential
LAND USE PLAN DESIGNATION	Low Density Residential
PROPOSED LAND USE DESIGNATION	Low Density Residential
GROWTH AREA DESIGNATION	Current Urban Service Area

PROJECT OVERVIEW: This Simple Planned Unit Development (the "SPUD") is submitted for the property located at 1309 S. Berry Road. It seeks to rezone the Property from the existing R-1, Single Family Dwelling designation to allow the applicant to split and develop the Property as two single family residential lots.

PROCEDURAL REQUIREMENTS:

GREENBELT MEETING: N/A for this item.

PRE-DEVELOPMENT MEETING: PD 23-09, March 23, 2023

The neighbors attending were concerned with easements in the property, fencing, storm water runoff, size of dwellings, and setbacks.

In discussion with the applicant, the neighbors felt better knowing the details of the project. All concerns are addressed in the narrative of the SPUD application.

ZONING ORDINANCE CITATION:**CHAPTER 36-510 – SIMPLE PLANNED UNIT DEVELOPMENTS**

1. General Description. The Simple 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.

2. 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 achieving the goals of comprehensive plan of record. In addition the SPUD provides for the following:

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.

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 Zoning Ordinance, and other applicable plans, policies, standards and regulations on record.

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 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.

STAFF ANALYSIS: The particulars of this SPUD include:

USE: This SPUD, Simple Planned Unit Development proposes certain residential uses for the property. A complete list of proposed uses is included as Exhibit C in the SPUD Narrative. The following are the general uses proposed as part of this SPUD:

- Detached one family dwelling.
- Family day care home.
- General purpose farm or garden.
- Home occupation.
- Municipal recreation or water supply.
- Accessory buildings.
- Commercial parking only on days when the University of Oklahoma football team plays at home, subject to restrictions and conditions.
- Model Home, subject to an annual permit.
- Short-term rentals.

OPEN SPACE/PARKLAND: Open space shall be utilized on the Property as shown on the Site Development Plan. The impervious area and building coverage for the Property shall not exceed 65% per lot.

SITE PLAN: The Property shall be developed as depicted on the Site Development Plan, attached hereto as Exhibit B, subject to final design development and the changes allowed by Section 36-510 (k) of the City of Norman's SPUD Ordinance, as may be amended from time to time.

The following shall be the required building setbacks:

- The Front Yard setback shall be a minimum of ten (10) feet.
- All other building setbacks shall be a minimum of five (5) feet, except in the areas where, as shown on the attached Site Development Plan, the setback shall be three (3) feet on the east side, between Lot One and Lot Two, and on the southeast, between Lot Two and the adjacent property to the South.

FENCING: The site may be fenced, but not required. Fencing may be brick, stone, wood, wrought iron or other material. The maximum fence height for the Property shall be eight (8) feet.

ACCESS: There will be one access point on Berry Road. Traffic circulation and access to the Property shall be allowed in the manner shown on the attached Site Development Plan.

LANDSCAPING: Landscaping shall be installed and maintained in order to meet or exceed the City of Norman's applicable landscaping requirements for single-family residential lots, as amended from time to time. The locations and types of landscaping are subject to modification during final site development.

SIGNAGE: All signs shall comply with the sign standards of the City of Norman Sign Code as applicable to Low Density Residential Zone Sign Standards.

LIGHTING: The Property shall comply with the City of Norman's applicable lighting requirements for single-family residential lots, as amended from time to time.

SANITATION: Sanitation services for the Property shall be consistent with the City of Norman's applicable sanitation standards and regulations applicable to single family residential lots, as amended from time to time, such as poly cart service for each lot.

UTILITIES: All necessary utilities for this project (including water, sewer, telecommunications, and electric) are currently located within the necessary proximity to serve the Property, or they will be extended by the Applicant, as necessary.

PARKING: The Property shall comply with Norman's applicable parking ordinances, as amended from time to time.

SIDEWALKS: A five (5) foot sidewalk will be installed in the location shown on the Site Development Plan and will meet or exceed the City of Norman's applicable standards and ordinances for sidewalk design and construction, as amended from time to time.

EXTERIOR BUILDING MATERIALS: The exterior materials of the building to be constructed on the Property may be brick, glass, stone, synthetic stone, stucco, EIFS, masonry, metal accents, composition shingles, and any combination thereof.

EXISTING ZONING: The subject property is currently R-1, Single Family Residential District.

ALTERNATIVES/ISSUES:

IMPACTS: Surrounding properties are R-1 single-family homes. This SPUD will increase the density of this property. Other high-density dwelling options exist directly across S. Berry Road, such as RM-6, Medium Density Apartment District and R-2, Two Family Dwelling District.

OTHER AGENCY COMMENTS:

FIRE DEPARTMENT: No comments.

PUBLIC WORKS/ENGINEERING: No comments.

TRAFFIC ENGINEER: No comments.

UTILITIES: No comments.

CONCLUSION: Staff forwards this request for rezoning from R-1, Single Family Dwelling District to SPUD, Simple Planned Unit Development, as Ordinance No. O-2223-29 for consideration by the Planning Commission and a recommendation to City Council.



CITY OF NORMAN, OK PLANNING COMMISSION MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069
Thursday, April 13, 2023 at 6:30 PM

MINUTES

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 13th day of April, 2023.

Notice and agenda of the meeting were posted at the Norman Municipal Building and online at <https://norman-ok.municodemeetings.com> at least twenty-four hours prior to the beginning of the meeting.

* * *

Chair Erica Bird called the meeting to order at 6:30 p.m.

ROLL CALL

PRESENT

Cameron Brewer
Steven McDaniel
Liz McKown
Kevan Parker
Erica Bird
Doug McClure
Jim Griffith
Maria Kindel
Michael Jablonski

A quorum was present.

STAFF PRESENT

Jane Hudson, Director, Planning & Community Development
Lora Hoggatt, Planning Services Manager
Melissa Navarro, Planner I
Colton Wayman, Planner I
Anais Starr, Planner II
Jack Burdett, Subdivision Development Coordinator
David Riesland, Transportation Engineer
Beth Muckala, Assistant City Attorney
Bryce Holland, Multimedia Specialist
Roné Tromble, Admin. Tech. IV

* * *

SPUD Zoning and Preliminary Plat

5. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of Ordinance No. O-2223-29: CA McCarty Construction, L.L.C. requests rezoning from R-1, Single Family Dwelling District, to SPUD, Simple Planned Unit Development, for 1.04 acres of property located at 1309 S. Berry Road.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. SPUD Narrative with Exhibits A-C
4. Preliminary Site Development Plan

6. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of PP-2223-6: Consideration of a Preliminary Plat submitted by CA McCarty Construction, L.L.C. (Arc Engineering Consultants, L.L.C.) for McCOOP ABODE ADDITION for 1.04 acres of property located at 1309 S. Berry Road.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Transportation Impacts
4. Preliminary Plat
5. Preliminary Site Development Plan

PRESENTATION BY STAFF: Ms. Navarro reviewed the staff report, a copy of which is filed with the minutes.

PRESENTATION BY THE APPLICANT:

Gunner Joyce, Rieger Law Group, representing the application, presented the project.

Mr. Parker asked whether the driveway will be shared. Mr. Joyce said there will be a shared access easement filed with the plat.

PUBLIC PARTICIPATION: None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Mr. Parker commented that he does not see any issues with this layout based on the frontage issue. Mr. Jablonski agreed. Mr. Brewer thinks it is a creative way to get two units on the site. Ms. Bird spoke in support of the project.

Motion made by McKown, Seconded by Griffith, to recommend adoption of Ordinance No. O-2223-29 and PP-2223-6, the Preliminary Plat for McCOOP ABODE ADDITION, to City Council.

Voting Yea: Brewer, McDaniel, McKown, Parker, Bird, McClure, Griffith, Kindel, Jablonski

The motion carried by a vote of 9-0.

*

File Attachments for Item:

10. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-30 UPON FIRST READING BY TITLE:
AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE CENTER CITY PLANNED UNIT DEVELOPMENT ESTABLISHED IN ORDINANCE O-2021-23, TO ALLOW FOR SPECIFIC TENANT SIGNAGE AND MODIFY THE LANDSCAPING FOR LOTS FIFTEEN (15) AND SIXTEEN (16), IN BLOCK SEVENTY-TWO (72) OF ORIGINAL TOWN OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (231 WEST MAIN STREET)



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/09/2023

REQUESTER: J FORD, L.L.C.

PRESENTER: Jane Hudson, Director of Planning & Community Development

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-30 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE CENTER CITY PLANNED UNIT DEVELOPMENT ESTABLISHED IN ORDINANCE O-2021-23, TO ALLOW FOR SPECIFIC TENANT SIGNAGE AND MODIFY THE LANDSCAPING FOR LOTS FIFTEEN (15) AND SIXTEEN (16), IN BLOCK SEVENTY-TWO (72) OF ORIGINAL TOWN OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (231 WEST MAIN STREET)

REQUEST SUMMARY/CCFBC EXCEPTIONS:

The applicant is requesting to amend the Center City Form-Based Code Planned Unit Development (CCPUD) for 231 W. Main Street to allow for additional signage and to replace the previously proposed rain garden with landscaped planter boxes.

The original CCPUD adopted in January of 2021 called for the retention of the existing building at the corner of Main Street and Webster Avenue, while allowing for development of a mixed use building to “wrap” around that existing structure. The approved CCPUD had variances to accommodate this development. There are no requested changes to the uses of the building or the design of the building. Requested amendments are for additional signage and landscape modifications.

The applicant recently submitted a building permit to construct the first phase of the proposed mixed-use structure and anticipates two restaurant tenants will occupy part of this new building. As part of the building permit review, staff found that the requested signage for the two prospective tenants did not meet the existing CCPUD, which called for all signage to meet Section M., Signage of the Center City Form-Based Code (CCFBC). Additionally, the CCPUD stated that a rain garden would be installed on the west side of the structure, however, the applicant has found this would be difficult to install due to limited space and the rain garden is not needed to meet city drainage requirements.

With this amendment request to the CCPUD, the applicants are seeking a variance to the CCFBC signage requirements to allow for up to three tenant wall signs which may be located

either on the wall or on the awning, depending upon the desires of the future tenants. The requested amendments also call for the allowance of temporary banners and allows both first and second floor commercial tenants to have a maximum of 25% of their windows covered with graphics. Finally, the amendments call for replacing the proposed rain garden with three planter boxes since there is limited space on the west side of the building.

During the review of the CCPUD, staff recommended to the applicant that they clarify the Live/Work option listed in the uses. The applicant provided clarification in the CCPUD narrative that the Live/Work use is allowed on the ground floor. No variances are associated with this clarification.

CCPUD BACKGROUND:

During the review of the Center City Form Based Code, the question was asked, what to do with applications that need or want an option to vary from the regulations within the CCFBC? It was determined an option for a Center City Planned Unit Development, within the Center City Form-Based Code, be established in Appendix B, Section 520. Appendix B was included to provide an alternative zoning district for the Center City Area as defined in the Center City Form Based Code (CCFBC). This process of requesting a CCPUD gives Planning Commission and City Council the opportunity to review the proposal within the Center City Area.

Appendix B **Sec. 520 Center City Planned Unit Development**

A. *Statement of Purpose:* *It is the intent of this section to provide an alternative zoning district for the Center City Area as defined in the Center City Form Based Code (CCFBC). This Center City Planned Unit Development District (CCPUD) is specifically catering to the Center City Area because of the size of lots, the lack of vacant land and other distinguishing characteristics in this area that make the use of the existing PUD regulations not feasible. The CCPUD encourages developments that create the character of development envisioned in the CCFBC.*

Specifically, the purposes of this section are to:

- 1. Provide an alternative zoning district to the CCFBC where a property owner proposes a development that does not meet the strict regulations required in the CCFBC.*
- 2. Provide open space/street space that is compatible with the concepts of the CCFBC.*
- 3. Provide comprehensive and innovative planning and design for a development which is consistent and compatible with surrounding developments.*
- 4. Provide more efficient and economic use of land resulting in an urban/pedestrian environment.*
- 5. Provide complete and useful information which will enable the Planning Commission and City Council to make more informed decisions on land use.*
- 6. Encourage developments that achieve community goals, such as, but not limited to, aging in place, or affordable housing, or other emerging trends in housing, that may not be able to meet all the required elements of the Center City Form Based Code.*

B. *Uses Permitted.* *The CCPUD regulations are designed to provide for any mix of uses. There are no specifically prescribed uses which are permitted within the boundaries of the*

Center City Area in order to increase creativity and flexibility in the Center City Area when development according to the CCFBC is not feasible. The owner/applicant will be responsible for the preparation of a list of permitted uses within the specific CCPUD. The development of the list shall take into account the nature and purpose of the CCPUD area, and such uses and locations shall be appropriate in order to protect and be in harmony with surrounding development.

ANALYSIS:

The applicant provided an amended CCPUD Narrative. The Narrative outlines the additional signage proposed as well as the modification to the landscaping. As stated earlier there are no proposed changes to use or design of the proposed building from the approved CCPUD.

PARTICULARS OF THIS CCPUD:

1. AMENDMENTS REQUESTED: The amended CCPUD Narrative contains amendments as follows.

SIGNAGE:

- Allowance of three additional anchor tenant signs. Each sign is to be a maximum of 30 square feet. Signs are allowed to be located on the wall either between the second floor line and the first floor ceiling, or the third floor line and the second floor ceiling, or attached to the metal awning.
- Allowance for vinyl window graphics to cover a maximum of 25% of the windows for either the first or second floor tenants;
- The allowance for one temporary grand opening banner sign for each tenant for 30 days per grand opening. Each sign is allowed to be a maximum of 60 square feet and attached to the wall of the structure and are prohibited from covering any windows.

VARIANCES: The CCPUD Narrative provides variance requests for up to three additional anchor tenant signs, for the allowance of temporary signage on site, and for the second floor commercial windows to have window graphics as cited above.

LANDSCAPING:

- Three planters on the west side of the building will replace the previously proposed rain garden.

OTHER AGENCY COMMENTS:

- **PRE-DEVELOPMENT:** No meeting was required for this application.
- **GREENBELT COMMISSION MEETING:** No meeting was required for this application.
- **PARK BOARD:** Park land dedication not required for this application.
- **PUBLIC WORKS:** Water and sewer service are existing for this site. Stormwater runoff will be diverted to the storm sewer inlets near the corner of Webster Avenue and W. Main Street.

CONCLUSION: Staff forwards this request and Ordinance No. O-2223-30 for consideration by City Council.

At their April 13, 2023 meeting, the Planning Commission recommended adoption of Ordinance O-2223-30 by a vote of 8-0.

231 W. Main Street

A Center City Planned Unit Development

Applicant: Wishnuck Investments, LLC

231 W. Main Street

Norman, Oklahoma

Application for:

Center City Planned Unit Development

Submitted March 1, 2023

Revised April 4, 2023

PREPARED BY:

RIEGER LAW GROUP PLLC

136 Thompson Drive

Norman, Oklahoma 73069

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- B. Development Team

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- C. Elevation and Topography
- D. Drainage
- E. Utility Services
- F. Fire Protection Services
- G. Traffic Circulation and Access

III. DEVELOPMENT PLAN AND DESIGN CONCEPT

- A. Permissible Uses
- B. Development Criteria
- C. CCPUD Variances

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- A. Legal Description of the Property
- B. Site Development Plan
- C. Allowable Uses
- D. Elevations
- E. Scaffolding Rooftop Sign

I. INTRODUCTION

A. **Background and Intent.** This Center City Planned Unit Development (“CCPUD”) is proposed by Wishnuck Investments, LLC (the “**Applicant**”) for the property located at 231 W. Main Street, Norman, Oklahoma, more particularly described on **Exhibit A** (the “**Property**”). The Property contains approximately 0.16 acres. This CCPUD is intended to put forth the parameters for which the Property shall be redeveloped. The Property is located on Main Street in Norman’s thriving Downtown. The Property is currently empty with the exception of a unique brick building which will remain as an architectural element to the development.

A CCPUD is sought here in order to further the goals of the Norman Center City Visions Project and Plan (“Project Plan”). This proposal meets many of the stated goals of the Project Plan, including, but not limited to, utilizing private investment in Center City, capitalizing on the public investment in existing infrastructure around the Property, stabilizing and strengthening the mixed-use commercial district in the area, creating a pedestrian-oriented and multi-modal district, and creating additional housing options on the Property.

This CCPUD will allow for a cohesive development of mixed-uses and relaxed development and design criteria on the Property in furtherance of the stated goals of the Project Plan that could not otherwise occur under the applicable provisions of the Norman Center City Form-Based Code (“CCFBC”).

B. **Development Team.** The Applicant is Wishnuck Investments, LLC. The architect for the project is Peacock Design LLC.

II. PROPERTY DESCRIPTION/GENERAL SITE CONDITIONS

- A. **Location.** The Property is situated on the Northeast Corner of West Main Street and North Webster Avenue intersection. The specific location is illustrated on the Site Development Plan, attached hereto as **Exhibit B**.
- B. **Existing Land Use and Zoning.** The Property is located in the Center City Form Based Code (“CCFBC”) District and currently zoned CCPUD by Ordinance 2223-30 . The Property is largely vacant with the exception of the unoccupied small brick building.
- C. **Elevation and Topography.** The Property is essentially flat with little elevation change throughout the entirety of the development. The Property is covered with pavement and the existing structure with little to no pervious surface.
- D. **Drainage.** The Applicant will meet or exceed the City’s applicable ordinances regarding drainage requirements on the Property. Drainage will be directed into the existing storm sewer main located at the corner of Main Street and N. Webster Avenue.

- E. **Utility Services.** All necessary utilities for this project (including water, sewer, gas, telecommunications, and electric) are currently located within the necessary proximity to serve the Property, or they will be extended by the Applicant, as necessary.
- F. **Fire Protection Services.** Fire protection services will be provided by the City of Norman Fire Department and by the Owner of the Property where required by building and fire protection codes in the structures.
- G. **Traffic Circulation and Access.** The Property has no curb cut and the only access is from the alley to the north of the Property. No additional curb cut is proposed.

III. DEVELOPMENT PLAN AND DESIGN CONCEPT

The Property shall be developed in compliance with the terms of this CCPUD and the exhibits attached hereto and incorporated herein by reference, subject to the allowances contained in Section 520(F), Administration, of the CCFBC, and as thereafter amended.

A. Permissible Uses.

In order to achieve the type of mixed-use, pedestrian oriented, and multi-modal development sought by the Project Plan, the Property will be allowed to contain commercial and civic uses, as well as residential units in the upper stories of the building to be constructed on the Property. This flexibility seeks to create a vibrant mixed-use development that will stabilize and strengthen this area, as desired by the Project Plan. A list of the allowable uses for the Property is attached hereto as **Exhibit C**. The Property may feature a maximum of eight dwelling units per story. The allowable uses for any ground floor units facing Main Street will comply with Section 404(a) and Section 704(D)(1) of the CCFBC, which respectively limit allowable uses to retail sales or service, or professional service, as such uses are defined by the CCFBC, and as such definitions may be amended from time to time.

B. Development Criteria.

1. **Siting.** The development shall comply with the setbacks shown on the Site Development Plan, which includes a variance to the CCFBC RBL along N. Webster Ave. To achieve an active commercial sidewalk and a walkable, pedestrian friendly environment, the new RBL for the Property shall be set back 6 feet and 6 inches from the west property line, as shown on the Site Development Plan. Buildings on the Property shall be built at a minimum of 80% and up to 100% of the total RBL on the Property. The applicable setbacks are enumerated on the Site Development Plan and incorporated herein by reference. No street walls are required on the Property. Any unbuilt areas of the RBL are allowed to remain open in order to achieve the desired pedestrian-oriented development and active sidewalk spaces.

2. Existing Corner Building. Except for an Act of God, severe weather event, or other similar event that is outside of the control of the property owner, the existing brick building on the street corner shall remain in its existing location and in its current configuration, subject to any necessary improvements or repairs, to be done in accordance with the criteria enumerated below, in order to make the building useable for its intended purpose, which does not meet the CCFBC requirements. The existing brick building may be used independently as its own space, or as an accessory use to another use on the Property, such as, but not limited to, additional seating or function space for a restaurant, or as a stand-alone use on the Property, such as, but not limited to, a small art studio, office space, sno-cone stand, or coffee shop. In the event the existing brick building is damaged or destroyed, such as by an Act of God, severe weather event, or other similar event that is outside of the control of the property owner, the existing brick building may be restored, remodeled, improved, or rebuilt in substantially the same footprint as currently exists and with substantially similar materials of the previous structure. In order to ensure the existing building is usable for the types of uses contemplated above, repairs, remodeling, and improvements may be necessary. For any repairs, remodeling, or improvements occasioned by circumstances other than Acts of God or circumstances outside of the control of the property owner, such as initial improvements to make the existing building usable, the following criteria shall apply:

- a. Repairs, remodeling or improvements to the building shall, where feasible, retain and preserve original wall and/or building materials, replacing only those portions that are necessary to make the building usable for the owner's intended use or to achieve the desired improvement, and only with replacement materials that are reasonably available in the marketplace, substantially compatible with the historic character of the building, and which substantially reflect the building's original style, period, and design;
- b. Repairs, remodeling, or improvements shall not involve or include any recovering of any original masonry of the building, including siding or paint, and all exterior masonry shall be regularly inspected and maintained in an effort to preserve the existing masonry materials. Any replacement masonry shall be done with materials that are reasonably available in the marketplace and match the original materials as closely as reasonably possible in design, material, dimension, color, texture and detail;
- c. Repairs, remodeling, or improvements shall, to the extent feasible, align with original elevations and roof patterns or designs, and replacement

original roofing materials shall be replaced, in an effort to maximum maintenance and preservation of the structure, with "in kind" materials;

- d. Repairs, remodeling, or improvements shall endeavor to maintain and preserve original openings to the building, including windows and doors (as well as original glass and metal materials), where feasible and reasonably available in the marketplace. Replacement of deteriorated door or window items shall occur when necessary to ensure compliance with all applicable codes, including, but not limited to, codes governing food storage or preparation, as well as to ensure the building is a secure and habitable space. Such replacement shall be done in such a manner that seeks to maintain and preserve the historic spirit and design of the building as a whole. Replacement of original doors or windows (including glass) shall be with "in kind" materials where feasible and reasonably available in the marketplace. Notwithstanding anything to the contrary, one window shall be allowed to be updated and improved to serve as a serving window or similarly designed feature that allows for service from the interior of the building to walk up pedestrians using the active open space of the site; and
- e. Repairs, remodeling, or improvements shall not substantially alter or affect the existing footprint of the structure. Any change resulting in a modification of up to five (5%) percent increase or decrease to the overall footprint shall not be considered a substantial alteration.
- f. All other repairs, remodeling, or improvements (including interior alterations) may be conducted by the property owner to comply with the provisions of this CCPUD and other applicable regulations and laws.

Notwithstanding the foregoing, in the event the existing brick building is damaged or destroyed, such as by an Act of God, severe weather event, or other similar event that is outside of the control of the property owner, and the building is not rebuilt, no additional building will be required and the former footprint of the brick building may be used as open space in furtherance of the goals of this CCPUD.

- 3. Building Height.** The maximum building height shall be six (6) stories and 82 feet, which is a reduction from the Property's current exemption from maximum height restrictions and complies with the CCFBC Building Form Standards for Urban General and Urban Storefront. The initial development is expected to be a two (2) story building in two phases over time, with the first story to be the initial phase and the second story, as shown on the attached elevations, to be the second phase of the development at a later time. The front

30 feet of the Property's Main Street frontage is allowed to, but not required to, be developed as a single story in order to allow for the existing single story brick building and the proposed rooftop patio space as shown on the attached exhibits. The first phase will feature the first story of the building and an occupiable roof deck, as shown on the attached elevations. In order to utilize the roof deck, the Applicant will be constructing the initial phase of this project with substantial materials, infrastructure, and footings to support the use of the roof as an occupiable open patio space and to support impending construction of the second story in the future. This will include, but is not limited to, the use of floor joists, instead of roof joists to prepare the building for the impending second phase of construction. No variance is requested from the minimum ground story clearance height of fifteen (15) feet.

4. **Elements.** The Property shall be built in accordance with the terms of this CCPUD and the exhibits hereto. The Property shall comply with the applicable Elements requirements applicable to Urban General Frontage, pursuant to Section 403 of the CCFBC, including, but not limited to, the Fenestration percentages. Exterior materials shall comply with the requirements of Section 402 (J), Architectural Materials (exteriors), of the CCFBC. Elevations of the building to be constructed on the Property are attached as **Exhibit D**. Future stories of the building not shown on the attached elevations shall comply with the provisions of this CCPUD, including, but not limited to, the Siting and Elements requirements of Section 403 of the CCFBC.
5. **Sanitation.** It is the intent that trash dumpsters will be shared with nearby dumpster account holders. Sanitation services will be provided for Tenants of the Property. In the event that dumpster or trash service becomes required on the Property, the location of such shall conform to the applicable City of Norman Ordinances.
6. **Signage.** The Property may feature up to three (3) anchor tenant signs, which shall be comparable in size and location to those anchor tenant signs enumerated on **Exhibit E**, attached hereto. The anchor tenant signs may be located within the area between the second story floor line and the first floor ceiling or third story floor line and the second story ceiling. Each anchor tenant sign shall be allowed to be a maximum of 30 square feet per side and may be either mounted on the wall or attached to the awning, which may include hanging and/or blade signs. Additionally, the Property may feature vinyl window graphics within ground floor or second story windows for additional tenant signage. No more than 25% of an individual window may be covered by such vinyl window tenant signage.

The Property may also feature a scaffolding rooftop sign advertising the name of the development, and not any off-premise advertising, not to exceed the total square footage depicted on **Exhibit E**, attached hereto. For clarity, the scaffolding sign shall not be placed on the roof of the ground floor units and shall only be constructed on the roof of the second story as illustrated on the attached exhibit, subject only to modifications of wording or content, provided that no modification may exceed the maximum signage square footage illustrated on the attached exhibit. The Applicant will work with the adjoining neighbor regarding placement of the rooftop sign to determine a compatible location with the adjoining neighbor's existing mural.

All other signage on the Property shall comply with Section 402(M), Signage, of the CCFBC, as amended thereafter.

Tenants may display one temporary grand opening banner sign, up to 60 square feet maximum, for a period of thirty (30) days. There shall be only one grand opening allowed per business and this grand opening must occur in conjunction with the time the business first opens to the public at this location. These banner signs shall be located on the wall of the structure and shall not cover any windows.

7. **Traffic access and sidewalks.** Vehicular access to the Property shall remain off the alley. Sidewalks are existing along N. Webster Avenue and Main Street. Any damage to existing sidewalks will be replaced prior to a Certificate of Occupancy.
8. **Lighting.** The project shall comply with the requirements of CCFBC under 402. General Provisions; N. Lighting & Mechanical, as amended thereafter.
9. **Open Space.** The requested variance from the RBL on the N. Webster Avenue frontage will allow the Property to develop in a pedestrian-friendly manner. Open space will be provided in that setback area along the N. Webster Avenue frontage to create an interactive open space/sidewalk area in furtherance of the stated goals of the Project Plan. Additional open space will be provided around the existing brick building and on the roof top patio, in the manner illustrated on the exhibits attached hereto. The proposed open space will be adequate to serve the Property due to its mixed-use nature and thoughtful pedestrian-oriented design. The open space is not required to be located behind the parking setback line on the Property. It is preliminarily planned that second-floor open space will cover 30% of entire site, and the front of the building open space will cover 10% of entire site, resulting in 40% combined open space. The Property may, but is not required to, feature a roof top patio on the highest story of the

building as well as raised courtyards to be located above the ground floor but below the highest story of the building.

- 10. Landscaping.** Street trees are not required on the Property. Any trees to be planted shall be of a species that is listed in Section 506 of the CCFBC, as amended thereafter, or otherwise approved by the City of Norman Forester, City of Norman ordinance, or appropriate City of Norman staff member. In lieu of required street trees, there shall be at least three (3) planters on the west side of the structure, behind the sidewalk and outside of the right-of-way.
- 11. Parking.** The Property shall comply with Section 603(A) of the CCFBC, as amended thereafter.
- 12. Phasing.** The Property may be developed in multiple phases. The initial phase is expected to be the ground floor of the building. The second phase is anticipated to be the second story of the building. Additional stories may be developed over time in accordance with market absorption and other factors outside of the Applicant's control. It is the intent that the ground floor will feature Commercial and/or Civic uses, as defined on Exhibit C, and the upper floors will be developed as Residential uses. Notwithstanding the foregoing, the entire Property may be developed as Commercial and/or Civic uses. Residential uses are not allowed on the ground floor. The timing of each phase will be contingent upon market absorption.

C. CCFBC Variances:

The Property shall be developed in accordance with the terms of this CCPUD and the exhibits attached hereto and incorporated by reference. For convenience purposes, a summary of the variances sought from the CCFBC follows:

1. Additional setback from Required Build Line ("RBL") on N. Webster Ave., to a total of 6'-6" from the property line.
2. Reduction of the built to percentage from 100% to roughly 80% on W. Main St., due to a 6'-5" dimension of separation between the existing red brick corner building and the proposed new building (the proposal is to keep the corner building in place without change to its siting). If the existing red brick building is damaged or destroyed by Act of God, severe weather event, or other similar event that is outside of the control of the property owner, per Section III(B)(2) of this CCPUD, no new building is required to be constructed in its place.
3. Exemption from the street wall requirement for the unbuilt space on both W. Main St. and N. Webster Ave.

4. Exemption from the required two-story minimum to the extent that it is required within the first phase of development; the second/additional story to be provided and completed in a subsequent second phase as market absorption allows.
5. Allowance of additional Commerce and Civic uses on the ground floor units fronting N. Webster Avenue in addition to, or in alternative to, only Retail/Storefront uses.
6. Exemption from CCFBC 403 restriction that says no restaurant or retail sales uses shall be allowed in upper stories unless they are second story extensions equal to or less than the area of the ground story use, as it is applicant's vision that the second floor space in phase one be open to the public and not controlled by one ground floor use.
7. Allowance of office use on first floor within 20' of the RBL, except those units fronting Main Street.
8. Exemption from the landscaping requirement as this area of W. Main Street was previously enhanced with an integrated and unified design along W. Main St. by a federal grant streetscape project. Further, the N. Webster Ave. frontage does not allow sufficient space to properly accommodate both landscape and pedestrian travel.
9. Exemption from the required 15% open space requirement. Open space may be located behind the parking setback line. It is noted that the proposed second-story roof/raised courtyard space does provide 15% of the total site as open space behind the parking setback line.
10. Exemption from requirement of recessed doors as planned along N. Webster Ave., as such doors are provided within an exterior wall that itself is setback from the required RBL, due to the RBL being revised herein.
11. Allowance for a 300 square foot roof top sign and allowance for additional anchor tenant signage in addition to all other signage allowances in the CCFBC.
12. Exemption from CCFBC 402(M) maximum size and location requirements for the requested anchor tenant signage. Anchor tenant signage shall be allowed to be a maximum of 30 square feet per sign for up to three anchor tenant signs on the Property. The permitted anchor tenant signage may be mounted the wall or awning and may be located the area between the second story floor line and the first floor ceiling or third story floor line and the second story ceiling.

13. Allowance for Temporary signage, limited to one grand opening banner sign per tenant up to a maximum of 60 square feet, which may be displayed for a period of thirty (30) days. There shall be only one grand opening allowed per business and this grand opening must occur in conjunction with the time the business first opens to the public at this location. No other temporary signs, beyond what is allowed in Section 402(M), Signage, of the CCFBC, as amended thereafter.

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

Lots Fifteen (15) and Sixteen (16), in Block Seventy-Two (72) of ORIGINAL TOWN OF NORMAN, Cleveland County, Oklahoma, according to the recorded plat thereof.

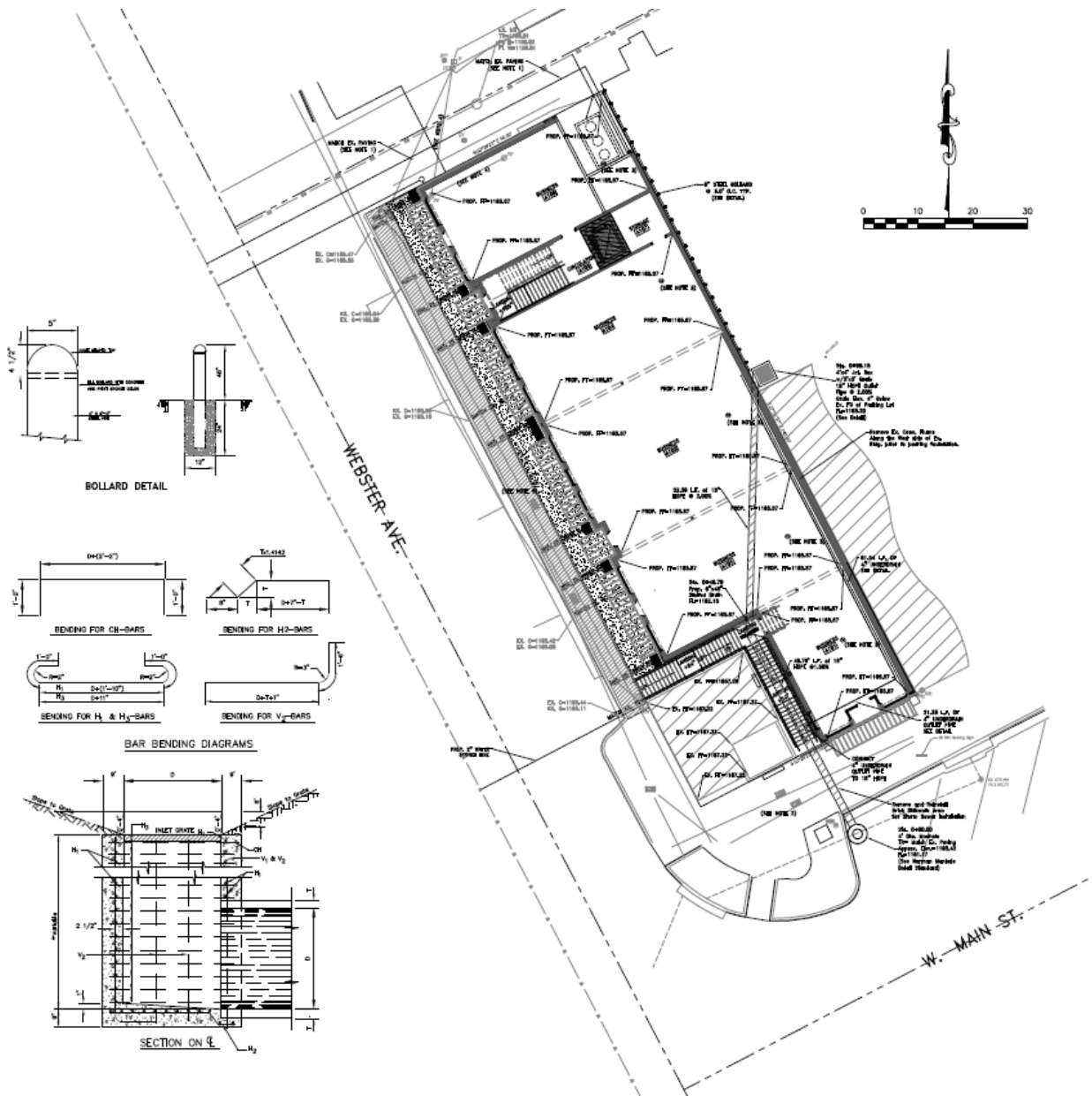
EXHIBIT B**PRELIMINARY SITE DEVELOPMENT PLAN***Full Size Document Submitted to City Staff*

EXHIBIT C

ALLOWABLE USES

Residential – Upper Stories Only

- One, two, or three, or multi-dwelling unit structures
- Apartments/Lofts
- Senior and/or Elderly housing
- Group Living
 - Assisted Living
 - Boarding house, rooming house, lodging house
 - Hospice
 - Dormitory
 - Fraternity and Sorority
 - Monastery/convent
 - Nursing home
 - Transitional home

Commerce – All Stories, except that the allowable uses for any ground floor units facing Main Street will be limited to retail sales or service, or professional service, as such uses are defined by the CCFBC, and as such definitions may be amended from time to time.

- Office
- Overnight Lodging
- Hotel & Lodging
- Conference facilities and convention centers
- Communication antennas mounted on existing structures
- Day Care
- Retail Sales & Service
- Restaurant/Bar/Lounge/Tavern
 - Any Bar, Lounge, or Tavern shall be subject to the requirements of CCFBC Section 704.F.1,3,4,6. (704.F.2 is exempted, 704.F.5 is not applicable)
- Art Studio/Artisanal Manufacturing
- Research & Development
- Gym, Martial Arts Studio, Fitness Center, or Similar Exercise Use
- Amusement and/or Entertainment Enterprises
- Antique shop
- Appliance Store
- Artist materials supply, or studio
- Automobile parking lots, as permitted behind the parking setback line
- Automobile supply store
- Automobile parts and supply retail store (not auto service or repair)
- Baby shop

- Bakery/ Baked goods store
- Bank
- Barber shop, or beauty parlor
- Book or stationery store
- Camera shop
- Candy store
- Catering establishment
- Childcare establishment
- Clothing or apparel store
- Coffee house or coffee shop
- Commercial uses/shops/or services
- Dairy products or ice cream store
- Delicatessen store
- Dress shop
- Drug store or fountain
- Dry Cleaning and/or Laundry Establishment
- Dry goods store
- Event Space
- Fabric or notion store
- Florist/Flower Shop
- Furniture Store
- Gift Shop
- Grocery or supermarket
- Hardware store
- Hotel or motel
- Heating, ventilating or plumbing supplies, sales and service
- Interior decorating store
- Jewelry shop
- Key shop
- Leather Store and/or Leather Goods Store
- Live-Work – Only merchandise or a commodity manufactured on premise may be sold in the Ground Story of a Live-Work unit.
- Locksmith
- Lodge hall
- Lumber and/or building materials sales or storage yard
- Medical Marijuana Dispensary, as allowed by state law
- Music, radio, or television store
- Messenger, cellphone, telephone, or electronic store
- Outdoor Patio/Bar
- Pawn shop
- Packing Store or Service

- Painting and decorating shop
- Pet shop/or Small Animal Hospital
- Pharmacy
- Photographer's studio
- Restaurant. A restaurant may also include interior live entertainment and/or a dance floor, (all such activity fully within an enclosed building) provided the kitchen remains open with full food service whenever live entertainment is offered.
- Retail Shops or Stores
- Retail spirits store/Liquor Store
- Self-service laundry
- Sewing machine sales
- Sporting goods sales
- Shoe store or repair shop
- Shipping Store
- Sign Store
- T-Shirt Printing Service or Store
- Tailor shop/service
- Theaters, Bowling Alley, Arcade, and Similar Establishments, including those that sell alcoholic beverages in compliance with state law.
- Toy store

Civic – All Stories

- College, community college, university
- Museum, library, auditorium, arena
- Places of worship including church, mosque, synagogue, temple
- Police, fire, EMS station, substation
- Public or private (K-12) school
- Neighborhood arts center, Community Center or similar community facility (public)
- Farmers Market

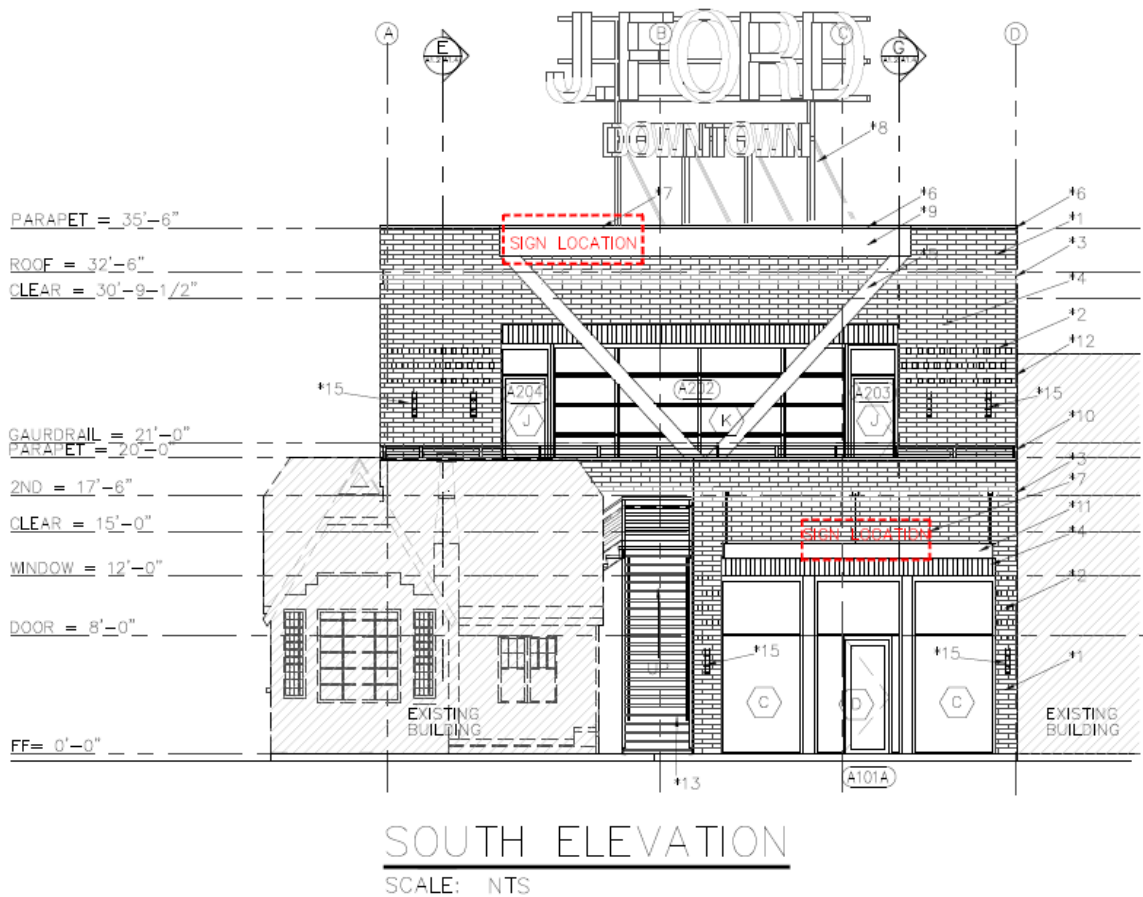
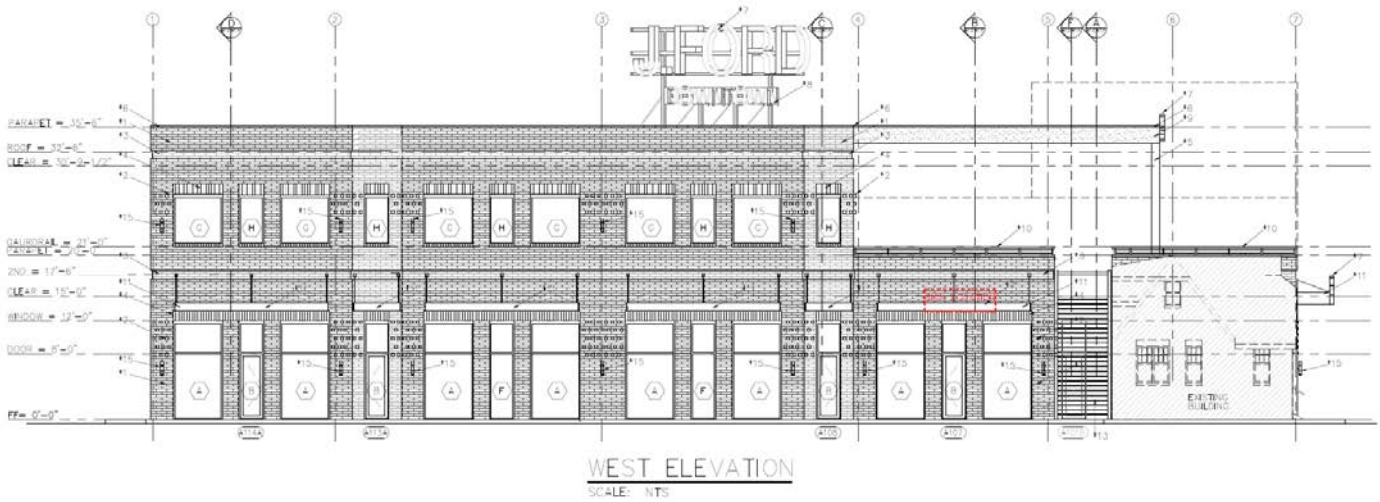
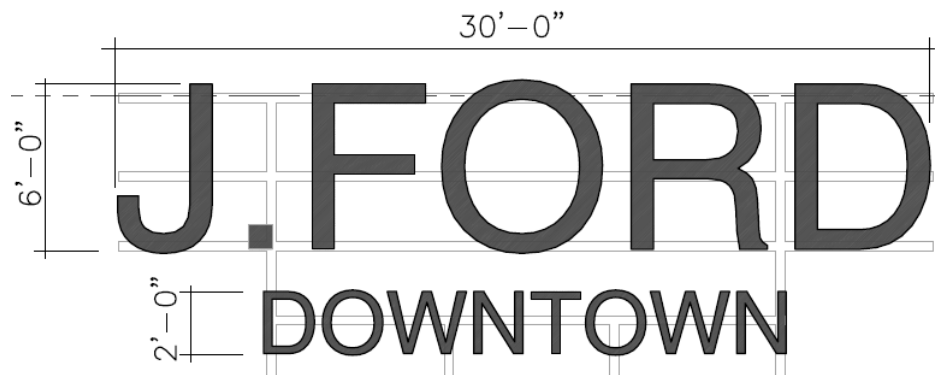
EXHIBIT D**ELEVATIONS***Full Size Document Submitted to City Staff*

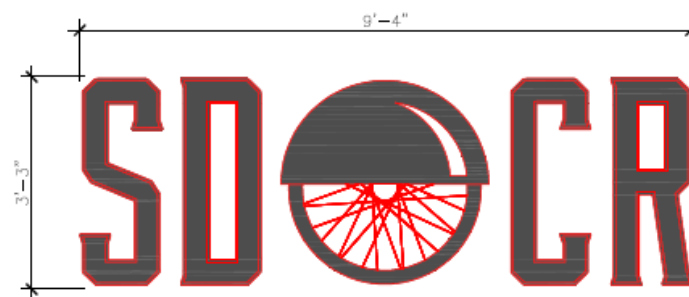
EXHIBIT E**SIGN DEPICTION & PROPOSED RENDERINGS****SCAFFOLDING ROOFTOP SIGN**

222 SF (LETTERS ONLY)

357 SF (FULL VOLUME)

**ANCHOR TENANT SIGN**

1ST FLOOR TENANT SIGNAGE
 30 SF MAX IF TENANT CHANGES
 CAST ALUMINUM LETTERING

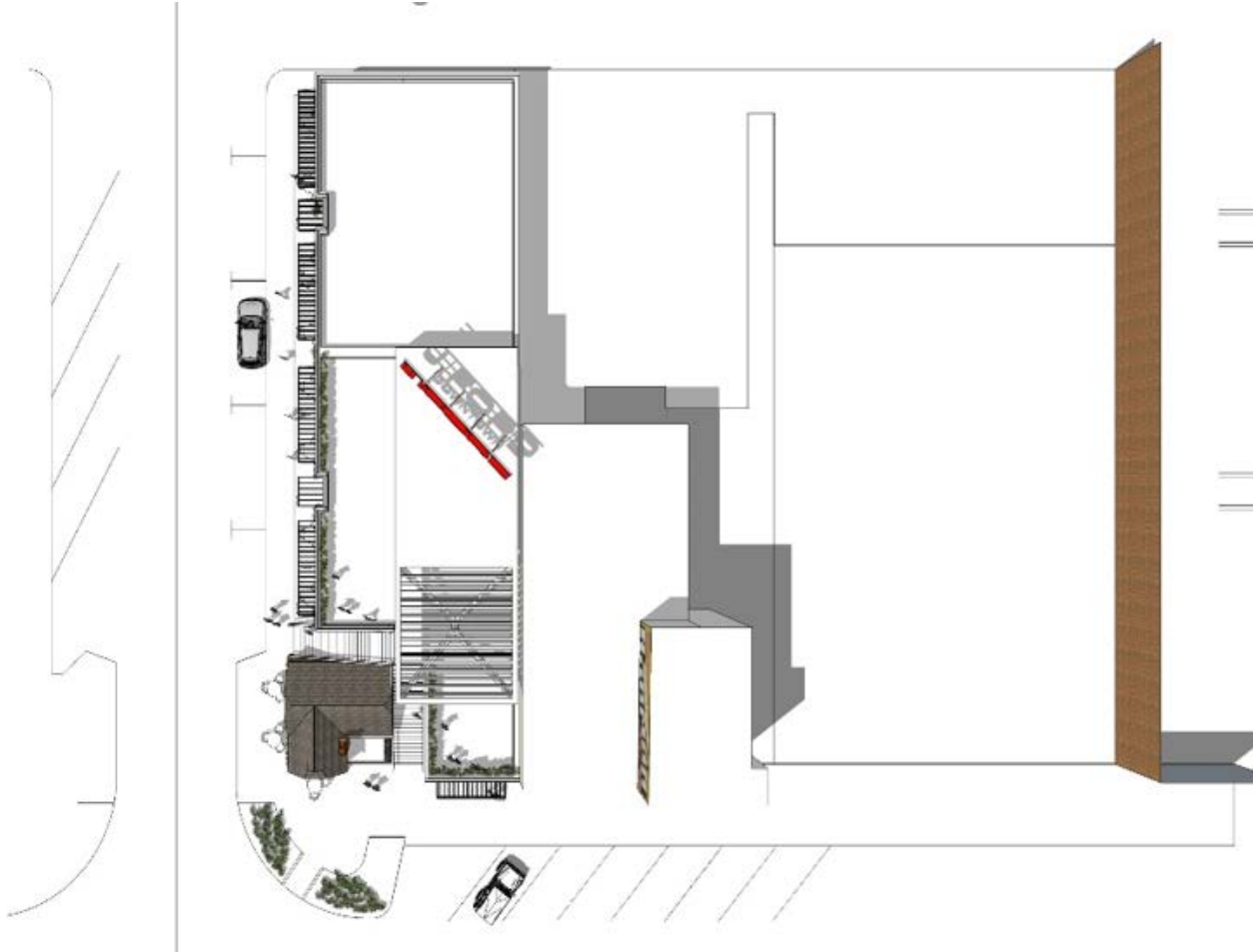


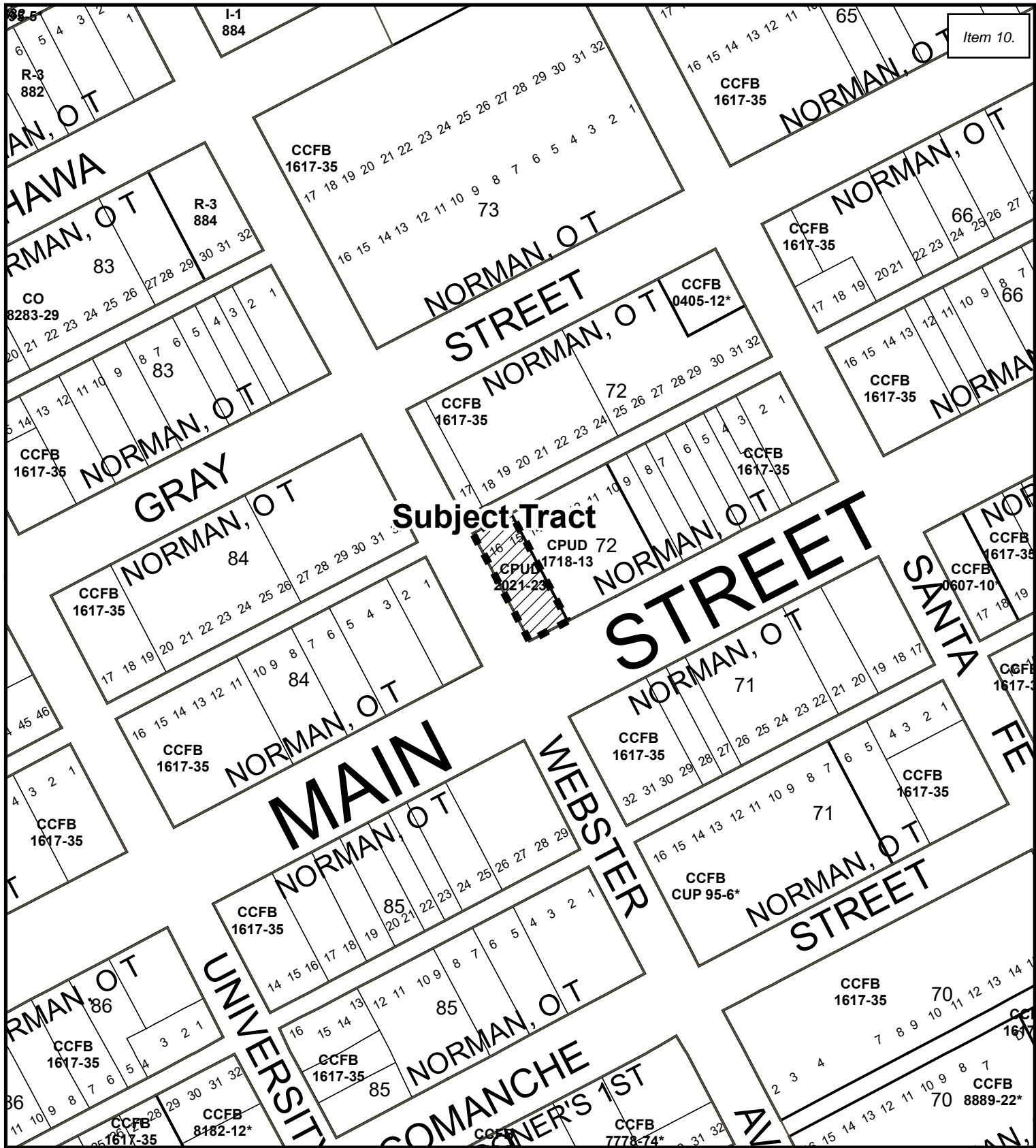
2ND FLOOR TENANT SIGNAGE
 30 SF MAX IF TENANT CHANGES
 CAST ALUMINUM LETTERING

TENANT SIGNAGE DETAIL

SCALE: NTS

EXHIBIT E CONT'D

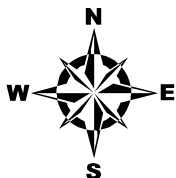




Location Map



Map Produced by the City of Norman
Geographic Information System.
The City of Norman assumes no
responsibility for errors or omissions
in the information presented.



March 3, 2023

0 75 150 Ft.



Subject Tract



Zoning

O-2223-30

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE CENTER CITY PLANNED UNIT DEVELOPMENT ESTABLISHED IN ORDINANCE NO. O-2021-23 TO ALLOW FOR SPECIFIC TENANT SIGNAGE AND MODIFY THE LANDSCAPING FOR LOTS FIFTEEN (15) AND SIXTEEN (16), IN BLOCK SEVENTY-TWO (72) OF ORIGINAL TOWN OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (231 WEST MAIN STREET)

- § 1. WHEREAS, J FORD, L.L.C., the owner of the hereinafter described property, has made application to amend the Planned Unit Development approved by Ordinance No. O-2021-23, so as to allow for specific tenant signage and modify the landscaping; and
- § 2. WHEREAS, said application has been referred to the Planning Commission of said City and said body has, after conducting a public hearing as required by law, considered the same and recommended that the same should be granted and an ordinance adopted to effect and accomplish such amendment; and
- § 3. WHEREAS, the City Council of the City of Norman, Oklahoma, has thereafter considered said application and has determined that said application should be granted and an ordinance adopted to effect and accomplish such amendment.

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

- § 4. That Section 36-201 of the Code of the City of Norman, Oklahoma, is hereby amended so as to amend the Center City Planned Unit Development approved by Ordinance No. O-2021-23, so as allow for specific tenant signage and modify the landscaping, to wit:

Lots Fifteen (15) and Sixteen (16), in Block Seventy-Two (72) of ORIGINAL TOWN OF NORMAN, Cleveland County, Oklahoma, according to the recorded plat thereof.

Said tract contains 0.16 acres more or less.

Ordinance No. O-2223-30

Page 2

§ 5. Further, the following condition is hereby attached to the zoning of the tract:

- a. The site shall be developed in accordance with CCPUD Narrative, revised April 4, 2023, and the site development plan submitted by the applicant and approved by the Planning Commission on April 13, 2023, attached and made a part hereof.

§ 6. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ADOPTED this _____ day of _____, 2023.

NOT ADOPTED this _____ day of _____, 2023.

(Mayor)

(Mayor)

ATTEST:

(City Clerk)

ORDINANCE NO. O-2223-30

ITEM NO. 8

STAFF REPORT**GENERAL INFORMATION**

APPLICANT	J FORD, L.L.C.
REQUESTED ACTION	Amendment of the CCPUD approved by O-2021-23 to allow for additional signage and to modify landscaping
EXISTING ZONING	Center City Form-Based Code Planned Unit Development
SURROUNDING ZONING	North: CCFBC, Urban General East: CCPUD, (Dr. Bird) South: CCFBC, Urban Storefront West: CCFBC, Urban Storefront
LOCATION	231 W. Main Street
SIZE	0.16 acres more or less
PURPOSE	To allow for additional signage and to modify landscaping
EXISTING LAND USE	Vacant/Commercial
SURROUNDING LAND USE	North: Commercial/Office East: Commercial/Office South: Commercial West: Commercial
LAND USE PLAN DESIGNATION	Commercial

REQUEST SUMMARY/CCFBC EXCEPTIONS:

The applicant is requesting to amend the Center City Form-Based Code Planned Unit Development (CCPUD) for 231 W. Main Street to allow for additional signage and to replace the previously proposed rain garden with landscaped planter boxes.

The original CCPUD adopted in January of 2021 called for the retention of the existing building at the corner of Main Street and Webster Avenue, while allowing for development of a mixed

use building to “wrap” around that existing structure. The approved CCPUD had varied to accommodate this development. There are no requested changes to the uses of the building or the design of the building. Requested amendments are for additional signage and landscape modifications.

The applicant recently submitted a building permit to construct the first phase of the proposed mixed-use structure and anticipates two restaurant tenants will occupy part of this new building. As part of the building permit review, staff found that the requested signage for the two prospective tenants did not meet the existing CCPUD, which called for all signage to meet Section M., Signage of the Center City Form-Based Code (CCFBC). Additionally, the CCPUD stated that a rain garden would be installed on the west side of the structure, however, the applicant has found this would be difficult to install due to limited space and the rain garden is not needed to meet city drainage requirements.

With this amendment request to the CCPUD, the applicants are seeking a variance to the CCFBC signage requirements to allow for up to three tenant wall signs which may be located either on the wall or on the awning, depending upon the desires of the future tenants. The requested amendments also call for the allowance of temporary banners and allows both first and second floor commercial tenants to have a maximum of 25% of their windows covered with graphics. Finally, the amendments call for replacing the proposed rain garden with three planter boxes since there is limited space on the west side of the building.

During the review of the CCPUD, staff recommended to the applicant that they clarify the Live/Work option listed in the uses. The applicant provided clarification in the CCPUD narrative that the Live/Work use is allowed on the ground floor. No variances are associated with this clarification.

CCPUD BACKGROUND: During the review of the Center City Form Based Code, the question was asked, what to do with applications that need or want an option to vary from the regulations within the CCFBC? It was determined an option for a Center City Planned Unit Development, within the Center City Form-Based Code, be established in Appendix B, Section 520. Appendix B was included to provide an alternative zoning district for the Center City Area as defined in the Center City Form Based Code (CCFBC). This process of requesting a CCPUD gives Planning Commission and City Council the opportunity to review the proposal within the Center City Area.

Appendix B

Sec. 520 Center City Planned Unit Development

- A. Statement of Purpose:** *It is the intent of this section to provide an alternative zoning district for the Center City Area as defined in the Center City Form Based Code (CCFBC). This Center City Planned Unit Development District (CCPUD) is specifically catering to the Center City Area because of the size of lots, the lack of vacant land and other distinguishing characteristics in this area that make the use of the existing PUD regulations not feasible. The CCPUD encourages developments that create the character of development envisioned in the CCFBC.*

Specifically, the purposes of this section are to:

1. Provide an alternative zoning district to the CCFBC where a property proposes a development that does not meet the strict regulations required in the CCFBC.
2. Provide open space/street space that is compatible with the concepts of the CCFBC.
3. Provide comprehensive and innovative planning and design for a development which is consistent and compatible with surrounding developments.
4. Provide more efficient and economic use of land resulting in an urban/pedestrian environment.
5. Provide complete and useful information which will enable the Planning Commission and City Council to make more informed decisions on land use.
6. Encourage developments that achieve community goals, such as, but not limited to, aging in place, or affordable housing, or other emerging trends in housing, that may not be able to meet all the required elements of the Center City Form Based Code.

B. Uses Permitted. The CCPUD regulations are designed to provide for any mix of uses. There are no specifically prescribed uses which are permitted within the boundaries of the Center City Area in order to increase creativity and flexibility in the Center City Area when development according to the CCFBC is not feasible. The owner/applicant will be responsible for the preparation of a list of permitted uses within the specific CCPUD. The development of the list shall take into account the nature and purpose of the CCPUD area, and such uses and locations shall be appropriate in order to protect and be in harmony with surrounding development.

ANALYSIS: The applicant provided an amended CCPUD Narrative. The Narrative outlines the additional signage proposed as well as the modification to the landscaping. As stated earlier there are no proposed changes to use or design of the proposed building from the approved CCPUD.

PARTICULARS OF THIS CCPUD:

1. **AMENDMENTS REQUESTED:** The amended CCPUD Narrative contains amendments as follows.

SIGNAGE:

- Allowance of three additional anchor tenant signs. Each sign is to be a maximum of 30 square feet. Signs are allowed to be located on the wall either between the second floor line and the first floor ceiling, or the third floor line and the second floor ceiling, or attached to the metal awning.
- Allowance for vinyl window graphics to cover a maximum of 25% of the windows for either the first or second floor tenants;
- The allowance for one temporary grand opening banner sign for each tenant for 30 days per grand opening. Each sign is allowed to be a maximum of 60 square feet and attached to the wall of the structure and are prohibited from covering any windows.

VARIANCES: The CCPUD Narrative provides variance requests for up to three additional anchor tenant signs, for the allowance of temporary signage on site,

and for the second floor commercial windows to have window graphics as above.

LANDSCAPING:

- Three planters on the west side of the building will replace the previously proposed rain garden.

OTHER AGENCY COMMENTS:

- **PRE-DEVELOPMENT:** No meeting was required for this application.
- **GREENBELT COMMISSION MEETING:** No meeting was required for this application.
- **PARK BOARD:** Park land dedication not required for this application.
- **PUBLIC WORKS:** Water and sewer service are existing for this site. Stormwater runoff will be diverted to the storm sewer inlets near the corner of Webster Avenue and W. Main Street.

CONCLUSION: Staff forwards this request and Ordinance No. O-2223-30 to Planning Commission for consideration and a recommendation to the City Council.



CITY OF NORMAN, OK PLANNING COMMISSION MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069
Thursday, April 13, 2023 at 6:30 PM

MINUTES

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 13th day of April, 2023.

Notice and agenda of the meeting were posted at the Norman Municipal Building and online at <https://norman-ok.municodemeetings.com> at least twenty-four hours prior to the beginning of the meeting.

* * *

Chair Erica Bird called the meeting to order at 6:30 p.m.

ROLL CALL

PRESENT

Cameron Brewer
Steven McDaniel
Liz McKown
Kevan Parker
Erica Bird
Doug McClure
Jim Griffith
Maria Kindel
Michael Jablonski

A quorum was present.

STAFF PRESENT

Jane Hudson, Director, Planning & Community Development
Lora Hoggatt, Planning Services Manager
Melissa Navarro, Planner I
Colton Wayman, Planner I
Anais Starr, Planner II
Jack Burdett, Subdivision Development Coordinator
David Riesland, Transportation Engineer
Beth Muckala, Assistant City Attorney
Bryce Holland, Multimedia Specialist
Roné Tromble, Admin. Tech. IV

* * *

7. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of Ordinance No. O-2223-30: J FORD, L.L.C. requests amendment of the CCPUD approved in O-2021-23 for 0.16 acres of property generally located at 231 W. Main Street, to allow for specific tenant signage and modify landscaping.

Motion made by McKown, Seconded by Brewer, to allow Erica Bird to be recused on this item.

Voting Yea: Brewer, McDaniel, McKown, Parker, Bird, McClure, Griffith, Kindel, Jablonski

The motion to allow recusal passed by a vote of 9-0. Ms. Bird turned control of the meeting over to Vice Chair Parker and vacated the room.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. SPUD Narrative with Exhibits A-E

PRESENTATION BY STAFF: Ms. Starr reviewed the staff report, a copy of which is filed with the minutes.

Ms. McKown asked who will be responsible for maintaining the planters. Ms. Starr responded they will not be in the City right-of-way, so it will be the tenants or property owners.

Mr. Brewer asked for clarification of the sign placement. Ms. Starr responded.

PRESENTATION BY THE APPLICANT:

Gunner Joyce, Rieger Law Group, representing the applicant, presented the project. No protests were received on this application.

Mr. Jablonski asked the plan if and when the old brick house falls down. Mr. Joyce responded and cited Section III(B)(2) of the CCPUD.

PUBLIC PARTICIPATION: None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Mr. Jablonski asked if there are any concerns with the signage proposed at the top of the 2nd floor. None were voiced.

Motion made by Brewer, Seconded by McDaniel, to recommend adoption of Ordinance No. O-2223-30 to City Council.

Voting Yea: Brewer, McDaniel, McKown, Parker, McClure, Griffith, Kindel, Jablonski

The motion carried by a vote of 8-0.

Ms. Bird resumed her seat and control of the meeting.

File Attachments for Item:

11. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-33 UPON FIRST READING BY TITLE:
AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOT 2A, BLOCK 23 OF T.R. WAGGONER'S FIRST ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE C-2, GENERAL COMMERCIAL DISTRICT, AND PLACE SAME IN THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (601 WEST EUFAULA STREET)



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/09/2023

REQUESTER: Midway Grocery, Inc.

PRESENTER: Jane Hudson, Director of Planning & Community Development

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-33 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOT 2A, BLOCK 23 OF T.R. WAGGONER'S FIRST ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE C-2, GENERAL COMMERCIAL DISTRICT, AND PLACE SAME IN THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (601 WEST EUFAULA STREET)

PROJECT OVERVIEW:

Midway Grocery, Inc. is requesting a rezoning to SPUD, Simple Planned Unit Development, at 601 W. Eufaula Street. This site is the location of Midway Grocery & Market. The subject property and adjacent property to the north were zoned C-1, Local Commercial District with Ordinance No. 884 on July 13, 1954 with adoption of the original Zoning Ordinance. The applicant requests this rezoning to formalize permissible uses in addition to proposing a new, non-permanent outdoor stage at the northern extents of the property.

PROCEDURAL REQUIREMENTS:

GREENBELT MEETING: N/A for this item.

PRE-DEVELOPMENT MEETING: PD 23-07, March 23, 2023

Neighbors wanted to understand what types of live entertainment and music would be allowed outdoors. Neighbors also wanted to know what time these uses would be outside and how many people the applicant anticipated would be at these events. The neighbors are concerned that the way the current proposal is written, if a change in ownership ever occurred, the new owner could have the ability to have outdoor music and entertainment whenever they like. A neighbor explained she wanted assurances in writing. A neighbor remarked that he does not want to live next to a private event center. Neighbors explained that a narrower proposal is needed for them to consider what the applicant is wanting to do.

ZONING ORDINANCE CITATION:

CHAPTER 36-510 – SIMPLE PLANNED UNIT DEVELOPMENTS

1. General Description. The Simple 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.

2. 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 achieving the goals of comprehensive plan of record. In addition the SPUD provides for the following:

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.

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 Zoning Ordinance, and other applicable plans, policies, standards and regulations on record.

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 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.

STAFF ANALYSIS: The particulars of this SPUD include:

USE: This SPUD, Simple Planned Unit Development, proposes certain commercial uses for the property. The following are the commercial uses proposed as part of this SPUD:

- Restaurant
- Catering establishment
- Delicatessen store
- Office
- Food truck parking
- Catered Events: Catered events, indoor or outdoor, with or without amplified sound. All events shall comply with the City of Norman Noise Ordinance regulations as amended

from time to time and enforced by the Norman Police Department. Amplified sound shall be used no earlier than 12:00 P.M. and no later than 10:00 P.M.

The applicant has not proposed any maximum capacity constraints for the above uses.

SOUND: Live outdoor exterior amplified music shall be restricted to not exceed the maximum permissible sound limits under the City of Norman Noise Ordinance, and applicable exemptions, if any, as may be amended from time to time and enforced by the Norman Police Department.

OPEN SPACE: No changes are proposed to the existing open space. Although a new stage is proposed, it will be a non-permanent structure and will therefore not affect open space on the site.

SITE PLAN/ACCESS: This SPUD, Simple Planned Unit Development does not propose additional structures with exception to a proposed non-permanent stage in the northern portion of the property. This stage will be an event-specific modular unit that is put up for each event then taken down after each event. The site will continue to be accessed from W. Eufaula Street and Chautauqua Avenue for vehicular and pedestrian traffic. The site cannot be accessed from the alley located to the north of the property.

SIGNAGE: Any new signage will follow the City of Norman Sign Code for commercial uses. No changes are proposed to the existing signage on the property.

LIGHTING: Any new exterior lighting shall comply with the applicable provisions of the City of Norman's Commercial Outdoor Lighting Standards. Any exterior lighting shall not spill onto adjacent properties or create glare. No changes are proposed to the exterior lighting on the property.

PARKING: No changes are proposed to the existing parking on the site. Invitees to catered events shall not park in such a way as to create a hazard or impediment to emergency vehicle ingress or egress.

EXTERIOR BUILDING MATERIALS: No changes are proposed to the existing buildings on the site.

EXISTING ZONING: The subject property is currently zoned C-1, Local Commercial District.

ALTERNATIVES/ISSUES:

IMPACTS: Surrounding properties are single-family homes. All surrounding properties are zoned R-1, Single Family Dwelling District with exception to the adjacent property to the north zoned C-1, Local Commercial District, occupied by a single family home. In addition, a non-permanent stage is proposed abutting the alley to the north. This stage shall be removed following an event. No other changes are proposed to the site plan.

The SPUD Narrative proposes catered events (outdoor and indoor) as a permitted use for the property. The applicant has proposed that no amplified sound shall be used earlier than

12:00 P.M. and later than 10:00 P.M. A site capacity was not included in the SPUD. Outdoor events are currently not permitted in the C-1, Local Commercial District.

There are currently seven parking spaces on the site with no proposed changes. It is anticipated that patrons will utilize on-street parking and nearby parking lots. On-street parking is not permitted immediately adjacent to the site on both sides of Chautauqua Avenue and W. Eufaula Street.

OTHER AGENCY COMMENTS:

FIRE DEPARTMENT: No comments.

PUBLIC WORKS/ENGINEERING: No comments.

TRAFFIC ENGINEER: No comments.

UTILITIES: No comments.

CONCLUSION: Staff forwards this request for rezoning from C-1, Local Commercial District to SPUD, Simple Planned Unit Development, as Ordinance No. O-2223-33 for consideration by City Council.

Planning Commission, at their April 13, 2023 meeting, recommended adoption of Ordinance No. O-2223-33, with the comment that additional considerations should be decided upon with City Council as part of approval, by a vote of 6-3.

O-2223-33

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOT 2A, BLOCK 23 OF T.R. WAGGONER'S FIRST ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE C-2, GENERAL COMMERCIAL DISTRICT, AND PLACE SAME IN THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (601 WEST EUFAULA STREET)

- § 1. WHEREAS, Midway Grocery, Inc., the owner of the hereinafter described property, has made application to have the subject property removed from the C-2, General Commercial District and placed in the SPUD, Simple Planned Unit Development District; and
- § 2. WHEREAS, said application has been referred to the Planning Commission of said City and said body has, after conducting a public hearing as required by law, considered the same and recommended that the same should be granted and an ordinance adopted to effect and accomplish such rezoning; and
- § 3. WHEREAS, the City Council of the City of Norman, Oklahoma, has thereafter considered said application and has determined that said application should be granted and an ordinance adopted to effect and accomplish such rezoning.

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

- § 4. That Section 36-201 of the Code of the City of Norman, Oklahoma, is hereby amended so as to remove the following described property from the C-2, General Commercial District and place the same in the SPUD, Simple Planned Unit Development District, to wit:

Lot 2A, Block 23 of T.R. WAGGONER'S FIRST ADDITION to Norman, Cleveland County, Oklahoma.

Said tract contains 0.234 acres, more or less.

Ordinance No. O-2223-33

Page 2

§ 5. Further, pursuant to the provisions of Section 36-510 of the Code of the City of Norman, as amended, the following condition is hereby attached to the zoning of the tract:

- a. The site shall be developed in accordance with the SPUD Narrative, Site Development Plan, and supporting documentation approved by the Planning Commission on April 13, 2023, and made a part hereof.

§ 6. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ADOPTED this _____ day of _____, 2023.

NOT ADOPTED this _____ day of _____, 2023.

(Mayor)

(Mayor)

ATTEST:

(City Clerk)

THE BACKYARD AT MIDWAY

NORMAN, OKLAHOMA

SIMPLE PLANNED UNIT DEVELOPMENT
SECOND AMENDED SPUD NARRATIVE
SPUD SITE DEVELOPMENT PLAN MAP

OWNER:
MIDWAY GROCERY, INC.

March 1, 2023

Prepared by:

Hal Wm. Ezzell, OBA #17618
Attorney for Applicant

EZZELL & WADLEY, PLLC
100 48TH Avenue NW
Norman, Oklahoma 73072
Telephone 405.928.2066
Facsimile: 405.928.2069
Email: hezzell@coxinet.net

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 - C. Elevation and Topography
 - D. Drainage
 - E. Utility Services
 - F. Fire Protection Services
 - G. Traffic Circulation and Access
- III. DEVELOPMENT PLAN AND DESIGN CONCEPT
 - A. Permitted Commercial Uses
 - 1. Permitted Uses
 - 2. Parking
 - 3. Dumpster and Trash Enclosures
 - B. Miscellaneous Development Criteria

EXHIBITS

- A. Proposed SPUD Site Development plan

I. INTRODUCTION

The Backyard at Midway (the "Property") is proposed as a Simple Planned Unit Development (SPUD) in the City of Norman. The Property is Generally located at 601 W. Eufaula St., Norman, Oklahoma.

The Property is an L shaped corner lot and is currently zoned C-1, Local Commercial District. The property currently operates as a restaurant and deli known as the Midway Grocery & Deli. The establishment holds a beer and wine license from the City of Norman and State of Oklahoma. The establishment is licensed by the State of Oklahoma Department of Health and by the City of Norman as a food service establishment.

The Applicant has filed and seeks this Simple Planned Unit Development (SPUD) pursuant to Sec. 420.05 – Simple Planned Unit Developments in the City of Norman Zoning Ordinance in an effort to work with other property owners in the area and formalize the permissible hours and uses of and on the Property. It is the intent of the Applicant to develop and use the property in an innovative and progressive manner that substantially improves the cultural and living experience of the surrounding neighborhood.

The SPUD Narrative and the Exhibits attached thereto, will set forth the requirements of the SPUD district adopted for this property.

II. PROPERTY DESCRIPTION/GENERAL SITE CONDITIONS

A. Location

The Property is generally located on the northeast corner of the intersection of W. Eufaula St. and Chautauqua Avenue at 601 W. Eufaula Street, Norman, Oklahoma.

B. Existing Land Use and Zoning

The Property is currently Zoned C-1, Local Commercial District. It has operated as a commercial use continuously on the site since it was originally opened in 1926. Throughout the decades it has been operated as a small neighborhood grocery store, a small grocery and convenience store, a small grocery with a deli and its current use today as a restaurant, deli and live music and entertainment venue (indoor). The establishment holds a beer and wine license from the City of Norman and State of Oklahoma. The establishment is licensed by the State of Oklahoma Department of Health and by the City of Norman as a food service establishment.

C. Elevation and Topography

This Property is generally flat with low slope topography. No part of the Property is in the FEMA 100-year flood plain.

D. Drainage

No changes are proposed to the existing drainage on the Property.

E. Utility Services

The Property is already developed, functioning and operating with all necessary utilities.

F. Fire Protection Services

Fire Protection services will be provided by the City of Norman Fire Department and otherwise required by code.

G. Traffic Circulation and Access

No changes are proposed to the existing traffic access and circulation on or to the Property.

III. DEVELOPMENT PLAN AND DESIGN CONCEPT

The SPUD is planned to accommodate commercial uses as already operated on the property and allow for additional commercial uses of the outdoor areas and spaces on the Property.

A. Permitted Commercial Uses

The Proposed improvements in the SPUD are already constructed or have their future location reflected on the attached SPUD Site Development Plan Attached hereto as Exhibit A.

1. Permitted Uses

This SPUD will not preclude the granting of permits, issued by the City of Norman, to accommodate larger gatherings, such as an annual block party. The purpose for the SPUD is to allow for new outdoor entertainment uses in conjunction with catered events and continued commercial uses under the following development and zoning regulations:

- a. General Commercial Uses: The general commercial uses permitted are uses based on already issued permits and uses on the Property without any additional improvements:
 - i. Restaurant;
 - ii. Catering establishment;
 - iii. Delicatessen store;
 - iv. Food Truck parking;
 - v. Office;
- b. Catered Events: Catered events, indoor or outdoor, with or without amplified sound. All events shall comply with the City of Norman Noise Ordinance regulations as amended from time to time and enforced by the Norman Police Department.

Amplified sound shall be used no earlier than 12:00 P.M. and no later than 9:00 P.M. only on Friday, Saturday or Sunday. Invitees shall not park in such a way as to create a hazard or impediment to emergency vehicle ingress or egress. Private catered events shall be supervised by the business owner's staff and owner's supervising staff shall be present at all private catered events. Private catered events shall not exceed 100 people in attendance, including owner's staff and employees. Owner will make arrangements to provide off-street parking for any event with more than 75 people in attendance.

B. Miscellaneous Development Criteria

1. Site Plan

No changes are proposed to the existing site plan on the Property. Therefore, the existing site plan as shown on Exhibit A attached shall remain unchanged. Permanent structures indicated on the SPUD Site Plan may not be altered or modified more than five (5%) percent without an Amendment to the SPUD by the City Council. This requirement excludes ordinary repairs and maintenance of the property.

2. Open Space.

No changes are proposed to the existing open space on the Property, and the existing open space requirements shall remain unchanged. The total impervious surface area is currently 49% and the pervious surface area is 51%. These shall not change.

3. Signage

The existing signage as constructed and where constructed on the property as of the date of this SPUD filing on March 1, 2023, is approved within this SPUD. All future signage shall be in conformance with the City of Norman's Sign Codes, as amended from time to time, and comply with applicable district regulations.

4. Fencing and Buffering.

Screening in the form of trees, bushes or fencing will be provided along the north alley property line. The existing six (6) foot fence adjacent to the property to the north of the store and west of the backyard will be replaced with an eight (8) foot privacy fence.

5. Traffic access/circulation/parking and sidewalks

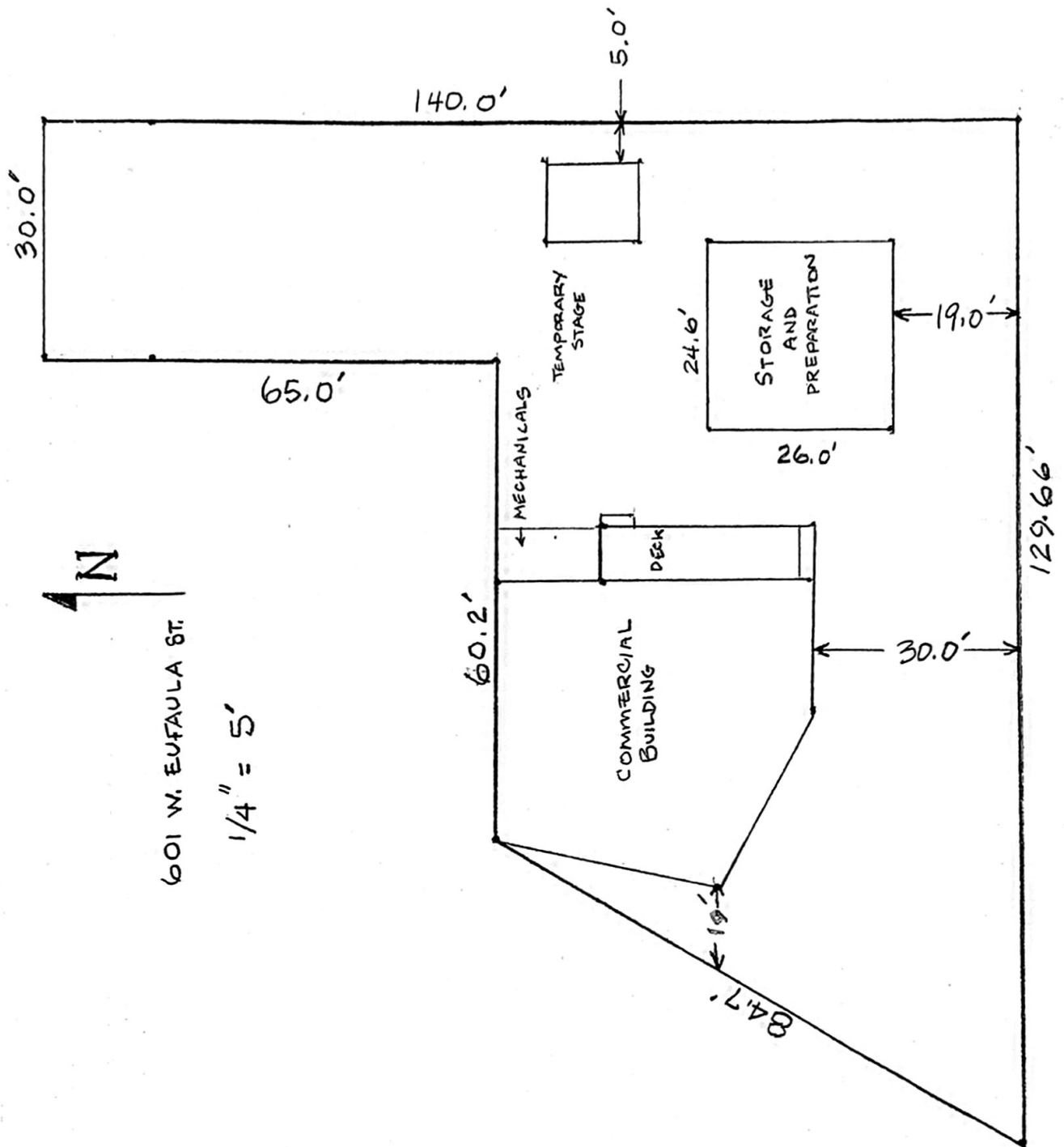
No changes are proposed to the existing traffic access, circulation or parking on the Property.

6. Lighting

All exterior lighting shall be installed in conformance with the City of Norman commercial outdoor lighting standards, as amended from time to time.

EXHIBIT A

PROPOSED SPUD SITE DEVELOPMENT PLAN



THE BACKYARD AT MIDWAY

NORMAN, OKLAHOMA

SIMPLE PLANNED UNIT DEVELOPMENT SPUD SITE DEVELOPMENT PLAN MAP

OWNER:
MIDWAY GROCERY, INC.

March 1, 2023

Prepared by:

Hal Wm. Ezzell, OBA #17618
Attorney for Applicant

EZZELL & WADLEY, PLLC
100 48TH Avenue NW
Norman, Oklahoma 73072
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The Backyard at Midway (the “Property”) is proposed as a Simple Planned Unit Development (SPUD) in the City of Norman. The Property is Generally located at 601 W. Eufaula St., Norman, Oklahoma.

The Property is an L shaped corner lot and is currently zoned C-1, Local Commercial District. The property currently operates as a restaurant and deli known as the Midway Grocery & Deli. The establishment holds a beer and wine license from the City of Norman and State of Oklahoma. The establishment is licensed by the State of Oklahoma Department of Health and by the City of Norman as a food service establishment.

The Applicant has filed and seeks this Simple Planned Unit Development (SPUD) pursuant to Chapter 36-510 – Simple Planned Unit Developments in the City of Norman Zoning Ordinance in an effort to work with other property owners in the area and formalize the permissible hours and uses of and on the Property. It is the intent of the Applicant to develop and use the property in an innovative and progressive manner that substantially improves the cultural and living experience of the surrounding neighborhood.

The SPUD Narrative and the Exhibits attached thereto, will set forth the requirements of the SPUD district adopted for this property.

II. PROPERTY DESCRIPTION/GENERAL SITE CONDITIONS

A. Location

The Property is generally located on the northeast corner of the intersection of W. Eufaula St. and Chautauqua Avenue at 601 W. Eufaula Street, Norman, Oklahoma.

B. Existing Land Use and Zoning

The Property is currently Zoned C-1, Local Commercial District. It has operated as a commercial use continuously on the site since it was originally opened in 1926. Throughout the decades it has been operated as a small neighborhood grocery store, a small grocery and convenience store, a small grocery with a deli and its current use today as a restaurant, deli and live music and entertainment venue (indoor). The establishment holds a beer and wine license from the City of Norman and State of Oklahoma. The establishment is licensed by the State of Oklahoma Department of Health and by the City of Norman as a food service establishment.

C. Elevation and Topography

This Property is generally flat with low slope topography. No part of the Property is in the FEMA 100-year flood plain.

D. Drainage

No changes are proposed to the existing drainage on the Property.

E. Utility Services

The Property is already developed, functioning and operating with all necessary utilities.

F. Fire Protection Services

Fire Protection services will be provided by the City of Norman Fire Department and otherwise required by code.

G. Traffic Circulation and Access

No changes are proposed to the existing traffic access and circulation on or to the Property.

III. DEVELOPMENT PLAN AND DESIGN CONCEPT

The SPUD is planned to accommodate commercial uses as already operated on the property and allow for additional commercial uses of the outdoor areas and spaces on the Property.

A. Permitted Commercial Uses

The Proposed improvements in the SPUD are already constructed or have their future location reflected on the attached SPUD Site Development Plan Attached hereto as Exhibit A.

1. Permitted Uses

The purpose for the SPUD is to allow for new outdoor entertainment uses and continued commercial uses under the following development and zoning regulations:

- a. General Commercial Uses: The general commercial uses permitted are uses based on already issued permits and uses on the Property without any additional improvements:
 - i. Restaurant;
 - ii. Catering establishment;
 - iii. Delicatessen store;
 - iv. Food Truck parking;
 - v. Office;
- b. Catered Events: Catered events, indoor or outdoor, with or without amplified sound. All events shall comply with the City of Norman Noise Ordinance regulations as amended from time to time and enforced by the Norman Police Department. Amplified sound shall be used no earlier than 12:00 P.M. and no later than 10:00 P.M.

Invitees shall not park in such a way as to create a hazard or impediment to emergency vehicle ingress or egress.

B. Miscellaneous Development Criteria

1. Site Plan

Other than the proposed future location of the stage area as reflected on the site plan, no changes are proposed to the existing site plan on the Property. Therefore, the existing site plan as shown on Exhibit A attached shall remain unchanged. It should be noted that the stage to be used in the area identified on the site plan as Future Stage Area will not be a permanent structure. The stage to be used in the Future Stage Area will be an event specific, non-permanent modular unit that is put up for each event and then taken down after each event, which is why there are no changes reflected in the Open Space described below.

2. Open Space.

No changes are proposed to the existing open space on the Property, and the existing open space requirements shall remain unchanged. The total impervious surface area is currently 49% and the pervious surface area is 51%. These shall not change.

3. Signage

The existing signage as constructed and where constructed on the property as of the date of this SPUD filing on March 1, 2023, is approved within this SPUD. All future signage shall be in conformance with the City of Norman's Sign Codes, as amended from time to time, and comply with applicable district regulations.

4. Traffic access/circulation/parking and sidewalks

No changes are proposed to the existing traffic access, circulation or parking on the Property.

5. Lighting

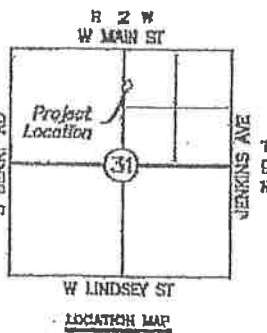
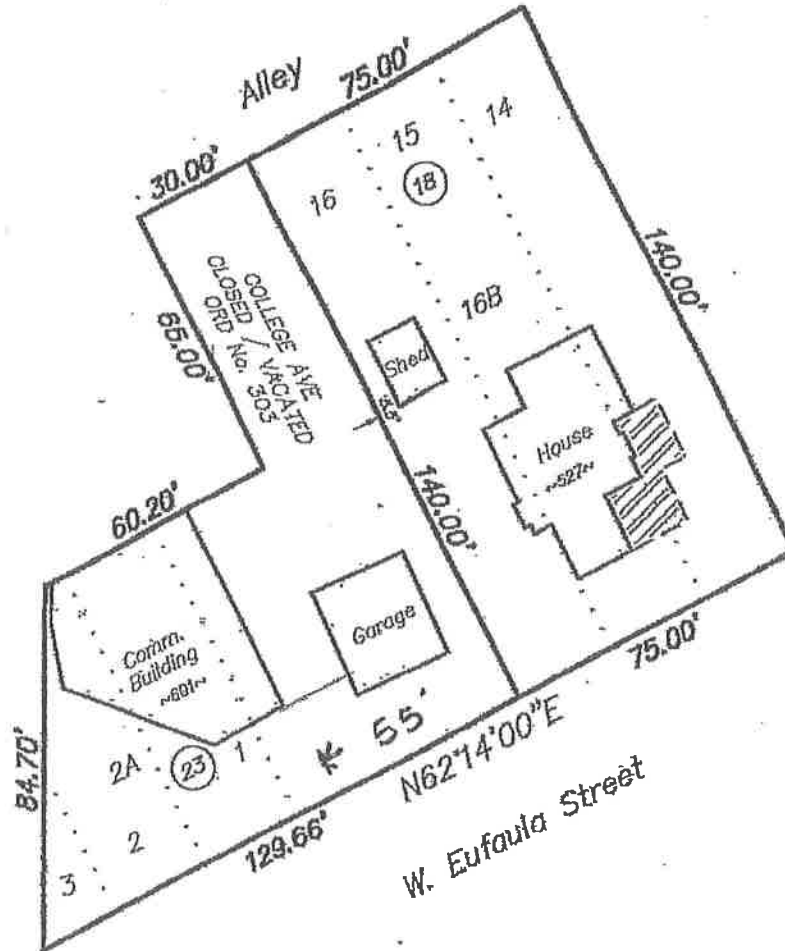
All exterior lighting shall be installed in conformance with the City of Norman commercial outdoor lighting standards, as amended from time to time.

EXHIBIT A

PROPOSED SPUD SITE DEVELOPMENT PLAN

EXHIBIT A-1

LOT 16B, BLOCK 18 and LOT 2A, BLOCK 23 of
T.R. WAGGONER'S FIRST ADDITION TO NORMAN, CLEVELAND COUNTY, OKLAHOMA



LEMKE LAND SURVEYING, LLC

3226 WHITE CORNER DRIVE, NORMAN, OK 73062

PH (405) 866-2341 FAX (405) 866-2341

SA # 0878

<http://www.lemke-ls.com>

Surveyed By: HW/SA

Drawn By: HW/SA

Approved By: BW

Date: 12/7/2021

Scale: 1" = 40'

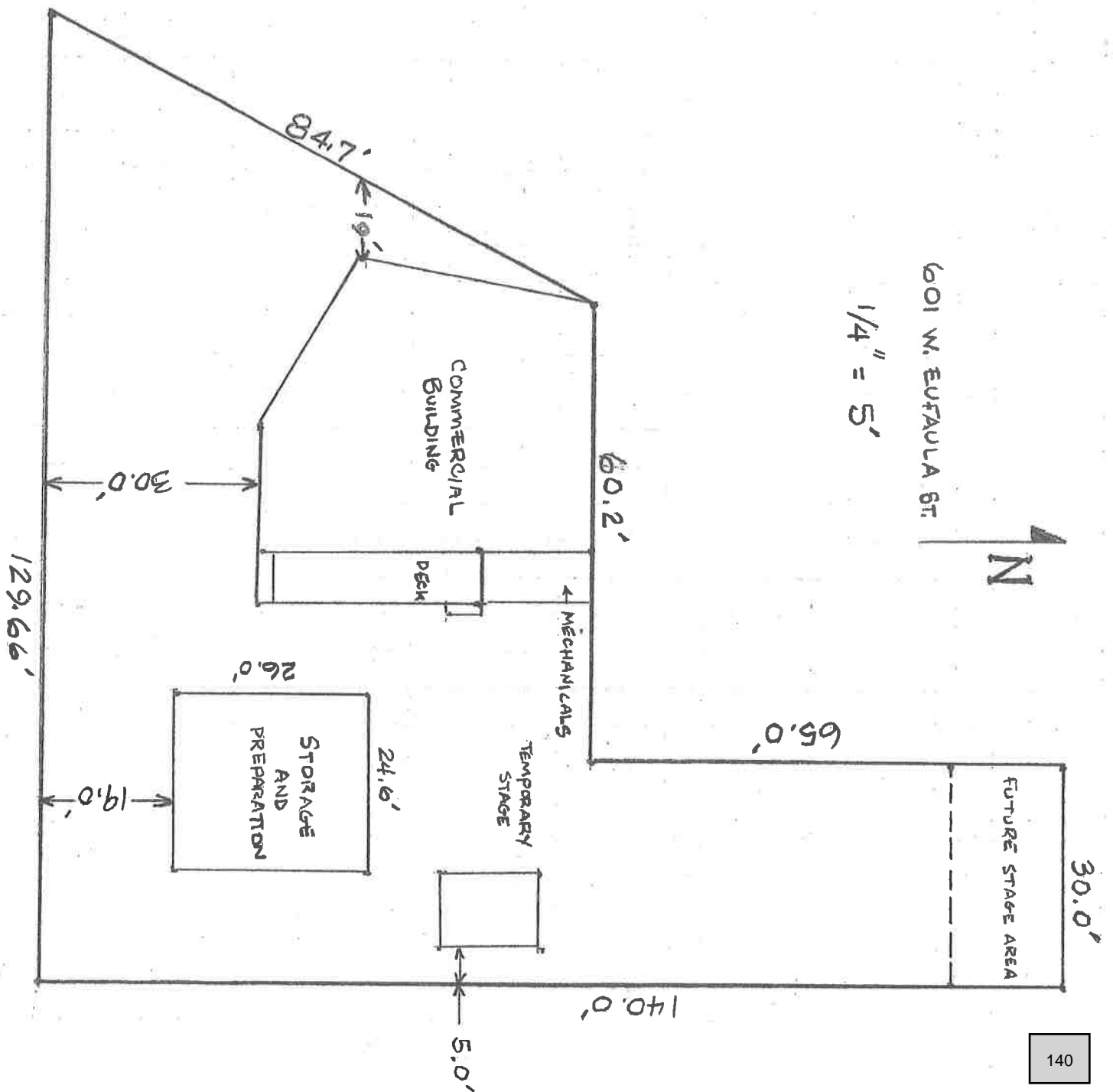
Project No: 01618921

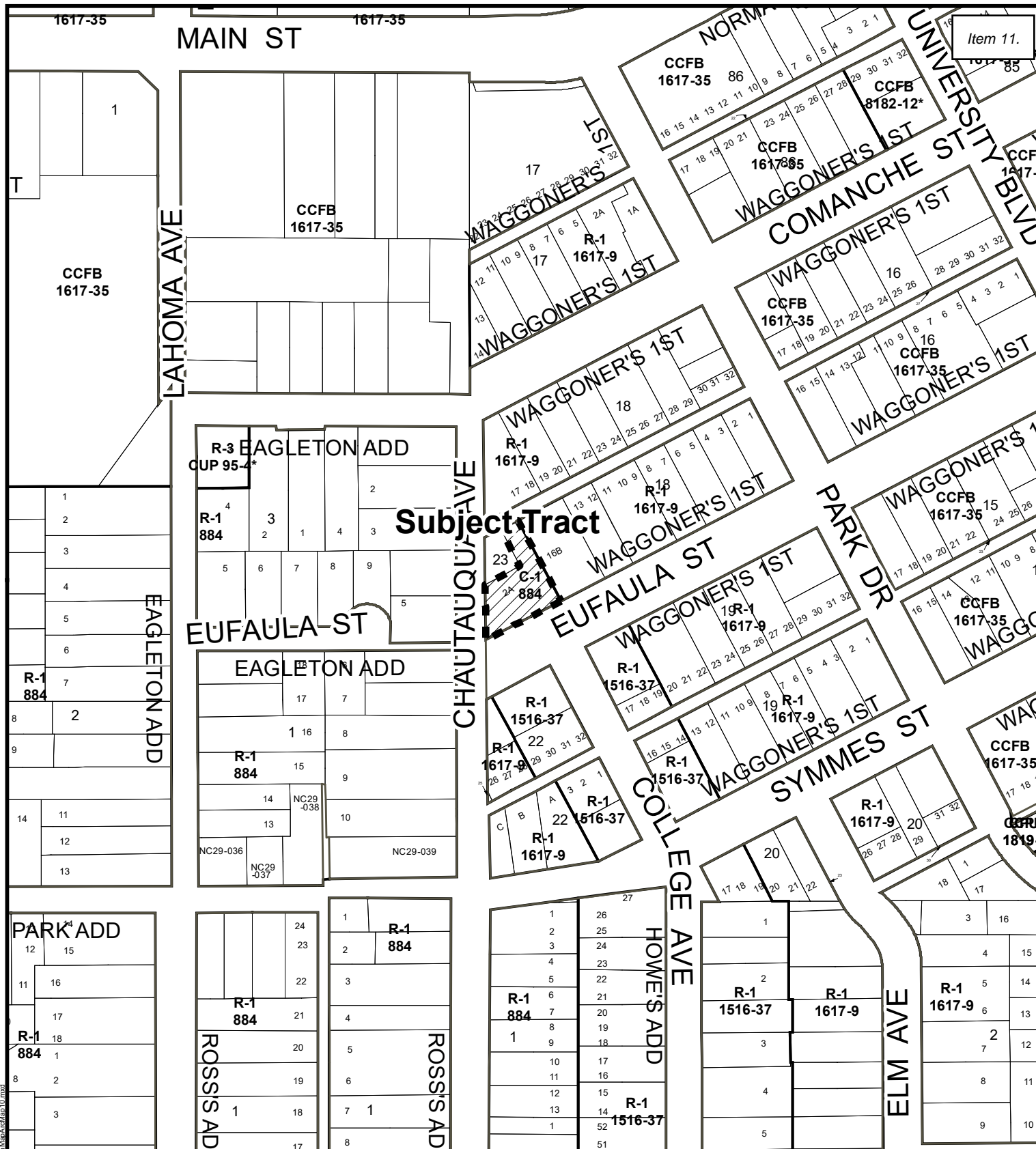
Project: LOT 16B, BLOCK 18 & LOT 2A, BLOCK 23 of T.R. WAGGONER'S FIRST ADDN, NORMAN, OK

Client: BOB THOMPSON
MIDWAY DELL

Sheet Number
2
Sheet 2 of 3

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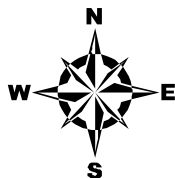




Location Map



Map Produced by the City of Norman
Geographic Information System.
The City of Norman assumes no
responsibility for errors or omissions
in the information presented.



September 6, 2022

0 100 200 Ft.



Subject Tract



Zoning

ORDINANCE NO. O-2223-33

ITEM NO. 8

STAFF REPORT**GENERAL INFORMATION**

APPLICANT	Midway Grocery, Inc.
REQUESTED ACTION	Rezoning to SPUD, Simple Planned Unit Development
EXISTING ZONING	C-1, Local Commercial District
SURROUNDING ZONING	North: C-1, Local Commercial District and R-1, Single-Family Dwelling District East: R-1, Single-Family Dwelling District South: R-1, Single-Family Dwelling District West: R-1, Single-Family Dwelling District
LOCATION	601 W. Eufaula Street
WARD	Ward 4
CORE AREA	Yes
AREA/SF	.234 acres, more or less
PURPOSE	Formalize permissible uses
EXISTING LAND USE	Commercial
SURROUNDING LAND USE	North: Single Family Residential East: Single Family Residential South: Single Family Residential West: Single Family Residential
LAND USE PLAN DESIGNATION	Commercial
GROWTH AREA DESIGNATION	Current Urban Service Area

PROJECT OVERVIEW: Midway Grocery, Inc. is requesting a rezoning to SPUD, Planned Unit Development at 601 W. Eufaula Street. This site is the location of Midway Grocery & Market. The subject property and adjacent property to the north were zoned C-1, Local Commercial District with Ordinance No. 884 on July 13, 1954 with adoption of the original Zoning Ordinance. The applicant requests this rezoning to formalize permissible uses in addition to proposing a new, non-permanent outdoor stage at the northern extents of the property.

PROCEDURAL REQUIREMENTS:

GREENBELT MEETING: N/A for this item.

PRE-DEVELOPMENT MEETING: PD 23-07, March 23, 2023

Neighbors wanted to understand what types of live entertainment and music would be allowed outdoors. Neighbors also wanted to know what time these uses would be outside and how many people the applicant anticipated would be at these events. The neighbors are concerned that the way the current proposal is written, if a change in ownership ever occurred, the new owner could have the ability to have outdoor music and entertainment whenever they like. A neighbor explained she wanted assurances in writing. A neighbor remarked that he does not want to live next to a private event center. Neighbors explained that a narrower proposal is needed for them to consider what the applicant is wanting to do.

ZONING ORDINANCE CITATION:

CHAPTER 36-510 – SIMPLE PLANNED UNIT DEVELOPMENTS

1. General Description. The Simple 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.

2. 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 achieving the goals of comprehensive plan of record. In addition the SPUD provides for the following:

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.

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 Zoning Ordinance, and other applicable plans, policies, standards and regulations on record.

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 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.

STAFF ANALYSIS: The particulars of this SPUD include:

USE: This SPUD, Simple Planned Unit Development, proposes certain commercial uses for the property. The following are the commercial uses proposed as part of this SPUD:

- Restaurant
- Catering establishment
- Delicatessen store
- Office
- Food truck parking
- Catered Events: Catered events, indoor or outdoor, with or without amplified sound. All events shall comply with the City of Norman Noise Ordinance regulations as amended from time to time and enforced by the Norman Police Department. Amplified sound shall be used no earlier than 12:00 P.M. and no later than 10:00 P.M.

The applicant has not proposed any maximum capacity constraints for the above uses.

SOUND: Live outdoor exterior amplified music shall be restricted to not exceed the maximum permissible sound limits under the City of Norman Noise Ordinance, and applicable exemptions, if any, as may be amended from time to time and enforced by the Norman Police Department.

OPEN SPACE: No changes are proposed to the existing open space. Although a new stage is proposed, it will be a non-permanent structure and will therefore not affect open space on the site.

SITE PLAN/ACCESS: This SPUD, Simple Planned Unit Development does not propose additional structures with exception to a proposed non-permanent stage in the northern portion of the property. This stage will be an event-specific modular unit that is put up for each event then taken down after each event. The site will continue to be accessed from W. Eufaula Street and Chautauqua Avenue for vehicular and pedestrian traffic. The site cannot be accessed from the alley located to the north of the property.

SIGNAGE: Any new signage will follow the City of Norman Sign Code for commercial uses. No changes are proposed to the existing signage on the property.

LIGHTING: Any new exterior lighting shall comply with the applicable provisions of the City of Norman's Commercial Outdoor Lighting Standards. Any exterior lighting shall not spill onto adjacent properties or create glare. No changes are proposed to the exterior lighting on the property.

PARKING: No changes are proposed to the existing parking on the site. Invitees to catered events shall not park in such a way as to create a hazard or impediment to emergency vehicle ingress or egress.

EXTERIOR BUILDING MATERIALS: No changes are proposed to the existing buildings on site.

EXISTING ZONING: The subject property is currently zoned C-1, Local Commercial District.

ALTERNATIVES/ISSUES:

IMPACTS: Surrounding properties are single-family homes. All surrounding properties are zoned R-1, Single Family Dwelling District with exception to the adjacent property to the north zoned C-1, Local Commercial District, occupied by a single family home. In addition, a non-permanent stage is proposed abutting the alley to the north. This stage shall be removed following an event. No other changes are proposed to the site plan.

The SPUD Narrative proposes catered events (outdoor and indoor) as a permitted use for the property. The applicant has proposed that no amplified sound shall be used earlier than 12:00 P.M. and later than 10:00 P.M. A site capacity was not included in the SPUD. Outdoor events are currently not permitted in the C-1, Local Commercial District.

There are currently seven parking spaces on the site with no proposed changes. It is anticipated that patrons will utilize on-street parking and nearby parking lots. On-street parking is not permitted immediately adjacent to the site on both sides of Chautauqua Avenue and W. Eufaula Street.

OTHER AGENCY COMMENTS:

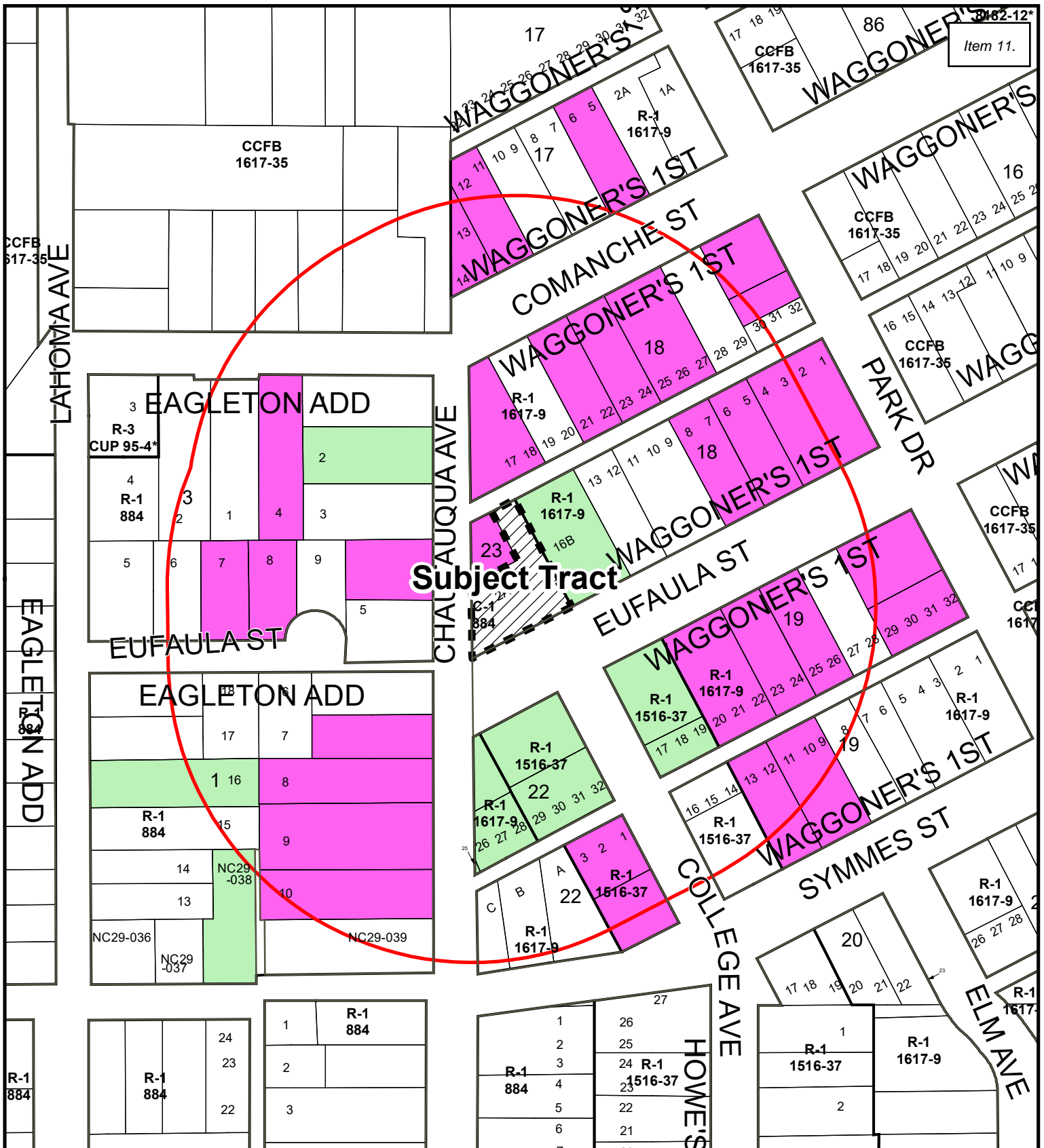
FIRE DEPARTMENT: No comments.

PUBLIC WORKS/ENGINEERING: No comments.

TRAFFIC ENGINEER: No comments.

UTILITIES: No comments.

CONCLUSION: Staff forwards this request for rezoning from C-1, Local Commercial District to SPUD, Simple Planned Unit Development, as Ordinance No. O-2223-33 for consideration by the Planning Commission and a recommendation to City Council.

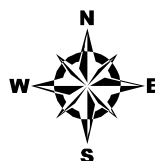


Protest & Support Map

13.9% Support Within Notification Area
45.0% Protest Within Notification Area



Map Produced by the City of Norman
Geographic Information System.
The City of Norman assumes no
responsibility for errors or omissions
in the information presented.



0 75 150 Feet

April 13, 2023

- Subject Tract
- Notification Area
- Support
- Protest

SUPPORT LETTERS – From Property Owners within Radius
As of 4/12/2023

Ordinance No. O-2223-33
Midway Grocery, Inc.
601 W. Eufaula

530 W Eufaula St.
Norman, OK 73069
(773) 354-8044

March 23, 2023

To whom it may concern:

I'm writing in support of the SPUD application from Midway Deli. I live directly across from the "Red House" and we also own a second lot in the affected area (a rental home at 305 College). I would like to note a few points as the committee reviews this application. I would argue that Midway makes this neighborhood unique and charming in Norman and we would like to support its continued success.

- 1) I view from a lens of supporting small, local businesses. What makes a business sustainable evolves over time. It used to be more grocery, but now events are important. Please give a longtime local business the opportunity to adapt.
- 2) Noise has never been an issue for us. I can't speak to the sound on Chautauqua but on Eufaula, it's never been more than a gentle level from Midway. The NHS football games and track meets, Lions Park music events and the students on Symmes with their twice a semester late nighters, are all significantly louder. But we cheerfully accept all of them because we like NHS, Summer Breeze and living near OU. They, like Midway, are entities that add to this community.
- 3) Parking is fine. We live in a busy area. OU students and employees park along College during the school year because it's free street parking close to campus. Midway customers park along Eufaula for lunch. LOTS of people park here during football games... It is not onerous to share a public street. I don't expect any difference with Midway events.

We have a marvelous neighborhood and many wonderful neighbors, including Midway.

Sincerely,


Sue Ringus

FILED IN THE OFFICE
OF THE CITY CLERK
ON 4/3/23 - LW

Brenda Hall

From: Austin Brewer <austin.brewer@gmail.com>
Sent: Thursday, March 23, 2023 11:04 PM
To: Rone Tromble; Brenda Hall
Subject: EXTERNAL EMAIL : Letter in Support of Rezoning Midway Grocery, Inc. to a SPUD - Austin Brewer, 204 Chautauqua Ave

Rone & Brenda -

I am writing to you, again, with a letter of support in favor of the rezoning request by Midway Deli from C-1 to a SPUD to allow for outdoor entertainment and live music. As a next door neighbor (literally) - located at 204 Chautauqua Ave - I can speak directly to the impact, or lack thereof, this rezoning request will have.

We moved back to Norman 2.5 years ago and have enjoyed Midway as both a neighbor and gathering place for the entire neighborhood. Moreover, we consider Bob Thompson - owner of Midway and the adjacent red house/barn part of the rezoning request - a close friend and partner in all things Norman, and more specifically, our Chautauqua/Eufaula neighborhood intersection. Bob has the best interest of all neighbors in mind and would never do anything to adversely impact the overall feel and inclusiveness of our lovely neighborhood community. His intentions with this rezoning request are to allow for live music at a property he owns, in line with the original (historical) zoning of the subject property, and with the input of his neighbors close by.

On more than one occasion while Bob experimented with live music at his venue before submitting the formal rezoning request herein, the music emanating from Midway was no louder (and many times less loud) than the summer breeze concerts at Lions multiple blocks away. Additionally, he sought our input multiple times for the overall timing of music (never past 9pm) and decibel levels. We've never had an issue and enjoy the live music and gathering that was taking place finally again, post covid, which we have all have yearned again for so long. I must add that we have a 5 year old at home, and no, our child (nor us) have ever had a problem sleeping or with the music traffic that gathers for an evening show.

Prior to moving back to Norman and after graduating most recently from OU Law, we lived away from Oklahoma approximately 9 years, having spent 3 years in Austin and 6 years in Denver before that. Both amazing places to live no doubt, however, we were excited and have remained enthused about moving back to Norman to raise our small and growing family. In both Austin and Denver, we lived in communities that had neighborhood gathering spots eerily similar to Midway, complete with great food, live music, and neighborly love. We miss those places, however, we feel lucky to have moved next door to Midway which strives to be the same type of one-stop neighborhood gathering spot.

I wish nothing more than for Bob & Midway Deli to continue their positive momentum towards creating this neighborhood gathering place where food, live music, and neighbors can gather. It is such a unique, positive, and unifying force that so many neighborhoods across America can only hope and dream about. As a planning commission, I hope you feel the same.

Respectfully,
 Austin Brewer

FILED IN THE OFFICE
 OF THE CITY CLERK
 ON 3/31/23

March 27, 2023

Ms. Rone Tromble

Re: Midway SPUD application

City of Norman – Planning & Community Development

225 West Webster Ave.

Norman, OK 73069

I'm writing to support the application for the SPUD for The Backyard at Midway Market. As a long-time resident of the community, I support the requested change to allow live music on a limited basis. It's in the best interest of our neighborhood to establish this as the only allowed use of the property going forward.

Signed,

A handwritten signature in black ink that reads "Chris Suit". The signature is written in a cursive style with a long horizontal line extending from the end of the name.

Chris Suit (Suit-Benfield Trust)

715 West Symmes

Norman, OK 73069

FILED IN THE OFFICE
OF THE CITY CLERK
ON 3/30/23 FW

MIDWAY REZONING SUPPORT LETTER

RE: 302 College Ave
Norman, OK 73069

March 31, 2023

Fred and Patricia Stuart
302 College Ave.
Norman, Ok 73069

City of Norman Planning Commission
Planning and Community Development
225 N Webster Ave.
Norman, OK 73069

Dear Planning Commission and City Council Members,

We own 302 College Ave. in Norman and we support Bob Thompson and the current Midway Rezoning proposal. We have lived South of Midway for 35 years and have never had any complaints about the venue.

Sincerely,

A handwritten signature in cursive script that reads "Patricia Stuart". Above the main signature, there is a smaller, less legible handwritten mark that appears to be "H.M. Stuart".

Fred and Patricia Stuart

FILED IN THE OFFICE
OF THE CITY CLERK
ON 4/5/23

MIDWAY REZONING SUPPORT LETTER

RE: 308 College Ave
Norman, OK 73069

March 31, 2023

Fred and Patricia Stuart
302 College Ave.
Norman, Ok 73069

City of Norman Planning Commission
Planning and Community Development
225 N Webster Ave.
Norman, OK 73069

Dear Planning Commission and City Council Members,

We own 308 College Ave. in Norman and we support Bob Thompson and the current Midway Rezoning proposal.

Sincerely,

A handwritten signature in cursive script that reads "Patricia Stuart". The signature is written in dark ink and is positioned above the printed name.

Fred and Patricia Stuart

FILED IN THE OFFICE
OF THE CITY CLERK
ON 4/5/23

Andy Darks

Item 11.

305 Chautauqua

-Waggoner N 77ft. 2in. LOTS 26-27-28 BLK 22

307 Chautauqua

-Waggoner S 62ft. 10in. LOTS 26-27-28 BLK 22

I support the Midway Deli SPUD for the following reasons:

1. There has been a considerable amount of misinformation spread regarding Midway and the neighborhood
2. I have owned property next to Midway for over 3 decades and have always found Midway to be a good and considerate neighbor.
3. One neighbor recently told me that they heard that Midway was going to play OU football games on the radio and that they did not want that! This particular neighbor has lived on Chautauqua, next to Midway for over 30 years. We live near the university campus. Everyone in the neighborhood is going to hear OU football.
4. The main protestors that have contacted me have only done so because I own 2 properties directly across the street within the SPUD boundary. Otherwise I am just a "nasty old landlord." Midway has not tried to contact me at all but the protestors with an agenda have. They have also contacted and spread untruths to my tenants.
5. Midway Deli is good for the neighborhood. The best thing that I have seen come out of this is that it has gotten people to start talking. They are not all agreeing necessarily but at least they are talking. I believe that alone puts the Midway neighborhood far ahead of the rest of Norman. I believe that open communication is key to any relationship, whether good or bad.

The protestors have said that Midway and the advancement of the SPUD will devalue nearby properties. I have owned and managed residential property in the neighborhood for 42 years. I receive an average of three calls, texts or letters daily from people wanting to rent or purchase property within the neighborhood. In my vast experience, the Midway Deli has not ever had a negative effect on the neighborhood nor any nearby property values.

Thank you for the opportunity to address City of Norman Planning and Community Development.

Sincerely,



Andy Darks

FILED IN THE OFFICE
OF THE CITY CLERK
ON 4/7/23

City Of Norman

Planning & Development

Item 11.

Regarding my property at 527 W EUFAULA ST

I fully support the application for the SPUD for The Backyard at Midway. It's in the best interest of our neighborhood to establish this as the only allowed use of the property going forward.

Signed



BOB THOMPSON
MARICHA THOMPSON

Ms. Rone Tromble Re: Midway SPUD application

City of Norman

Planning & Community Development

225 W Webster Avenue

Norman OK 73069

FILED IN THE OFFICE
OF THE CITY CLERK
ON 4.10.23

Dear City of Norman,

On behalf of the property located at ~~309~~ S. Lahoma Avenue, we are writing this letter in support of the backyard at Midway SPUD. As long-time property owners in the neighborhood, we have seen our property values increase due to Midway's success. We believe it is in the best interest of the neighborhood for the SPUD to pass, and we look forward to the growth and entertainment it will continue to bring.

Sincerely,

 POA

The Inbody Family

FILED IN THE OFFICE
OF THE CITY CLERK
ON 4/12/23



Dedicated to improving the quality of life of Norman residents through the creation and retention of jobs.

May 8, 2023

To whom it may concern,

As the owner of the Commerce Building, we give Midway Grocery, Inc. permission to use our parking lot, 424 West Main Street, after 5 PM to supplement its existing on-street parking as needed.



Lawrence McKinney
President and CEO

FILED IN THE OFFICE
OF THE CITY CLERK
ON 5-8-23

PROTEST LETTERS – From Property Owners within Radius
As of 4/12/2023

Ordinance No. O-2223-33
Midway Grocery, Inc.
601 W. Eufaula

520 W. Eufaula Street

524 W. Eufaula Street

220 Chautauqua Avenue
Norman, OK 73069

March 16, 2023

Planning and Community Development
City of Norman
225 N. Webster Avenue
P.O. Box 370
Norman, OK 73069/70

Dear Sirs or Mesdames:

I object very much to the Midway Grocery's Simple Planned Unit Development amended March 1, 2023. I own the three properties listed above--520 and 524 West Eufaula Street and 220 Chautauqua Avenue—in a trust of which I am the only trustee. All are within sight and sound of the Midway and the proposed S.P.U.D. They are all lived in by my immediate family. I dread the increased noise and traffic that the S.P.U.D. would bring to our residential neighborhood.

Sincerely,

Sarah Iselin

Sarah Cary Iselin
sarahiselin@hotmail.com
405-464-3357

Cc: Margaret Ruth Walker

FILED IN THE OFFICE
OF THE CITY CLERK
ON 3/20/23

520 West Eufaula Street
Norman, OK 73069-5627

March 29, 2023

Planning Commission
City of Norman, Oklahoma

Dear Sir or Madam:

Thank you for your service to our community.

I am writing to object to the Simple Planned Unit Development (SPUD) desired by Bob Thompson of the Midway Deli for Lot A, Block 23 of T. R. Waggoner's First Addition to Norman. I live at **520 W. Eufaula Street** (Waggoner lots 23-24, block 19) and own **524 W. Eufaula** (Waggoner lots 20-22, block 19) and **220 Chautauqua** (Eagleton E 140.8 of lot 7, block 1). Those properties are in the Sarah Iselin Revocable Trust of December 20, 1999, of which I am the only trustee. I enclose copies of the documents establishing that trust and my properties being part of the trust. The three properties are within 350 feet of the proposed SPUD. The SPUD would increase the sound of music and the traffic in what has been generally a quiet residential neighborhood. We sampled the increased noise last summer before neighbors' complaints shut the new outside music venue down.

With thanks for your attention,

Sincerely,

Sarah Iselin

Sarah Iselin
sarahiselin@hotmail.com
405-464-3357

Enclosures

FILED IN THE OFFICE
OF THE CITY CLERK
ON 3/29/23

SARAH CARY ISELIN REVOCABLE TRUST

THIS DECLARATION OF TRUST, made and entered into this 20 day of December, 1999, by SARAH CARY ISELIN (hereinafter called "Settlor"), and SARAH CARY ISELIN, Trustee (hereinafter called "Trustee"). In consideration of the mutual covenants of the parties contained herein, the parties agree as follows:

1. **Creation.** The Settlor, desiring to create an immediate inter vivos trust upon execution hereof, hereby grants, bargains, sells, conveys and assigns to the Trustee the property described on Exhibit A, attached hereto and made a part hereof by this reference, all of which property is hereinafter collectively referred to as the "trust estate", for the uses and purposes and upon the terms and conditions hereinafter set forth.
2. **Additional Property.** So long as this trust remains unrevoked, Settlor, or any other person with Settlor's consent, may add insurance policies or other property, whether real or personal, to the trust hereby created by making insurance payable or transferring such property to Trustee hereunder by deed, assignment, bequest or devise, and if so added, the proceeds of such additional policies and such property shall be covered by the provisions hereof, the same as if originally included hereunder.
3. **Dispositive Provisions During Settlor's Lifetime.** The Trustee under this trust shall hold, invest and reinvest the trust estate, and shall collect and receive the income therefrom, and shall pay all necessary expenses incident to the administration of this trust. The Trustee shall, during Settlor's lifetime, pay to Settlor or for Settlor's benefit the income (but if it is insufficient, then also so much of the principal) as shall be required to provide for Settlor's comfortable care (including medical care), support and maintenance in Settlor's accustomed standard of living. Such payments during any period of Settlor's incapacity shall be made on the Trustee's own initiative and without directions of Settlor or any other person; and the Trustee shall not require Settlor to expend any of Settlor's assets for such purposes. The determination of the Trustee as to the desirability or amount of any payment or payments to be made, or the persons to whom the same shall be made, during any period of Settlor's incapacity, shall be conclusive and binding upon all persons whomsoever.
4. **Successor Trustee.** In the event of the death, incapacity or resignation of the Trustee, then ARVEST TRUST COMPANY, N.A., shall serve as Trustee. The incapacity of any Trustee shall be conclusively established by an affidavit of the personal physician of the incapacitated Trustee delivered to the successor Trustee. So long as the physician is acting in good faith, any physician who executes an affidavit provided for in this paragraph shall not have any liability to any person, and shall be indemnified by the trust from and against any and all losses, costs, damages, expenses, including attorneys' fees, liabilities and obligations incurred or suffered by said physician as a result of his or her having made the determination described herein. References in this agreement to Trustee shall also include any successor Trustee.

3-24-2023

To Whom it may Concern

We did not mind the smaller gatherings at the Midway, but we have concerns on larger and more gatherings they want to do.

We have many neighbors that have concerns about parking, etc.

We are against the proposal of making it larger and more often.

We love our friends at the Midway. But this is too much to take in.

Thank You.

Walter Blackmon
Walter Blackmon

We are owners of the property at
514 W. Comanche St.
Norman, Ok. 73069

FILED IN THE OFFICE
OF THE CITY CLERK
ON 3/24/23

MIDWAY REZONING PROTEST LETTER

RE: 511 W. Comanche Street
Norman, OK 73069

Date: 3-21-23

Conrad Draper
915 S. Ponca
Norman, OK 73071-5037

City of Norman Planning Commission
Planning and Community Development
225 N. Webster Ave.
Norman, OK 73069

Dear Planning Commission and City Council Members,

I own 511 W. Comanche Street in Norman, OK, and I object to the current Midway Rezoning proposal.

Sincerely,



Conrad Draper

FILED IN THE OFFICE
OF THE CITY CLERK
ON 3-24-23

MIDWAY REZONING PROTEST LETTER

March 23, 2023

City of Norman Planning Commission
Planning and Community Development
225 N. Webster Ave.
Norman, OK 73069

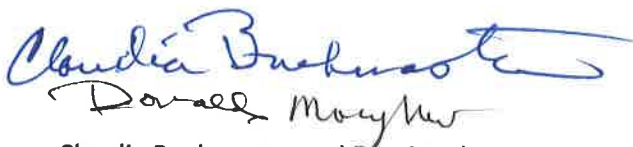
Dear Planning Commission and City Council Members:

We own 520 West Comanche Street in Norman, OK, and strongly object to the current Midway Rezoning proposal. Although the property is now rented out to a long-term renter (some 10 years or so), our current plans are to move there ourselves at some point in the future. However, regardless of who is actually in residence, having a venue like the one described in this proposal is not just unwise—it is downright crazy. Exactly where are those people who come to events going to park in a neighborhood of old, narrow streets? The answer is undoubtedly in places they don't belong including on both sides of the street and blocking the narrow alley behind our house that is used by our renter.

Of course, the noise of an outside music venue is another issue that would affect many people in the surrounding area—not just those in the immediate vicinity of Midway Grocery. This is also something we find incredibly objectionable in a traditionally quiet neighborhood where many residents are decidedly not college-aged kids.

Again, we object in the strongest terms possible to this Midway Rezoning proposal and urge you to stop it before it goes any farther.

Sincerely,

Handwritten signatures of Claudia Buckmaster and Don Mayhew in blue ink.

Claudia Buckmaster and Don Mayhew, owners

520 West Comanche Street, Norman, OK

FILED IN THE OFFICE
OF THE CITY CLERK
ON 3/27/23

Andrew and Odette Horton
318 College Avenue
Norman, OK 73069

City of Norman Planning Commission
Planning and Community Development
225 N. Webster Ave.
Norman, OK 73069

March 26, 2023

Dear Planning Commission and City Council Members,

My husband, Andy, and I object to the current Midway Rezoning proposal dated March 1, 2023. We live within a 350-foot radius of Midway. We objected to the previous application/proposal that was submitted for rezoning in October 2022 (those objections are copied after the body of this letter). There was such an outpouring of protest to the application at the Pre-Development Meeting then that the applicant, Bob Thompson, withdrew the application. I wrote him a letter of thanks for listening to the concerns of the residents of this neighborhood who would be negatively impacted by the proposed zoning changes and for withdrawing the application.

Well, here we are again. There is a new application for rezoning Midway from a C-1 Commercial to a SPUD. On a fast track. The application dated March 1, 2023 simply asks for a change to allow outdoor (amplified) music. There are none of the specifics that were itemized in the previous application: becoming an event venue to serve private customers, thus excluding residents of the neighborhood, hours of operation, attendance maximums, etc. So, it seems this application, if endorsed by the Planning Commission and approved by the City Council, would be a blank check for Midway to operate in whatever way it sees fit once it is allowed to have outdoor music.

The applicant, owner of Midway, Bob Thompson, said at the March 23rd Pre-Development Meeting that, when he approached the City of Norman permits office about handling the issue of renting his space for such events on a permit to permit basis, the office was unwilling to consider continuous permits from Midway for exceptions. He then said that the zoning office was willing to make a special kind of SPUD zoning that would need approval of ?some committee? if ownership of Midway changed... that the residents of the neighborhood would re-negotiate with new owner as to what would be allowed.

If that is true, I would want to hear from City employees from permits and zoning exactly what that entails. It sounds like City of Norman policy would change over this rezoning case. Who needs to approve that change in policy? Why does this case create an issue about which city agency is responsible for what. Very strange.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 3/28/23

Since the first application was withdrawn by that applicant but is now a new application, I have been reflecting on the dividing line concerning commercial zoning in a residential neighborhood. I have some insights to bring to the discussion.

When we bought our house, 318 College Ave. in 1997, we did so because this was an affordable neighborhood close to OU where my husband and I were both employed. In the intervening 26 years, this neighborhood has been brought back from the brink of becoming an absentee landlord slum. In the 300 block of College Avenue, six of the eight houses have been renovated (or rebuilt). The value of the property on this block alone was valued, according to the Fair Market Value figures on the Cleveland County Oklahoma Assessor's Office, at \$390,750 when we bought our home. Using today's figure for Fair Market Value from that website, the properties on this block are worth \$2,225,361. And that figure is low-balling it. Our property's Fair Market Value is listed as \$194,306. We could easily get more than twice that amount.

The increase in property value is because people, residents, individuals, and couples, invested in establishing a home in this residential neighborhood. Buying our home was the biggest loan we ever took out, our mortgage. Our home is our largest asset. We have renovated, improved, maintained, and landscaped our property. I have not kept track, but I know we have invested in excess of \$100,000 dollars above the purchase price... and that does not include sweat-equity.

This is true for many of the property owners in this neighborhood. Amplify those figures over blocks and blocks and blocks. We, the residential property owners (note: the applicant is NOT a resident of the neighborhood) have poured our money into building and resurrecting a fabulous neighborhood that has raised property values, made people want to jog through, walk their dogs, and reside in this neighborhood. It is we, the residents and property owners, who have invested and brought the kind of customer to Midway that has allowed it, in its ever-changing business model, to be successful. Midway would not hold the reputation it now has if its current clientele had to brush off the sketchy characters who lived in the tenement house across the street. It had frequent police calls and a perpetual yard sale. I cannot imagine today's Midway customers welcoming a guy living across the street begging a beer off them.

I have to wonder why one property owner in this neighborhood, Bob Thompson, gets special consideration to expand the uses of his property to increase his income. ALL the other property owners and residents have to defend our lifestyle, our property value, and our community values, because one business (the only business) wants more money. The changes proposed to that one property, Midway, would diminish the actual value of all of the other properties in the surrounding blocks.

As a corner store, which Midway was when we bought our house, Midway brought convenience to residents. We sent our children off to buy milk and eggs and put it on our account. Midway is now seeking to move from being a convenience to becoming an inconvenience. It seeks to hold private events, excluding the residents, that benefit the owner, and bring innumerable outsiders

who do not have a vested interest in the neighborhood. It does nothing for the residents but cause great disruption to home life.

I look at the location of other businesses in the neighborhood. The Earth, fronting on Flood... no other businesses front on Flood. The Library, fronting on Boyd. No other businesses front on Boyd... until you enter Campus Corner, a Business District. Neither The Earth nor The Library have private events with live amplified music. They are open to the public, as businesses, that serve the community while providing livelihood for the owners.

The other places in this neighborhood where businesses exist front on the Main Street Corridor and in Campus Corner, two Business Districts. The kind of business the applicant for the rezoning of Midway desires would be appropriate for those Business Districts. There is ample real estate available in those areas should Midway seek to expand its operations.

Thank you for your consideration of our interests and input.

Sincerely,

Andrew Horton

Odette Horton

P.S. Below lists the specific objections to the previous application for the rezoning of Midway. I include it because these issues may appear with the proposed changes in the current application.

October 10, 2022

Dear Planning Commission of the City of Norman,

Andy, my husband, and I received notice that the Midway Deli is requesting a zoning change for the property that sits on Lot 2A, Block 23 of T.R. WAGGONER'S FIRST ADDITION to Norman, Cleveland County, Oklahoma, from C-1, Commercial, to SPUD, Simple Planned Unit Development. We live at 318 College Avenue, Norman, OK 73069, within the 350 square foot area that would be most closely affected by changes in the zoning.

We would like to formally protest this change to the proposed re-zoning.

Andy and I have owned our home for 25 years and moved into it 24 years ago. We loved the neighborhood then and still do. At that time, Midway was a corner grocery store, deli, and

butcher shop. It was a great convenience to be able to send the children to the corner for a half-gallon of milk, a loaf of bread, and some dishwashing liquid.

Midway has gone through several business models since those days. There was a time when you could order your Thanksgiving turkey there in advance. There was a shoe-shine stand for some period. There was a Saturday morning gathering of antique cars that we could all take a look at to see the amazing work of car collectors. These ventures were all a service to the neighborhood.

And this neighborhood embraced Bob Thompson, owner and proprietor, as an engaged member of the community. We supported his business in its many iterations. Bob gave back to the community by offering an annual concert, The Midway Jam. We supported it and special events though they brought temporary inconveniences. We could not park in front of our house because the popularity of these events that brought many cars to park on the neighborhood streets. There was added noise as well. And litter. But we never complained. It was a small price to pay for what Bob brought to the neighborhood.

Today, Midway is a popular deli that attracts a large crowd for lunch. I cannot find parking near my house if I give up my parking spot before lunch. I need to make special arrangements for the plumber, air conditioning service, tree service, etc. The fellow who takes care of our lawn knows not to come during Midway's lunch rush.

And still, we do not complain. I understand. We want to support Bob and Midway in business as it exists. It is an inconvenience for a couple of hours during the day. But that is something we can live with.

However, the proposal submitted for re-zoning is a different beast! It would use the space in an entirely different scope and scale. It proposes to hold private events of up to 150 people that do nothing for the neighborhood, that exclude the community from the events. Those events, "...receptions, weddings, fundraisers, reunions, birthdays, graduations," etc. would specifically exclude residents of the neighborhood from that space.* It would no longer be a place for community to come together, but rather an exclusive zone where residents would not be allowed.

The proposal seeks to newly permit a "Live Outdoor Music Venue" for "Live outdoor exterior amplified music". The time restrictions proposed for this are seven days a week, 365 days a year, from 4:00 pm to 10:00 pm on weeknights (Sunday – Thursday) and 3:00 pm to 11:00 pm on weekends (Fridays and Saturdays).

Not only would the re-zoning allow "Live outdoor exterior amplified music events" but would also permit "Showing live or recorded sporting events or movies on outdoor television screens."

That is unacceptable in a residential neighborhood. There are several residences right across the street from Midway. It can be a challenge to get the kids to turn off the TV. Now the games/shows/movies and music are going to be right outside the window.

The times proposed are not compatible with a residential area. If it were situated in Campus Corner, it would fit right in. But the hours of outdoor amplified sound start right when children

get home from school with homework to do, through the dinner hour, and beyond a child's bedtime... not to mention some adults'. With music blaring outside the window, how difficult would it be to get a child to sleep to get quality rest before an early morning rise to get to school on time?

Andy and I enjoy sitting out on our porch swing most evenings before dinner to catch up on the day, enjoy the fresh air, greet neighbors and students who pass by on walks or walking their dogs, watch the shenanigans of squirrels, witness lightening bugs, listen to the music of cicadas, and more. Having "exterior amplified music" would usurp the common outdoor space that all residents should be able to enjoy.

Then, there is the question of parking. I do not have a problem with cars filling the streets at the noon hour. However, it would be burdensome to have a parking problem well into the night, until 10:00 or 11:00 pm. When we have friends over for dinner or a drink or a game night, where would they park? [And what noise would many cars starting their engines at 10:00 or 11:00 pm every night?... I added this now... just for you. ☺]

Lighting is also a concern. The proposal states that, "All exterior lighting shall be installed in conformance with the City of Norman commercial outdoor lighting standards, as amended from time to time." The same is said for Signage. I did look at the ordinances for both, but I have to say, they are extensive and difficult to understand. Who knew there were so many different ways to mark your business?

My main concern in these departments (Lighting and Signage) is that, while under SPUD they would stay the same as under C-1, the use of the property would be both different and extended, and the lighting and signage may change in ways that we have never seen and (after reading the ordinances) could not even imagine.

For all of the above reasons, Andy and I do not think the proposed re-zoning and new uses for the Midway property would align with the residential lifestyle of this neighborhood. Further, it would impinge on the activities and enjoyment that residents of this neighborhood currently have right and access to.

And one final and very real concern is the prospect of the business or property being sold. The new owner could have very different ideas and plans for a business. We have been fortunate that Bob Thompson is an on-site owner and proprietor and has listened to neighbors in the past. There is no guarantee that would be the case of a new owner. All residents would then be subject to a plan that may be even further out of line with concern for the residents, neighborhood, and community.

Sincerely,

Odette Horton

Dr. Andrew Horton

*Please note: When I use quotation marks, I am quoting directly from The Backyard At Midway proposal submitted by Midway Grocery, Inc.

March 27, 2023

To Whom It May Concern

We write to protest the application to rezone, from C-1 to SPUD, Lot 2A, Block 23 of T.R. WAGGONER'S FIRST ADDITION to Norman, Cleveland County, Oklahoma.

We live at 208 Chautauqua Ave, directly across the street from the subject lot. We purchased our house in 1998 and have resided there ever since.

We believe that the proposed rezoning would make the Midway fundamentally incompatible with a residential neighborhood.

This is the second SPUD that has been submitted by the applicant, Bob Thompson. The SPUD he submitted -- then withdrew -- last fall was much more specific in what it permitted. Perhaps because so many in the neighborhood objected to the specifics in the last application, this SPUD removes all language regarding crowd size, hours, and so forth.

But, as far as we can tell, this simply makes the current SPUD application *more* permissive. All of the things which we objected to in the last application would still be allowed. Under this new SPUD, the Midway could host outdoor, private events, at which alcohol may be served, with no stated limit on the number of attendees, including weddings, OU graduation parties, class reunions, or any other kind of party that opts to hire the space. The Midway could also blast televised sports events and movies from its backyard. In short, the applicant is proposing to turn the property into a seven-day-a-week outdoor party house / sports bar / movie theater / concert venue. These desires were more explicitly enumerated in the first SPUD application, but they would still be permitted under the new application. Under the first SPUD, these events could last until 10 pm Sunday through Thursday nights and until 11 pm on Friday and Saturday nights. This SPUD has eliminated even these time constraints.

Even before these attempted rezonings, applicant's decision to move regular, public concerts outside to his patio has caused conflict in the neighborhood over the excessive noise created by these smaller, public events, which end hours earlier than the larger, private ones allowed under the proposed SPUD. The SPUD promises to make this situation much worse, while taking away the rights of neighbors to prevent such harmful behavior by the applicant's business. As you know, under C-1 zoning, restaurants like the Midway are expressly prohibited from having live entertainment or dance floors outdoors.

We have appreciated many things about the Midway over the years and indeed have seen it as a neighborhood amenity. We were not opposed to outdoor music, until, especially this past summer, the amplification and sometimes multiple concerts over a single weekend became intolerable for the neighbor of the house directly adjacent to the Midway and across the street from us. We joined other neighbors in meeting with Bob to ask him to take some steps to mitigate the noise for the sake of this neighbor. Our suggested options included consulting a sound engineer, putting in a sound-reducing fence, changing the orientation of the stage, or halting the amplification of the acoustic concerts. Bob acknowledged that the

sound level exceeded City Code, but was unwilling to halt the amplification. He also told us that he had spent money setting up the stage the way it was and was unwilling to spend more. After the meeting, the negotiation seemed to hit a dead end and the amplified concerts continued for the rest of the summer until the mediation process proposed by another neighbor revealed the zoning issue that forced the Midway to stop.

Our experience this summer certainly set off alarm bells for us. The applicant showed himself unwilling to respond to neighbors' valid concerns (even while acknowledging the violation of the noise ordinance), then shut down negotiation, while mobilizing social media on his multiple Facebook accounts against neighbors who, he claimed, were opposed to live music. This behavior certainly makes us concerned how he would handle any future neighborhood concerns once given the greenlight to expand his property into a large party and entertainment venue.

Since the applicant has repeatedly misled the neighborhood about his plans for the Midway, we are disinclined to trust claims he makes about limitations on his plans beyond those imposed by City Code

In any case, from the point of view of evaluating this zoning request, speculation of what the current owner of the Midway might or might not do is, ultimately, not the issue. The city must understand the proposal in maximalist terms. If the proposed SPUD *allows* uses that are harmful to the neighborhood, it must be rejected, whether or not the current owner of the property plans to pursue such uses.

The applicant told us very frankly this summer that he hopes that his business enhances the quality of life in the neighborhood but that his primary motivation is not altruistic but, as a businessman, to make a profit. That is entirely reasonable and indeed, much in his previous business model, under its current C-1 zoning has served the neighborhood well. But the proposed SPUD threatens it.

If the job of a business is to make money, a principal job of our city government is to make sure that profit seeking by businesses doesn't destroy residential neighborhoods. The recent behavior and further desires of the applicant are perfect illustrations of why we have a noise ordinance and restrictions on C-1 zoned lots. We have discovered the hard way that it is only such limits of the law that prevent any present or future owner of the property from essentially running a for-profit party house in the middle of our block. Please do not remove these limits.

Sincerely,



Benjamin Alpers



Karin Schutjer

FILED IN THE OFFICE
OF THE CITY CLERK
ON 3/28/23

Property owners,
208 Chautauqua Avenue

25 March 2023

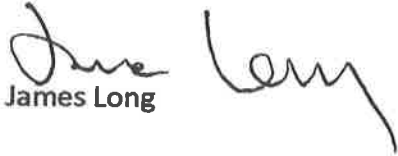
Norman Planning Commission

I am the owner of the property at 515/517 W. Eufaula. I am writing express my objection to the application by Midway Grocery for an outdoor music venue (PD 23-07).

Midway Grocery is located in an older, residential neighborhood where lots are small and houses are close together. It is a neighborhood where on-street parking has historically been a major problem. A venue of this type, with its attendant noise, lighting, and parking problems does not belong in this neighborhood.

I encourage you to reject this application,

Respectfully,


James Long

FILED IN THE OFFICE
OF THE CITY CLERK
ON 3/28/23

MIDWAY REZONING PROTEST LETTER

RE: 314 College Ave.
Norman, OK 73069

Date: 3/27/2023

Aja Walker
314 College Avenue
Norman, OK 73069

City of Norman Planning Commission
Planning and Community Development
225 N. Webster Ave.
Norman, OK 73069

Dear Planning Commission and City Council Members,

I own 314 College Ave. in Norman, OK, and I object to the current Midway Rezoning proposal.

Sincerely,



Aja Walker

FILED IN THE OFFICE
OF THE CITY CLERK
ON 3/28/23

MIDWAY REZONING PROTEST LETTER

DATE: 3/29/2023

TO: City of Norman Planning Commission
Planning and Community Development
225 N. Webster Ave.
Norman, OK 73069

FROM: Property Owner Name and Mailing Address:
James Aiken
B-Aiken Investments #3 LLC
505 W. Eufrate St.
Norman, OK 73069

RE: Property Address: 521 W. Symmes St.
Norman, OK 73069

Dear Planning Commission and City Council Members,

I own the property at 521 W. Symmes St. in the affected area, and I object to the current Midway Rezoning proposal.

Sincerely,

FILED IN THE OFFICE
OF THE CITY CLERK
ON 3/29/23

(Signature of owner):



(Printed name of owner, and the title "Owner" or "trustee" as applicable:

James Aiken

Managing Member
Part Owner

To City of Norman Planning Comm. March 27, 2023

I object to the Midway

SPUD.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 3/29/23



505 W. Eufaula St.

Gabriela Lopez Alarcon

Owner

Dana Anderson
306 Chautauqua Ave.
Norman, OK 73069
(405) 623-1927/cell
anderson.dccm@gmail.com

March 30, 2023

TO: Norman Planning Commission

FROM: Dana Anderson, Resident, Trustee and Owner of 306 Chautauqua Ave. (Dana Anderson Revocable Trust), and Trustee of 207 Chautauqua Ave. (Charles Anderson Revocable Trust)

RE: Protest of Midway Grocery's Proposed SPUD

I am writing to you in PROTEST for the proposed SPUD for Midway Grocery. My concern stems from owner/applicant Bob Thompson's plans to expand into an entertainment venue with potentially frequent large crowds and events that intrude into our quiet historic residential neighborhood. I know that two of the points in the City Council's Mission Statement are to "enhance the lives of all residents" and to "improve quality of life." Passage of this rezoning request would do neither of those.

When we bought our two Chautauqua properties in 2004 and 2005, Midway Grocery was a charming little neighborhood grocery store. Our then-young kids were thrilled to walk over with some cash to buy a treat. Often, Bob would run a tab for the neighbors, and we were invited to mark all our kids' heights on the frame of the front door.

Once a year, Bob would hold the "Midway Jam" – a day-long outdoor live music event/block party. He or his staff would come around to all the neighbors, requesting our approval of his closing down streets, and letting us know the day and timing of the block party. This was always a much-anticipated annual event enjoyed by most of the neighbors, including us. We love live music and loved being the host neighborhood of this fun once-a-year event. The annual Midway Jam ceased at some point, although we've never been sure why.

Over the years, he changed the 'grocery' aspect of the business and focused more on being a breakfast and lunch deli. Since he has very limited parking, many cars began parking on the streets of the neighborhood. Most of us are at work during lunch time, so we have been tolerant of the situation. He expanded his limited indoor seating into an outdoor deck, and eventually had an arrangement with the then neighbor to the east of Midway (527 Eufaula) to use some of their yard for additional outdoor seating. Our family has eaten there on numerous occasions. My husband has ordered lunch from Midway for his office staff, in the past. We've always liked having Midway in the neighborhood. We've told Bob that and told him we want him to be a success in the deli business.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 3/29/23

Several years ago, Midway began advertising and hosting concerts on a regular basis, indoors. I talked to Bob about that when he first began offering them. He assured me the crowds would be small, due in part to fire code since the concerts were inside. Although concert-goers sometimes parked on our streets, there was no intrusion to the neighborhood in terms of noise those nights, because they were indoors.

Recently, the applicant bought house to the east of Midway (527 Eufaula). At the suggestion of our then City Councilwoman, Lee Hall, the applicant held a neighborhood meeting, to discuss his intention for the house and garage. He said his plan was to use the detached garage as a prep area for his growing catering business. He said he planned to rent the (large, historic) home as a short-term rental (AirBnB). There discussion of use of the backyard at that time was “extra seating for the deli”, and definitely no discussion of outdoor concerts or large private parties.

Shortly after he acquired the property at 527 Eufaula, he cleaned up the very large and previously-untamed backyard, and did expand the outdoor seating into that yard, adding outdoor games, more seating and lighting. This backyard seating and game spaces now fully abuts the very small backyard of our rental property at 207 Chautauqua. We had installed an attractive wooden fence in prior years, which divides what is now Midway’s back yard from the backyard of our property at 207 Chautauqua. The backyard of our property is extremely small, meaning that the windows of the house are very close to that fence and Midway’s backyard.

With no discussion with neighbors, he applicant then built a stage, complete with lights and electricity. The stage currently faces our 207 Chautauqua backyard. Midway began advertising and hosting nighttime concerts in the backyard. Immediately, I talked to the applicant about his intentions. **He said these would be acoustic concerts, and he expected very small crowds (he mentioned only 20-25 people at some of the first concerts).**

Webster defines “acoustic” as “of, relating to, or being a musical instrument whose sound is not electronically modified”.

However, these concerts have ALL been electrically enhanced. Every single instrument and singer have used microphones, amplifiers, and speakers. The speakers are pointed directly at the bedroom window of 207 Chautauqua (probably 15-20 feet from speakers to the bedroom window). The resident had to run loud fans and turn her TV up to a high volume to try to drown out the sound so she could try to keep her quality of life, but the music made it extremely loud in her home, often exceeding the acceptable decibel levels from the City’s website. My thoughts of simple acoustic guitars and singers were replaced by multiple amplified guitars, sometimes with trumpets, trombones, saxophones and drum sets.

There were some periods of time this summer when there were three concerts in a single weekend. We tried to get information from Bob Thompson, such as

- Why did he say the concerts would be acoustic, when they most definitely are not? (He has never answered that – he has just offered a different definition of acoustic).

- Could he turn the stage around, so that the speakers pointed directly at his rent house instead of ours? (He seemed to contemplate that for a while, but eventually said no he would not do that).
- Could he move the bands to the parking lot side of his property, where the sound could dissipate somewhat before hitting neighborhood homes? (He did this one time after we asked, but never again).

If you search "Midway" on Facebook, you will find pages and groups such as "Midway Deli," "Music at Midway," "Evenings at the Midway," and for a while I began seeing Sponsored Ads (meaning that he had paid Facebook for the ads) for "The Backyard at Midway: A Performance and Event Venue." He has since taken that down, presumably while the re-zoning is being sought.

The last one had me the most concerned. Again, the applicant never initially shared with us intentions for those "event venue" plans for Midway. Only when mandated by the rezoning process were the plans officially shared at a pre-development meeting. The Sponsored Ads and the Facebook page advertised "the Backyard at Midway" as a great place to host wedding receptions, birthday parties, and other types of private parties. In the Q&A portion of the ads, someone asked how many the venue could hold, and the response was "75-150 people". Another question asked where guests would park, and the response said, "on the streets in the neighborhood, or behind Firestone" (which is a parking area about 2 blocks away).

I am concerned that the applicant receives his rezoning request, he has no intention of limiting the growth of the "Backyard at Midway". His prior comments over the years of him wanting to enhance the neighborhood and be part of the neighborhood are negated by this requested intrusion into our quiet, historic RESIDENTIAL neighborhood. Many neighbors expressing protest have owned and lived in their home for 20 years – some many more than that. When most of us purchased property in this campus area, we did so knowing that the quaint Midway MARKET was there, but it was **not** with the knowledge that we would be living next to an outdoor concert and entertainment venue. That is not neighborly, nor considerate of the neighborhood in general.

There is no positive upside to our neighborhood being forced to contend with private parties and private events, drawing in up to 150 guests, who would be parking in front of our homes, possibly every single night of the week. **This planned use request is NOT enhancing our lives in our residential neighborhood. It is an attempt to grow a for-profit business beyond what is reasonable and fair to our neighborhood.** For this reason, I am protesting the applicant's request for re-zoning of Midway Grocery.

Humbly,



Dana Anderson, Trustee

Revocable Trusts of 306 Chautauqua and 207 Chautauqua

Charles 'Chuck' Anderson
207 Chautauqua Ave
306 Chautauqua Ave
Norman, OK 73069

October 10, 2022

TO: Norman Planning commission

FROM: Charles Anderson, Resident, Trustee, and Owner of 306 Chautauqua and 207 Chautauqua Ave.

RE: Midway Deli Proposed SPUD

Unfortunately, I have to protest this SPUD. There is nothing in here that would be good for a neighborhood. We would love to have events in the backyard of Midway, but it needs to be done the correct way. The main question for the planning commission, would you want a concert venue next to your house's backyard? Or even two doors down? Midway over the summer had five concerts in 11 days! That's almost every other day with a stage and amplified speakers that pointed directly at my house. It was very loud in the house. He could have pointed the stage and speakers at the house he owns, but he refused. This stretch of concerts had one on Thursday night and a Sunday night. (Both a school and a work night) He only stopped when the police were called. After the first call, mediation was set up and he scheduled and held 3 more concerts. He only stopped when the city informed him that he didn't have zoning for outdoor concerts.

He has never met with the neighborhood to ask for input and support for this change in zoning or placement of his stage, etc.

When we moved into the neighborhood 18 years ago, we could send our kids to buy milk. Now Midway sells alcohol and has had concerts until 9:30 pm on school nights.

I have many suggestions as to what would be appropriate and then have my support, but that is not my responsibility, it is Midway's.

You may not have as many protests as you would think and that is because my house absorbs most of the sound. But it is still very loud in the neighborhood.

I have offered the backyard triangle of my house to him so he could put his stage there and face the other direction, but he refused.

Sincerely,



Charles D. Anderson

P.S. Here is our backyard and the stage

FILED IN THE OFFICE
OF THE CITY CLERK
ON 4/10/23



03-27-2023

Norman Planning Commission

201-A West Gray St

Norman, OK 73069

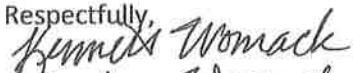
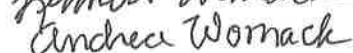
I am the owner occupant of 511 W Eufaula Norman, OK 73069. I have lived here for 27 years. In the strongest language possible, I adamantly oppose the proposal submitted by Bob Thompson for the Midway and the property next door to the east. This proposal would have a significantly negative impact on our property values as well as quality of life.

We already tolerate vehicle traffic and congestion, as well as parking issues created by the lunch crowd daily. Live music concerts have been held for the past 3-4 years without proper zoning. Frequently on the following morning we find our yard littered with trash such as beer cans and bottles. The way to make these concerts profitable is by selling alcohol which creates an enhanced risk for vandalism.

I ask each of you...would you approve a concert stage in your neighborhood? Do you think Bob Thompson would approve this proposal in his neighborhood? I do not want Bob Thompson in control of the ordinances in my neighborhood.

You have an obligation to the citizens of this iconic neighborhood to deny this proposal. There is simply no upside for the residents.

Respectfully,

Kenneth Womack and Andrea Womack, owners/occupants

511 W. Eufaula

Norman, OK 73069

FILED IN THE OFFICE
OF THE CITY CLERK
ON 3/29/23

Christopher Shane Smith
501 W. Eufaula St.
Norman, OK 73069

Hello,

My name is Christopher Shane Smith, and I'm the homeowner at 501 W Eufaula St. I'm writing this letter to protest the rezoning request of Bob Thompson for Midway Grocery Inc., located at 601 W Eufaula. Midway Deli is located in a residential neighborhood, and a rezoning of the property into a SPUD would negatively and permanently alter the character of the neighborhood. Homeowners who live in close proximity would bear the brunt of the increase in noise and traffic if the SPUD were granted. A SPUD such as the one requested is more appropriate for a business district, not a residential area. Thank you.

Sincerely,
Shane Smith



FILED IN THE OFFICE
OF THE CITY CLERK
ON 3/29/23

MIDWAY REZONING PROTEST LETTER

RE: 502/504 W. Comanche Street
Norman, OK 73069

Date: March 27, 2023

Jamaica Hadley & Thomas M. Cooke
503 Miller Avenue
Norman, OK 73069-5929

City of Norman Planning Commission
Planning and Community Development
225 N. Webster Ave.
Norman, OK 73069

Dear Planning Commission and City Council Members,

I own 502/504 W. Comanche Street in Norman, OK, and I object to the current Midway Rezoning proposal.

Sincerely,



Jamaica Hadley and/or Thomas M. Cooke

FILED IN THE OFFICE
OF THE CITY CLERK
ON 3/30/23 RW

MIDWAY REZONING PROTEST LETTER

RE: 705 W. Eufaula Street
Norman, OK 73069

Date: 3/25/23

Christi Kerr
CNK Properties
13159 S. 116th East Avenue
Broken Arrow, OK 74011-5222

City of Norman Planning Commission
Planning and Community Development
225 N. Webster Ave.
Norman, OK 73069

Dear Planning Commission and City Council Members,

I am the owner of 705 W. Eufaula Street in Norman, OK, and I object to the current Midway Rezoning proposal.

Sincerely,



Christi Kerr, owner

FILED IN THE OFFICE
OF THE CITY CLERK
ON 4/3/23-LW

2 April 2023

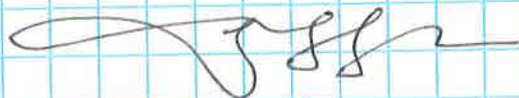
To: City of Norman Planning Commission
Planning & Community Development
225 N. Webster Ave.
Norman, OK 73069

From: Gerilyn & Michael Soreghan
302 Park Dr.
Norman OK 73069

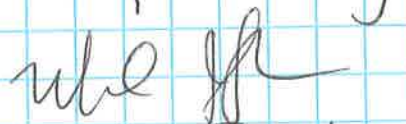
Dear Planning Commission & City Council:

I own & occupy the property @ 302 Park Dr, in the affected area of the proposed Midway SPUD, and I object to the current Midway Rezoning proposal.

Sincerely,



Gerilyn S. Soreghan


Michael Soreghan

FILED IN THE OFFICE
OF THE CITY CLERK
ON 4/5/23

2 April 2023

TO: City of Norman Planning Commission
225 N. Webster Ave
Norman OK 73069

From: Gerilyn & Michael Soreghan
304 Park Dr. } rental prop
Norman OK 73069
302 Park Dr. } occupied prop
Norman OK 73069

Dear Planning Commission & City Council -

I own the property @ 304 Park Dr., in the affected area of the proposed SPUD, & I object to the current Midway rezoning proposal.

Sincerely,




FILED IN THE OFFICE
OF THE CITY CLERK
ON 4/5/23

Planning Commission,

April 4, 2023

This is a letter to formally protest the rezoning request for Midway Grocery, Inc. I am the owner of 316 Chautauqua, just down from Midway. I have lived in my house since 2000. When I moved in, I was thrilled to have Midway there, as it was a charming little grocery store. Now, it is more of a busy, loud restaurant/events center, and I am no longer thrilled. I am against this rezoning because of the additional traffic, parking issues, noise, and trash that it will bring to what should be a historic, quiet family neighborhood.

Thank you,



Jeffrey M. Wilhite
316 Chautauqua
Norman, OK 73069

FILED IN THE OFFICE
OF THE CITY CLERK
ON 4/5/23

April 4, 2023

City of Norman Planning and Community Development
201 West Gray A
Norman, OK 73069

RE: Midway SPUD – Case No PD22-26

I, Amanda Roberts, residing at 208 Park Drive, Norman, OK 73069, have reservations regarding the revised and current language in the Simple Planned Unit Development request, draft dated March 1, 2023, for the Midway Backyard project.

Due to the business being in a residential neighborhood, the terms should be more restrictive regarding event size, calendar, hours and include language from the City of Norman Noise Ordinance.

Thank you,



Amanda Roberts

FILED IN THE OFFICE
OF THE CITY CLERK
ON 4/4/23

Margaret Ruth Walker
524 West Comanche Street
Norman, OK 73069

April 3, 2023

City of Norman Planning Commission
Planning and Community Development
225 N. Webster Ave.
Norman, OK 73069

RE: **Protest** of Simple Planned Unit Development for Midway Grocery, Inc.,
601 W. Eufaula Street, Norman, OK 73069

Planning Commission and City Council Members,

I **oppose** the Midway SPUD application for the following reasons:

I bought my home in 2010 around the corner from a neighborhood grocery store that had been operated as a grocery store for 84 years, since 1926. In the past few years it has changed into a sandwich shop, and during the lunch hour Eufaula Street and Chautauqua Avenue have become congested with parking and at times impassable for two-way traffic. The Applicant now wants to use his property for an outdoor "live entertainment and music" venue.

My property is across the alley from the Applicant's property, just 100 feet from his intended "Temporary Stage". I would not have invested in my home at this location if there was an outdoor event venue across the alley from me, and I can't imagine anyone will want to pay me what my home is currently worth if this application is approved.

This is a residential neighborhood, zoned R-1. My neighbors and I have collectively poured millions of dollars into our homes, paying down decades-long mortgages, renovating and preserving irreplaceable 100 year old housing stock. We did this with the expectation that we would continue to enjoy the benefits of living in a residential neighborhood, and that we would not be subjected to activities that constitute a public nuisance.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 4/3/23

The Applicant is currently having indoor concerts in the grocery store and the garage on his property and I can hear the music in my backyard. If this application is approved I will hear the music in my house, my guests will have nowhere to park when they come to visit me, my quality of life will be greatly diminished and my property value will plummet.

I have the right to the peaceful enjoyment of my property, to the expectation that my property values will not be negatively impacted by someone else's activity, and to the continuation of my property rights.

Do not take away my property rights and give them to the Applicant.

I wholeheartedly protest.

Deny this application.

Thank you,

A handwritten signature in cursive script that reads "Margaret Ruth Walker".

Margaret Ruth Walker

MIDWAY REZONING PROTEST LETTER

4/April/23

TO: City of Norman Planning Commission
Planning and Community Development
225 N. Webster Ave.
Norman, OK 73069

FROM: Kim Zahller
304 Chautauqua Ave
Norman Ok, 73069

Dear Planning Commission and City Council Members,

I own and reside at 304 Chautauqua Ave Norman Ok 73069, which is one of the properties in the area which will be affected by the Midway rezoning effort. I have lived in this house since 1993. When I moved in, Midway was a lovely and convenient neighborhood grocery store. Once a year, there was a neighborhood jam which brought many of the neighbors together. Since then, the grocery store has transformed into a hopping lunch spot and music venue. During lunch hours, cars park up and down Chautauqua, Eufaula and College. While I miss the quaint neighborhood grocery and ability to park in front of my own house between 11-2 pm, I understand Midway's owner's desire to make such changes. The hours are shorter and the format is more lucrative. I have viewed the afternoon parking issues as a minor nuisance that supports a local business. Sometimes there were evening concerts. I enjoyed watching and supporting local music there, including many of my musician friends and my musician husband.

Several changes came with the acquisition of the property adjacent to Midway, including an outdoor stage and outdoor speakers. While the sound does not blast my house, the speakers are pointed directly towards neighbors to the west of Midway. When I attended a concert there, I could not help but notice how loud it was and how close the stage was to neighbors.

Lately, there have been several evening concerts held at Midway. I didn't notice most of them because they were held indoors. I say most, because I did notice one of the concerts. The bass and drums were so loud, I could hear them inside my house with all of the windows and doors closed. That's an *indoor* concert. If I can hear that inside my house, several houses away, the neighboring houses can certainly hear it. Now imagine this is outdoors, 15-20 feet from your bedroom window. That's what my neighbors will once again face if outdoor concerts are revived.

On Sunday, March 26th, just over a week ago, there was a gathering at the property in question. As I attempted to drive east on Eufaula I was met with a completely blocked road. Cars were parked on both the north and south sides of the street directly beneath No Parking signs. I met a truck traveling west. The truck was forced to turn south to allow me through. On a quiet Sunday

FILED IN THE OFFICE
OF THE CITY CLERK
ON 4/6/23

there was game day traffic in my neighborhood. The difference being, because there was no game, there were no tow trucks nor parking enforcement to prevent traffic jams.

The latest SPUD allows for additional outdoor "live entertainment" which could mean any number of large gatherings. There is no mention of how our neighborhood will absorb the parking imposed on us for such gatherings. There is no mention of noise abatement. There is no plan to mitigate the impact of such large gatherings at all.

While I support local businesses and local music, I do not support them at the expense of the peace and enjoyment of my home and my neighborhood. I don't believe even the most ardent music-lover would enjoy having a large entertainment venue in their backyard. Further, if this SPUD passes, the proposed zoning change will be passed on to all future owners of the property on which Midway sits. I love having Midway in my neighborhood, and while the lunch rush can occasionally be a hassle, I feel that the deli has generally been a positive addition. However, this neighborhood is not equipped to handle the parking, traffic, and noise of an event center. Large crowds attending wedding receptions and frat parties will ruin what has been a wonderful and vibrant neighborhood.

Sincerely,
Kim Zahller, owner of 304 Chautauqua Ave

MIDWAY REZONING PROTEST LETTER

RE: 523 W. Comanche Street & 0 W. Comanche Street (2 properties)
Norman, OK 73069

Date: 4/2/23

Jed Beeson
523 W. Comanche Street
Norman, OK 73069

City of Norman Planning Commission
Planning and Community Development
225 N. Webster Ave.
Norman, OK 73069

Dear Planning Commission and City Council Members,

I own the properties at 523 W. Comanche Street and 0 W. Comanche Street, and I object to the current Midway Rezoning proposal.

Sincerely,

Jed Beeson

FILED IN THE OFFICE
OF THE CITY CLERK
ON 4/10/23

Katrin Stamatis & Jonathan Ruck
711 West Eufaula Street
Norman, OK. 73069

Ms. Rone Tromble
City of Norman
Planning & Community Development Department
225 W. Webster Ave.
Norman, OK 73069

March 31, 2023

Dear Ms. Tromble,

We are residents of 711 West Eufaula Street in Norman, OK and we are writing in regard to the property described below:

Lot 2A, Block 23 or T.R. WAGGONER'S FIRST ADDITION to Norman, Cleveland County, Oklahoma.

We strongly oppose the proposed Midway Grocery, Inc. SPUD. Midway Deli is in a quiet residential neighborhood, and therefore this SPUD should not be approved.

Sincerely,

Handwritten signatures of Katrin Stamatis and Jonathan Ruck. The signature of Katrin Stamatis is on the left, and the signature of Jonathan Ruck is on the right, preceded by an ampersand (&).

Katrin Stamatis & Jonathan Ruck

FILED IN THE OFFICE
OF THE CITY CLERK
ON 4-10-23

MIDWAY REZONING PROTEST LETTER

RE: 525 W. Symmes Street
Norman, OK 73069

Date: April 2, 2023

Cara & Shawn M. McDaniel
6510 Atlanta Drive
Colleyville, TX 76034-5674

City of Norman Planning Commission
Planning and Community Development
225 N. Webster Ave.
Norman, OK 73069

Dear Planning Commission and City Council Members,

I own 525 W. Symmes Street in Norman, OK, and I object to the current Midway Rezoning proposal.

Sincerely,



Cara and/or Shawn McDaniel

FILED IN THE OFFICE
OF THE CITY CLERK
ON 4-10-23

MIDWAY REZONING PROTEST LETTER

RE: 622 W. Comanche Street
Norman, OK 73069

Date: 4/3/2023

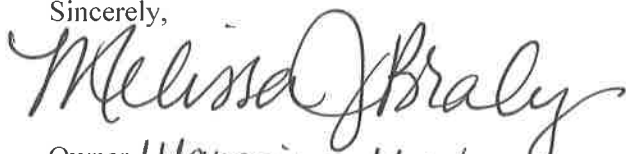
Bar Fly, LLC
6622 Redberry Glen Lane
Houston, TX 77041-7287

City of Norman Planning Commission
Planning and Community Development
225 N. Webster Ave.
Norman, OK 73069

Dear Planning Commission and City Council Members,

I am the owner of 622 W. Comanche Street in Norman, OK, and I object to the current Midway Rezoning proposal.

Sincerely,


Owner / Managing Member

FILED IN THE OFFICE
OF THE CITY CLERK
ON 4.10.23

MIDWAY REZONING PROTEST LETTER

RE: 514 W. Eufaula Street
Norman, OK 73069

Date: 4/3/23

Mr. Daniel Schwartz
712 NW Laird Avenue
Lawton, OK 73507-5215

City of Norman Planning Commission
Planning and Community Development
225 N. Webster Ave.
Norman, OK 73069

Dear Planning Commission and City Council Members,

I own 514 W. Eufaula Street in Norman, OK, and I object to the current Midway Rezoning proposal.

Sincerely,



Daniel Schwartz

FILED IN THE OFFICE
OF THE CITY CLERK
ON 4.10.23

MIDWAY REZONING PROTEST LETTER

RE: 205 Chautauqua Ave.
Norman, OK 73069

Date: 4/5/23

Brian & Tara Myers
6605 Riverhill Drive
Plano, TX 75024-7437

City of Norman Planning Commission
Planning and Community Development
225 N. Webster Ave.
Norman, OK 73069

Dear Planning Commission and City Council Members,

I own the property at 205 Chautauqua Ave. in the affected area, and I object to the current Midway Rezoning proposal.

Sincerely,



Brian and/or Tara Myers

FILED IN THE OFFICE
OF THE CITY CLERK
ON 4.10.23

PROTEST LETTERS – From Non-Owners and Outside Radius
As of 4/12/2023

Ordinance No. O-2223-33
Midway Grocery, Inc.
601 W. Eufaula

MIDWAY REZONING PROTEST LETTER

RE: 308 College Ave.
Norman, OK 73069

Date: 3-26-2023

Jon Minks
308 College Ave.
Norman, OK 73069

City of Norman Planning Commission
Planning and Community Development
225 N. Webster Ave.
Norman, OK 73069

Dear Planning Commission and City Council Members,

I reside at 308 College Ave., and I object to the current Midway Rezoning proposal dated March 1, 2023.

Sincerely,



Jon Minks

FILED IN THE OFFICE
OF THE CITY CLERK
ON 3/28/23

MIDWAY RE-ZONING PROTEST LETTER

DATE: March 29, 2023

TO: City of Norman Planning Commission
Planning and Community Development
225 N. Webster Avenue
Norman, OK 73069

FROM: Ginger Dossey, Renter of 207 Chautauqua Avenue
Chuck and Dana Anderson, owners

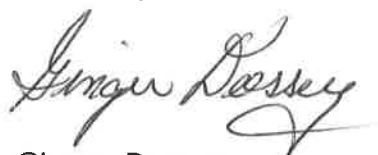
SUBJECT: MIDWAY RE-ZONING PROTEST LETTER

Dear Planning Commission and City Council Members,

I rent the property at 207 Chautauqua Avenue in the affected area, and I object to the current Midway Re-zoning proposal. This rental property, owned by Chuck and Dana Anderson, sits directly beside Midway – it's the closest residence to the Midway, I've been the occupant/renter since 2016, almost seven years.

As I understand it, homeowners are simply wanting to protect their surroundings and not allow their neighborhood to turn into an entertainment center inappropriate for family units consisting of individuals of all ages, including small children, career folks, and retirees. The proposal to host up to three events a week offering a variety of activities, including outdoor music with up to 75 people in attendance and parking on the neighborhood streets, does not seem a reasonable proposal to many folks residing near the Midway. I would find it hard to believe that those in attendance of these events would want to return to their own residences and find similar conditions to contend with.

Sincerely,



Ginger Dossey

FILED IN THE OFFICE
OF THE CITY CLERK
ON 3/29/23

April 10, 2023

TO: Norman Planning Commission and Norman City Council

RE: Ordinance #0-2223-33 Rezoning from C-1 Local Commercial District to SPUD, 601 W Eufaula, Midway Market

Oppose approval

The application proposes NO changes to the existing traffic access and circulation to the property. The current configuration of the streets surrounding this location already creates safety concerns. There is no onstreet parking allowed on the adjacent streets of Chautauqua or Eufaula. There is a fire hydrant located on the Southeast corner within the boundaries of the Midway Deli property. Additionally, College Avenue dead ends at Eufaula and a left turn off of College provides less than 50' of road to access the subject property. Also parking is allowed on both sides of the 300 block of College Avenue so the narrow width of the street allows for only one car at a time to squeeze through. Traffic going South on the short block of College intersects with Symmes creating a difficult angle to see the cross traffic. There are only 7 parking spaces on the property which is already insufficient thereby creating a hazard an impediment to emergency vehicles ingress or egress.

The surrounding area is zoned R-1 single family. A SPUD is to protect existing and future surrounding areas health and safety, promote infill development that is compatible and harmonious with adjacent areas and to contribute to revitalization and or development where decline has occurred. In my opinion, I don't see that these guidelines or criteria are being met with this application for rezoning. The applicant would like to host events for up to 75 participants which is not conducive to the surrounding single family homes, parking is inadequate with no foreseeable solutions, restroom facilities are inadequate, and noise is a issue but not anything new for this neighborhood, i.e. OU football stadium, Norman High Football, Lions Park, and Main Street and campus corner events.

The applicant, Bob Thompson also owns the two story red house directly adjacent to the East and does not state how he intends to utilize the property in his overall plan. Will the applicant be submitting another SPUD for this property? If so what precedent might the approval be establishing for this densely populated area of Norman?

I have been a resident in this area for over 20 years and have always supported the Midway's services and the venue for music, fundraisers, etc. and of course the best sandwiches in town, so I am apprehensive about submitting my opposition for approval for this ordinance change but feel that any changes to the Midway are not conducive to the existing neighbors. Thank you for your time.

Marsha McDaris

448 College Ave.

Norman, OK 73069

Marsha McDaris
405-326-2309

FILED IN THE OFFICE
OF THE CITY CLERK
NO 4/10/23

452 College Ave
Norman, OK 73069

4 April 2023

Midway Market Protest Letter
Planning and Community Development
225 N Webster
Norman, OK 73069

Dear Planning Commission,

The question of allowing Midway Market (Bob Thompson) to have larger gatherings for music and entertainment is coming before the Planning Commission soon. As a member of the neighborhood surrounding The Midway, I am concerned about the negative effect that larger gatherings would have.

Though our home is not immediately adjacent to Midway, we are just a block away. We have lived here since 1992 and enjoyed The Midway for many years as a small grocery, then sandwich shop, and small music venue, with occasional larger outdoor music gatherings. I used to shop for small grocery needs there, even though it was more expensive, because I loved that a small grocery still existed. It was truly part of the community at that time. The kids in the neighborhood even marked their height on the door jamb. It was a nice place to run into neighbors and visit.

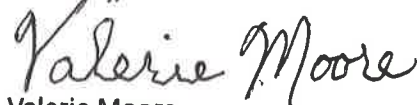
The outdoor gatherings worked because they were rare, and true neighborhood events. I understand that Bob would still be able to have 7 outdoor events/yr. This new request for larger, more regular outdoor gatherings is more problematic. Currently, the new Midway request offers no info about the number of people, number of days per week, or length of time for events. Apparently, that info will be provided AFTER the time that letters of protest must be submitted.

In my opinion, no additional number of days, people or length of events would be acceptable. There are already crowded streets at lunch for people eating at the sandwich shop. The parking for residents would be obliterated with larger outdoor music and entertainment. In other words, we would be subsidizing Midway with no return investment. What happens to our parking on days or nights that Midway has events? Where will our friends and guests park? I think even College Ave in our block could be used for parking.

There is also the issue of noise. While indoor and occasional small outdoor concerts on a weekend might not be too intrusive, large regular evening events would. Bob bought Midway in a neighborhood, not a commercial area. There is no room for a larger commercial venture.

I ask you to please deny this request for the sake of the people living in the neighborhood around the Midway. This would be a very negative development for us.

Sincerely,


Valerie Moore

FILED IN THE OFFICE
OF THE CITY CLERK
ON 4/6/23-LW

City of Norman
 Planning Commission Meeting 4/13/23
 Item #8, Midway Grocery, Inc. Rezoning Request

Dear Commissioners,

We are opposed to the Rezoning Request for a SPUD by Midway Grocery, Inc. for an outdoor entertainment venue. We are just outside the official 350 foot notice area and about two blocks from Midway itself. Concerns expressed below will potentially effect us as well as those in the official notification area.

The City staff report shows Surrounding Land Use as Residential on the North, East, South and West. Under Zoning Ordinance Citation: Simple Planned Unit Developments, 2. Statement of Purpose, "to promote infill development that is compatible and harmonious with adjacent uses". The applicant has not proposed any maximum capacity constraints nor any adjustment of the use of Amplified sound hours of no earlier than 12:00 P. M. and no later than 10:00 P. M. Under Parking the applicant proposes no changes to the existing parking on site which is 7 spaces. That means any parking for the venues will force parking into the residential area surrounding Midway. The Staff Report states that "invitees shall not park in such a way as to create a hazard or impediment to emergency vehicle ingress or egress". The applicant's request uses the same language. Realistically how likely are attendees to follow the parking restrictions in our residential area. Norman Police Department is understaffed and the Parking Enforcement unit only works 8-5 Monday-Friday. Police response will be prioritized based on the type of calls received so certainly calls for burglary, theft, impaired driving, assaults etc. will be a priority over parking violations. Believe us, expecting attendees to abide by parking restrictions is totally unrealistic based on our experience with game day parking on Elm even when parking enforcement is on duty.

In the applicant's SPUD request for the Backyard at Midway it is stated that "The intent of the Applicant is to develop and use the property in an innovative and progressive manner that substantially improves the cultural and living experience of the surrounding neighborhood". How does an outside entertainment venue with amplified sound operating seven days a week from 12:00 P. M.-10:00 P. M. accomplish this?

There was no reference in the Staff Report or the applicants document regarding Rest Room facilities. Does the City have an ordinance requiring a proper number of facilities based on the number of attendees?

In making your decision, we respectfully ask if this was in your backyard how would you vote?

Thank you for your consideration in our request for denial.

Mark & Jayne Crumpley 
 423 Elm Ave.
 Norman, Ok. 73069

FILED IN THE OFFICE
 OF THE CITY CLERK
 ON 4.10.23



CITY OF NORMAN, OK PLANNING COMMISSION MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069
Thursday, April 13, 2023 at 6:30 PM

MINUTES

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 13th day of April, 2023.

Notice and agenda of the meeting were posted at the Norman Municipal Building and online at <https://norman-ok.municodemeetings.com> at least twenty-four hours prior to the beginning of the meeting.

* * *

Chair Erica Bird called the meeting to order at 6:30 p.m.

ROLL CALL

PRESENT

Cameron Brewer
Steven McDaniel
Liz McKown
Kevan Parker
Erica Bird
Doug McClure
Jim Griffith
Maria Kindel
Michael Jablonski

A quorum was present.

STAFF PRESENT

Jane Hudson, Director, Planning & Community Development
Lora Hoggatt, Planning Services Manager
Melissa Navarro, Planner I
Colton Wayman, Planner I
Anais Starr, Planner II
Jack Burdett, Subdivision Development Coordinator
David Riesland, Transportation Engineer
Beth Muckala, Assistant City Attorney
Bryce Holland, Multimedia Specialist
Roné Tromble, Admin. Tech. IV

* * *

8. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of Ordinance No. O-2223-33: Midway Grocery, Inc. requests rezoning from C-1, Local Commercial District, to SPUD, Simple Planned Unit Development, for 0.234 acres of property generally located at 601 W. Eufaula Street.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. SPUD Narrative

PRESENTATION BY STAFF: Mr. Wayman reviewed the staff report, a copy of which is filed with the minutes. Supports of 13.9% and protests of 45% within the notification area have been received.

Mr. Brewer asked for an example of the maximum sound under the noise ordinance. Mr. Wayman did not have that information.

Ms. Kindel asked if there would be a setback requirement for the stage. Mr. Wayman responded that they would be able to place it generally where it is proposed on the site plan in the PUD.

Mr. Jablonski asked if any large trees would have to be removed for the stage. Mr. Wayman did not believe any trees would be removed.

Mr. Parker asked what items in the SPUD are outside of the existing C-1 zoning. Mr. Wayman responded outdoor catered events.

PRESENTATION BY THE APPLICANT:

Hal Ezzell, 100 48th Avenue N.W., representing the applicant, presented the project.

Ms. Kindel asked questions pertaining to the size of the current and proposed stage, and the hours of operation. Bob Thompson, 2838 Misty Ridge Drive, addressed the future stage. Mr. Ezzell addressed the hours. Mr. Thompson explained they have been running events from 7:00 or 7:30 p.m. until 9:00 p.m. There were some times when it was very hot, so they pushed it back to 7:30 so there would be shade on the stage. He would like to have the ability to adjust to situations like that.

Mr. Jablonski asked how late commercial activity can take place. Mr. Thompson responded that he didn't know of any restriction.

Mr. McClure asked whether Midway has ever been cited for noise. Mr. Thompson said they have not. Mr. McClure asked about any parking issues. Mr. Thompson responded.

Ms. McKown asked about a timeline for moving from a temporary stage to a more permanent stage. Mr. Thompson responded that they plan to continue using the stage they have now.

Mr. Parker asked about frequency of events if the SPUD is approved. Mr. Thompson discussed staffing and the frequency of events. Friday, Saturday and Sunday are typically when people want to schedule events.

Mr. Griffith suggested including the location of the speakers in the SPUD that would create the least amount of noise intrusion into the neighborhood. Mr. Thompson responded. They don't want to commit solutions that have not been tested to an ordinance. They will probably want to put up a big fence, which is one of the most effective things they can do.

Ms. Kindel asked if there was a pattern to the calls to the police. Mr. Thompson responded and outlined things they have done to work with the neighbor. He also addressed the trees – there is a 120 year old pecan tree and an 80 year old oak tree, which are the first two legacy trees in Norman, so they will not be cut down.

Ms. Bird outlined some of the common areas of concern in the protest letters: hours, occupancy, and frequency. Mr. Ezzell responded. Ms. Bird asked what occupancy would be allowed by the City. Mr. Thompson responded that there is an occupancy of 42 allowed inside; there are approximately 50 chairs outside.

Ms. McKown asked, if someone wanted to rent the space and have 150 guests, what the response would be. Mr. Thompson responded.

Ms. Kindel asked if they would be opposed to amending the SPUD to state 75 guests and no more than 3 days a week. Mr. Thompson responded that he anticipates City Council is going to have some requests like that and they are prepared to work with them as this goes forward. Mr. Ezzell stated they would be willing to include a maximum of 3 days per week. Mr. Thompson would prefer 100 guests.

Mr. Brewer asked whether any number included in the SPUD would be addressing only outside guests, or both inside and outside.

Recess 8:14 to 8:20 p.m.

PUBLIC PARTICIPATION:

Dan Munson, 208 Waterfront Drive – spoke regarding Strong Towns as it would relate to this proposal, and in support of the application.

Odette Horton, 318 College Avenue – spoke in opposition to the application.

Kim Zahller, 304 Chautauqua Avenue – spoke regarding parking issues, and in opposition to the application.

Ruth Walker, 524 W. Comanche Street – spoke regarding noise, and in opposition to the application.

Ken Womack, 511 W. Eufaula Street – spoke in opposition to the application, citing foot and vehicular traffic, security issues, and parking problems.

Rick Poland, 425 Chautauqua Avenue – spoke in opposition to the application.

Dana Anderson, 306 Chautauqua Avenue – spoke in opposition to the application.

Chuck Anderson, 306 and 207 Chautauqua Avenue – provided copies of a photo, and spoke in opposition to the proposal.

Austin Brewer, 204 Chautauqua Avenue – spoke in support of the application.

Ben Alpers, 208 Chautauqua Avenue – spoke in opposition to the application, citing noise issues and neighborhood conflict.

Karin Schutjer, 208 Chautauqua Avenue – spoke regarding neighborhood balance, and in opposition to the proposal.

Jayne Crumpley, 423 Elm Avenue – spoke in opposition to the application, particularly parking issues, and about the availability of restroom facilities for the events.

Tara Myers, 205 Chautauqua Avenue – stated they don't mind the music at the Midway, but the proximity to their bedroom window makes the situation weird; they would probably support the application with some parameters established.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Ms. McKown raised the issue of parking enforcement on weekends.

Mr. Jablonski asked what recourse the neighbors have if the City won't measure the noise level. Mr. McClure referred to an incident in his neighborhood where the police shut down a loud party following a call.

Mr. Brewer spoke regarding the location of his home in the neighborhood and the number of events they can hear. The City needs to make enforcement of the noise ordinance a priority. The proposal tightens up the zoning on the site, and preserves the site. Concessions need to be made, but not at this meeting.

Mr. Jablonski believes this is an unusual case; most SPUDs want all possible uses. This is preserving something that has been in the neighborhood for a long time. We want infill development, walkable cities, restaurants we can walk to, entertainment we can walk to and that comes with growing pains. Maybe we need to change the noise ordinance levels for neighborhoods with live entertainment. Maybe we need to change how we enforce parking and on weekends. The noise concerns are valid.

Mr. Parker suggested requiring 50 parking spaces as part of the SPUD. Ms. Bird commented there was something similar with The Noun hotel where they had an agreement with the church.

Ms. Kindel commented that with each of the past events that have been held, the applicant could have taken steps to address some of the issues, such as parking; there are not enough specifics in the proposal to go from 7 events to unlimited events.

Mr. Brewer agreed there needs to be a parking solution, but off-site parking with a required number of spaces is not the solution; street parking is adequate and is rarely an issue. Parking on both sides of the street so an ambulance can't get through is a problem.

Ms. Bird asked if the Commission wanted to add any parameters. Mr. Jablonski suggested that the elected officials should make the decision on additional parameters.

Motion made by Brewer, Seconded by Jablonski, to recommend adoption of Ordinance No. O-2223-33, with the comment that additional considerations should be decided upon with City Council as part of approval.

Mr. Parker commented that the Planning Commission is called to represent everybody, not just business interests. The applicant has said they're willing to look at other parameters; allow that opportunity first for the Commission to consider. Ms. Kindel agreed.

Mr. Griffith would like to see the zoning changed to SPUD to preserve Midway because of its historic importance to the neighborhood, but he would have a difficult time supporting the outdoor entertainment as proposed. He would support a postponement to flesh out some of the details.

Voting Yea: Brewer, McDaniel, McKown, Bird, McClure, Jablonski

Voting Nay: Parker, Griffith, Kindel

The motion carried by a vote of 6-3.

*

File Attachments for Item:

12. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-40 UPON FIRST READING BY TITLE:
AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLES 14-I AND 14-11 OF THE CODE OF THE CITY OF NORMAN SO AS TO ADOPT AND AMEND THE 2018 INTERNATIONAL FIRE CODE; AND PROVIDING FOR THE SEVERABILITY THEREOF.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/09/2023

REQUESTER: Jane Hudson, Planning and Community Development Director

PRESENTER: Greg Clark, Development Services Manager

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-40 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLES 14-I AND 14-11 OF THE CODE OF THE CITY OF NORMAN SO AS TO ADOPT AND AMEND THE 2018 INTERNATIONAL FIRE CODE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

BACKGROUND:

The Oklahoma Legislature, in May 2009, passed legislation creating the Oklahoma Uniform Building Code Commission (OUBCC). The Commission is tasked with creating and maintaining a statewide minimum Uniform Building Code that jurisdictions must follow.

The current edition of codes adopted by the State of Oklahoma include the 2018 Editions of the International Residential Code, International Building Code, International Mechanical Code, International Plumbing Code, International Existing Building Code, International Fuel Gas Code, International Fire Code all published by the International Code Council (ICC) and the 2020 Edition of the National Electrical Code (NEC) published by the National Fire Protection Association (NFPA).

The City of Norman Code of Ordinances currently references the 2015 Editions of ICC Codes and the 2014 Edition of the NEC. Consistent with the legislative action creating the Uniform Building Code, the City of Norman is obligated to adhere to the State Codes.

Similarly, local code enforcement pertaining to existing structures and minimum housing standards are administered through the local adoption of the International Property Maintenance Code. To remain consistent with updating to the 2018 Building Codes, the Property Maintenance Code is typically updated as well.

DISCUSSION:

In preparation of updating the adopted Codes, City Staff conducted outreach in many forms over the past year, including the following.

- 7/28/2022: Hosted meeting with the building community to review significant code changes and solicit feedback.
- 8/16/2022: Hosted 2nd meeting with the building community to review significant code changes and solicit feedback.
- 12/01/2022: Presented to Business and Community Affairs a summary of the Building Code Updates with some of the significant changes.
- 1/17/2023: Presented to City Council a summary of the Building Code Updates.
- Recorded and shared on the front of the Development Services website a webinar outlining significant changes occurring in the codes.
- Distributed to Contractors, Owners, and Subcontractors who pulled permits in the previous year summaries of significant changes to the code for their review and consideration.
- Provided by email, in-person during meetings, and posted online a Code Change request form so individuals and contractors could propose amendments to the codes.
- Placed at the top of Development Services website significant meeting dates and times, statement of intent to update to the 2018 Codes with a general timeline, Webinar links and code change request forms.
- As a staff, we made an active effort to inform contractors, designers and the public about the pending code update over the past year.

The proposed code update has a number of changes, most of which are “cleanup” language and amendments but the most substantial include:

- Updating our fee schedule for our Base Fee/Re-inspection fee to \$35.00. This fee has not been updated since 2006. This update keeps Norman on par with other jurisdictions in the metro.
- Utilizing the International Fire Code (IFC) for both Building Permits and Fire Prevention. In the past, we had adopted NFPA 1 for Fire Prevention and the IFC for permitting. Having separate codes for these activities could create differing requirements and plausible conflicts that was unnecessary.
- For new homes, mechanical contractors are now required to provide a Manual J and S (documentation proving the systems are properly sized) before a mechanical permit is issued. While the requirement to run these has been in the code, the requirement to submit to the Authority having Jurisdiction (AHJ) is new.
- Language has been updated to reflect that small-unoccupied structures less than 600 square feet and occupied structures less than 400 square feet are exempt from the foundation requirements of the residential Code. These scenarios still require that these buildings have some connection methods to the ground or footing/slab. The clarification allows for economically feasible small accessory type storage buildings and limited small occupancies, like a small workshop or tiny home, to be built without a prescriptive footing or engineering.

RECOMMENDATION:

Staff recommends changes to Chapters 2, 6, 14, 16 of the Norman City Code, updating the City’s Building, Fire and Property Maintenance Codes to stay in compliance with Title 748 of the Oklahoma Administrative Code. Updating these Codes helps insure minimum standards for new and remodeled structures are up to date and are in-line with current safety and industry practice.

**CITY OF NORMAN
ORDINANCE O-2223-40**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA,
AMENDING ARTICLES 14-I AND 14-11 OF THE CODE OF THE CITY OF
NORMAN SO AS TO ADOPT AND AMEND THE 2018 INTERNATIONAL FIRE
CODE; AND PROVIDING FOR THE SEVERABILITY THEREOF.**

NOW THEREFORE, be it ordained by the City Council of the City of Norman, in the State of Oklahoma, as follows:

SECTION 1: AMENDMENT “14-102 Application Of The Fire Prevention Code” of the City of Norman Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

14-102 Application Of The Fire Prevention Code

Except as otherwise provided in this chapter, the provisions of NCC 14-201 shall apply to conditions hazardous to life or property in the occupancy of buildings already having a certificate of occupancy and premises within the limits of the City.

(Code 1976, § 9-102; Ord. No. O-1718-17, § 1)

AFTER AMENDMENT

14-102 Application Of The Fire ~~Prevention~~ Code

Except as otherwise provided in this chapter, the provisions of NCC 14-201 shall ~~apply~~ serve to provide a reasonable level of life safety and property protection from the hazards of fire, explosion or danerous conditions in new and existing buildings, structures and premises, and to provide a reasonable level of safety to firefighters and emergency responders during emergency operations. ~~conditions hazardous to life or property in the occupancy of buildings already having a certificate of occupancy and premises within the limits of the City.~~

(Code 1976, § 9-102; Ord. No. O-1718-17, § 1)

SECTION 2: AMENDMENT “14-103 Application Of The Fire Code” of the City of Norman Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

14-103 Application Of The Fire Code

Except as otherwise provided in this chapter, the provisions of NCC 14-202 shall apply to construction of new buildings, remodeling of existing buildings, additions to existing buildings, and change of occupancy group of existing buildings, within the limits of the City.

(Code 1976, § 9-103; Ord. No. O-1718-17, § 1)

AFTER AMENDMENT

14-103 ~~Application Of The Fire Code~~ Reserved.

~~Except as otherwise provided in this chapter, the provisions of NCC 14-202 shall apply to construction of new buildings, remodeling of existing buildings, additions to existing buildings, and change of occupancy group of existing buildings, within the limits of the City.~~

(Code 1976, § 9-103; Ord. No. O-1718-17, § 1)

SECTION 3: AMENDMENT “14-201 Adoption Of The Fire Prevention Code” of the City of Norman Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

14-201 Adoption Of The Fire Prevention Code

- (a) Pursuant to 59 O.S. § 1000.23, the NFPA® 1 Fire Code, 2015 edition, as published by the National Fire Protection Association®; and documents listed in chapter 2 of that code; hereinafter referred to as "NFPA 1" is hereby adopted as the fire prevention code of the City for regulations governing conditions hazardous to life and property from fire or explosion; and occupancy of buildings already having a certificate of occupancy, with the same force and effect as if fully set out in this section with amendments thereto as prescribed in this section.
- (b) The fire prevention code shall not become effective until at least three copies, including modifications prescribed in this section, have been filed in the office of the City Clerk.
- (c) The following sections of NFPA 1 are hereby amended, added, deleted, or substituted as noted:
 - (1) 1.1.1 [Amended]. The scope, includes, but is not limited to, the following:
 - a. Inspection of existing permanent and temporary buildings, processes, equipment, systems and other fire and related life safety situations.
 - b. Investigation of fires, explosions, hazardous materials incidents, and other related emergency incidents.
 - c. Fire and life safety education of fire brigades, employees, responsible parties, and the general public.

- d. Existing occupancies and conditions.
 - e. Installation, use, storage, and handling of medical gas systems.
 - f. Hazards from outside fires in vegetation, trash, building debris, and other materials.
 - g. Regulation and control of special events, including, but not limited to, assemblage of people, exhibits, trade shows, amusement parks, haunted houses, outdoor events, and other similar special temporary and permanent occupancies.
 - h. Decorations, furnishings, and other combustibles that contribute to fire spread, fire load, and smoke production.
 - i. Storage, use, processing, handling, and on-site transportation of flammable and combustible gases, liquids, and solids.
 - j. Storage, use, processing, handling, and on-site transportation of hazardous materials.
 - k. Control of emergency operations and scenes.
 - l. Conditions affecting firefighter safety.
- (2) 1.1.2 Title [Amended]. The title of this code shall be NFPA 1, Fire Prevention Code, of the National Fire Protection Association (NFPA).
 - (3) 1.3.1 [Amended]. This code shall apply to existing conditions.
 - (4) 1.3.6.1 [Amended]. Buildings permitted for construction after the adoption of this code shall comply with the provisions in the building code as adopted in NCC 6-203 and the fire code as adopted in NCC 14-202.
 - (5) 1.3.6.3 [Amended]. Repairs, renovations, alterations, reconstruction, change of occupancy, and additions to buildings shall conform to the provisions in the building code as adopted in NCC 6-203 and the fire code as adopted in NCC 14-202.
 - (6) Sections 1.10 through 1.10.6.6 [Deleted]. NFPA 1 sections 1.10 through 1.10.6.6 are hereby deleted in favor of the provisions of NCC 2-314.
 - (7) 1.12.8 [Amended]. The AHJ is authorized to establish permits as required in accordance with Table 1.12.8(a) through 1.12.8(d). Those cases in which the AHJ does not establish a permit shall not justify a violation of any provision of this code or any other applicable law or regulation.
 - (8) 1.16.4.2 [Amended]. Violations of the code shall be subject to penalties as prescribed by law.
 - (9) Chapter 2 Referenced Publications [Amended]. NFPA 1 chapter 2 is hereby amended to include the following substitutions:
 - a. [Substitute] "NFPA 13, Standard for the Installation of Sprinkler Systems, 2013 edition" with "NFPA 13, Standard for the Installation of Sprinkler Systems, 2016 edition."
 - b. [Substitute] "NFPA 13D, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes, 2013 edition" with "NFPA 13D, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes, 2016 edition."
 - c. [Substitute] "NFPA 13R, Standard for the Installation of Sprinkler

- Systems in Low-Rise Residential Occupancies, 2013 edition" with "NFPA 13R, Standard for the Installation of Sprinkler Systems in Low-Rise Residential Occupancies, 2016 edition."
- d. [Substitute] "NFPA 17A, Standard for Wet Chemical Extinguishing Systems, 2013 edition" with "NFPA 17A, Standard for Wet Chemical Extinguishing Systems, 2017 edition."
 - e. [Substitute] "NFPA 20, Standard for the Installation of Stationary Pumps for Fire Protection, 2013 edition" with "NFPA 20, Standard for the Installation of Stationary Pumps for Fire Protection, 2016 edition."
 - f. [Substitute] "NFPA 24, Standard for the Installation of Private Fire Service Mains and Their Appurtenances, 2013 edition" with "NFPA 24, Standard for the Installation of Private Fire Service Mains and Their Appurtenances, 2016 edition."
 - g. [Substitute] "NFPA 25, Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems, 2014 edition" with "NFPA 25, Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems, 2017 edition."
 - h. [Substitute] "NFPA 72®, National Fire Alarm and Signaling Code, 2013 edition" with "NFPA 72®, National Fire Alarm and Signaling Code, 2016 edition."
 - i. [Substitute] "NFPA 2001, Standard on Clean Agent Fire Extinguishing Systems, 2012 edition" with "NFPA 2001, Standard on Clean Agent Fire Extinguishing Systems, 2015 edition."

(Code 1976, § 9-401; Ord. No. O-1718-17, § 4)

AFTER AMENDMENT

14-201 Adoption Of ~~The~~the Fire ~~Prevention~~ Code

- (a) Pursuant to 59 O.S. § 1000.23, the ~~NFPA®-1~~International Fire Code, 201~~5~~8 edition, including Appendix B, C, D, E, F and G as published by the ~~National Fire Protection Association®~~International Code Council, Inc.; including modifications by the Oklahoma Uniform Building Code Commission as set forth in Title 748 of the Oklahoma Administrative code, and documents listed in chapter 2 of that code; hereinafter referred to as "~~NFPA-1~~IFC" is hereby adopted as the ~~f~~eFire ~~prevention~~ eCode of the City for regulations governing conditions hazardous to life and property from fire or explosion; and occupancy of buildings already having a ~~e~~eCertificate of ~~e~~eOccupancy or Certificate of Completion, construction of new buildings, remodeling of existing buildings, additions to existing buildings, and change of occupancy group of existing buildings, with the same force and effect as if fully set out in this section with amendments thereto as prescribed in this section.
- (b) The ~~f~~eFire ~~prevention~~ eCode shall not become effective until at least three (3) copies, including modifications prescribed in this section, have been filed in the office of the City Clerk.

- (c) The following sections of ~~NFPA-1~~ **IFC** are hereby amended, added, deleted, or substituted as noted:

(1) ~~1.1 [Amended]. The scope, includes, but is not limited to, the following: 1.1.2 Title [Amended]. The title of this code shall be NFPA 1, Fire Prevention Code, of the National Fire Protection Association (NFPA). 1.3.1 [Amended]. This code shall apply to existing conditions. 1.3.6.1 [Amended]. Buildings permitted for construction after the adoption of this code shall comply with the provisions in the building code as adopted in NCC 6-203 and the fire code as adopted in NCC 14-202. 1.3.6.3 [Amended]. Repairs, renovations, alterations, reconstruction, change of occupancy, and additions to buildings shall conform to the provisions in the building code as adopted in NCC 6-203 and the fire code as adopted in NCC 14-202. Sections 1.10 through 1.10.6.6 [Deleted]. NFPA 1 sections 1.10 through 1.10.6.6 are hereby deleted in favor of the provisions of NCC 2-314. 1.12.8 [Amended]. The AHJ is authorized to establish permits as required in accordance with Table 1.12.8(a) through 1.12.8(d). Those cases in which the AHJ does not establish a permit shall not justify a violation of any provision of this code or any other applicable law or regulation. 1.16.4.2 [Amended]. Violations of the code shall be subject to penalties as prescribed by law. [Substitute] "NFPA 13, Standard for the Installation of Sprinkler Systems, 2013 edition" with "NFPA 13, Standard for the Installation of Sprinkler Systems, 2016 edition." [Substitute] "NFPA 13D, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes, 2013 edition" with "NFPA 13D, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes, 2016 edition." [Substitute] "NFPA 13R, Standard for the Installation of Sprinkler Systems in Low-Rise Residential Occupancies, 2013 edition" with "NFPA 13R, Standard for the Installation of Sprinkler Systems in Low-Rise Residential Occupancies, 2016 edition." [Substitute] "NFPA 17A, Standard for Wet Chemical Extinguishing Systems, 2013 edition" with "NFPA 17A, Standard for Wet Chemical Extinguishing Systems, 2017 edition." [Substitute] "NFPA 20, Standard for the Installation of Stationary Pumps for Fire Protection, 2013 edition" with "NFPA 20, Standard for the Installation of Stationary Pumps for Fire Protection, 2016 edition." [Substitute] "NFPA 24, Standard for the Installation of Private Fire Service Mains and Their Appurtenances, 2013 edition" with "NFPA 24, Standard for the Installation of Private Fire Service Mains and Their Appurtenances, 2016 edition." [Substitute] "NFPA 25, Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems, 2014 edition" with "NFPA 25, Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems, 2017 edition." [Substitute] "NFPA 72®, National Fire Alarm and Signaling Code, 2013 edition" with "NFPA 72®, National Fire Alarm and Signaling Code, 2016 edition." Inspection of existing permanent and temporary buildings, processes, equipment, systems and other fire and related life safety situations. Investigation of fires, explosions, hazardous materials incidents, and other~~

~~related emergency incidents. Fire and life safety education of fire brigades, employees, responsible parties, and the general public. Existing occupancies and conditions. Installation, use, storage, and handling of medical gas systems. Hazards from outside fires in vegetation, trash, building debris, and other materials. Regulation and control of special events, including, but not limited to, assemblage of people, exhibits, trade shows, amusement parks, haunted houses, outdoor events, and other similar special temporary and permanent occupancies. Decorations, furnishings, and other combustibles that contribute to fire spread, fire load, and smoke production. Storage, use, processing, handling, and on-site transportation of flammable and combustible gases, liquids, and solids. Storage, use, processing, handling, and on-site transportation of hazardous materials. Control of emergency operations and scenes. Conditions affecting firefighter safety. [Substitute] "NFPA 2001, Standard on Clean Agent Fire Extinguishing Systems, 2012 edition" with "NFPA 2001, Standard on Clean Agent Fire Extinguishing Systems, 2015 edition."~~

- (2) 101.1 Title [Amended]. These regulations shall be known as the *Fire Code* of the City of Norman, hereinafter referred to as "this code."
- (3) 101.2.1 Appendices [Amended]. The provisions in appendices B, C, D, E, F, G are hereby adopted and are considered a part of this code. All other appendices are not adopted and shall not apply.
- (4) SECTION 103 FIRE PREVENTION DIVISION [Substitute]
- (5) 103.1 General [Amended]. The Fire Prevention Division of Norman Fire Department is established within the jurisdiction under the direction of the *fire code official*. The function of the division shall be the implementation, administration and enforcement of the provisions of this code.
- (6) 105.7.25 Temporary membrane structures and tents [Amended]. A construction permit is required to erect an air-supported temporary membrane structure, a temporary stage canopy, or an individual tent having an area in excess of 120 square feet (11.16 m²). Multiple tents placed side by side with a clearance of not less than 12 feet (3658 mm) to any other tent shall be considered as an individual tent. Exceptions: 1. Tents used exclusively for recreational camping purposes. 2. Funeral tents and curtains, or extensions attached thereto, when used for funeral services.
- (7) SECTION 109 BOARD OF APPEALS [Deleted]. IFC Section 109 is hereby deleted in favor of the provisions of Section 2-314 of the Code of the City of Norman.
- (8) 110.4 Violation penalties [Amended]. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, installs, alters, repairs or does work in violation of the *approved construction documents*, directive of the *fire code official* or of a permit issued under the provisions of this code shall be subject to penalties as prescribed by law.
- (9) 112.4 Failure to comply [Amended]. Any person who shall continue any work after having been served with a stop work order, except such work as

that person is directed to perform to remove the violation or unsafe condition, shall be subject to penalties as prescribed by law.

- (10) 503.1 Where required [Amended]. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3 or when approved by the fire code official, in accordance with Appendix D. Exception: Fire apparatus access roads constructed in accordance with Section 32-101 of the Code of the City of Norman.
- (11) 503.2.1 Dimensions [Amended]. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for *approved* security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm). Fire apparatus access roads shall not be located within 10 feet (3048 mm) of any building.
- (12) 507.3 Fire flow [Amended]. Fire flow requirements for buildings or portions of buildings and facilities shall be determined by an approved method or when approved by the fire code official, in accordance with Appendix B.
- (13) 507.5 Fire hydrant systems [Amended]. Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6 or when approved by the fire code official, in accordance with Appendix C. Exception: Fire hydrant systems constructed in accordance with Section 32-101 of the Code of the City of Norman.
- (14) 507.5.5 Clear space around hydrants [Amended]. A clear space as described in Section 2002.8 of the City of Norman Engineering Design Criteria shall be maintained around fire hydrants.
- (15) 509.2 Equipment Access [Amended]. Unless otherwise approved by the *fire code official*, exterior access shall be provided and maintained for all fire protection equipment to permit immediate safe operation and maintenance of such equipment. Storage, trash and other materials or objects shall not be placed or kept in such a manner that would prevent such equipment from being readily accessible.
- (16) 3103.2 Approval required [Amended]. Tents and membrane structures having an area in excess of 120 square feet (11.16 m²) shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the *fire code official*. Multiple tents placed side by side with a clearance of not less than 12 feet (3658 mm) to any other tent shall be considered as an individual tent. Exceptions: 1. Tents used exclusively for recreational camping purposes. 2. Funeral tents and curtains, or extensions attached thereto, when used for funeral services.
- (17) 3105.2 Approval [Amended]. Temporary stage canopies in excess of 120 square feet (11.16 m²) shall not be erected, operated or maintained for any purpose without first obtaining approval and a permit from the *fire code official*.
- (18) 5704.2.9.6.1 Locations where above-ground tanks are prohibited [Amended]. Storage of Class I and II liquids in above-ground tanks outside of buildings is

prohibited. Exception: Where allowed by the Zoning Ordinance of the City of Norman and when approved by the fire code official.

- (19) 5706.2.4.4 Locations where above-ground tanks are prohibited [Amended]. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited. Exception: Where allowed by the Zoning Ordinance of the City of Norman and when approved by the fire code official.

- (d) (1) ~~Chapter 2 Referenced Publications [Amended]. NFPA 1 chapter 2 is hereby amended to include the following substitutions:~~

(Code 1976, § 9-401; Ord. No. O-1718-17, § 4)

SECTION 4: AMENDMENT “14-202 Adoption Of The Fire Code” of the City of Norman Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

14-202 Adoption Of The Fire Code

- (a) Pursuant to 59 O.S. § 1000.23, the International Fire Code, 2015 edition, including appendixes B, C and D, as published by the International Code Council, Inc., including modifications by the Oklahoma Uniform Building Code Commission as set forth in title 748, chapter 20, subchapter 3 of the Oklahoma Administrative Code; more specifically sections 3, 7, 7.1, 8, 11, 12, 13, 13.2, 13.3, 13.4, and 13.5, effective September 15, 2017; hereinafter referred to as "IFC," is hereby adopted as the fire code of the City for regulating construction of new buildings, remodeling of existing buildings, additions to existing buildings, and change of occupancy group of existing buildings, with the same force and effect as if fully set out in this section with amendments thereto as prescribed in this section.
- (b) The fire code shall not become effective until at least three copies, including modifications prescribed in this section, have been filed in the office of the City Clerk.
- (c) The following sections of the IFC are hereby amended, added, deleted, or substituted as noted:
 - (1) 101.1 Title [Amended]. These regulations shall be known as the fire code of the City, hereinafter referred to as "this code."
 - (2) 101.2.1 Appendices [Amended]. The provisions in appendixes B, C and D are hereby adopted and are considered a part of this code. All other appendices are not adopted and shall not apply.
 - (3) Section 103 Fire Prevention Division [Substitute].
 - (4) 103.1 General [Amended]. The Fire Prevention Division of the City Fire Department is established within the jurisdiction under the direction of the Fire Marshal. The function of the Division shall be the implementation,

administration and enforcement of the provisions of this code and NFPA 1 as adopted in NCC 14-202.

- (5) 105.1.6 Annual permit [Deleted]. IFC section 105.1.6 is hereby deleted without substitution.
- (6) 105.1.6.1 Annual permit records [Deleted]. IFC section 105.1.6.1 is hereby deleted without substitution.
- (7) Sections 105.6 through 105.6.48 [Deleted]. IFC sections 105.6 through 105.6.48 are hereby deleted without substitution.
- (8) 105.7 Construction permits [Amended]. The Fire Marshal is authorized to issue construction permits in accordance with sections 105.7.1 through 105.7.18. Those cases in which the Fire Marshal does not establish a permit shall not justify a violation of any provision of this code or any other applicable law or regulation.
- (9) 105.7.1 Automatic fire-extinguishing systems [Amended]. The installation of or modification to an automatic fire-extinguishing system shall be reviewed and approved by the Fire Marshal. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.
- (10) 105.7.2 Battery systems [Deleted]. IFC section 105.7.2 is hereby deleted without substitution.
- (11) 105.7.3 Compressed gases [Deleted]. IFC section 105.7.3 is hereby deleted without substitution.
- (12) 105.7.4 Cryogenic fluids [Deleted]. IFC section 105.7.4 is hereby deleted without substitution.
- (13) 105.7.5 Emergency responder radio coverage system [Deleted]. IFC section 105.7.5 is hereby deleted without substitution.
- (14) 105.7.6 Fire alarm and detection systems and related equipment [Amended]. The installation of or modification to fire alarm and detection systems and related equipment shall be reviewed and approved by the Fire Marshal. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.
- (15) 105.7.7 Fire pumps and related equipment [Amended]. The installation of or modification of fire pumps and related fuel tanks, jockey pumps, controllers and generators shall be reviewed and approved by the Fire Marshal. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.
- (16) 105.7.8 Flammable and combustible liquids [Deleted]. IFC section 105.7.8 is hereby deleted without substitution.
- (17) 105.7.9 Gates and barricades across fire apparatus access roads [Deleted]. IFC section 105.7.9 is hereby deleted without substitution.
- (18) 105.7.10 Hazardous materials [Deleted]. IFC section 105.7.10 is hereby deleted without substitution.
- (19) 105.7.11 Industrial ovens [Deleted]. IFC section 105.7.11 is hereby deleted without substitution.
- (20) 105.7.12 LP-gas [Deleted]. IFC section 105.7.12 is hereby deleted without substitution.

- (21) 105.7.13 Private fire hydrants [Amended]. The installation of or modification to private fire hydrants shall be reviewed and approved by the Fire Marshal. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.
- (22) 105.7.14 Smoke control or smoke exhaust systems [Amended]. The installation of or modification to smoke control or smoke exhaust systems shall be reviewed and approved by the Fire Marshal. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.
- (23) 105.7.15 Solar photovoltaic power systems [Deleted]. IFC section 105.7.15 is hereby deleted without substitution.
- (24) 105.7.16 Spraying and dipping [Deleted]. IFC section 105.7.16 is hereby deleted without substitution.
- (25) 105.7.17 Standpipe systems [Amended]. The installation, modification or removal from service of a standpipe system shall be reviewed and approved by the Fire Marshal. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.
- (26) 105.7.18 Temporary membrane structures and tents [Amended]. A construction permit is required to erect an air-supported temporary membrane structure, a temporary stage canopy, or an individual tent having an area in excess of 120 square feet (11.16 m²). Multiple tents placed side by side with a clearance of not less than 12 feet (3,658 mm) to any other tent shall be considered as an individual tent.

Exceptions:

- a. Tents used exclusively for recreational camping purposes.
 - b. Funeral tents and curtains, or extensions attached thereto, when used for funeral services.
- (27) Section 108 Board of Appeals [Deleted]. IFC section 108 is hereby deleted in favor of the provisions of NCC 2-314.
- (28) 109.4 Violation penalties [Amended]. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, installs, alters, repairs or does work in violation of the approved construction documents, directive of the Fire Marshal or of a permit issued under the provisions of this code shall be subject to penalties as prescribed by law.
- (29) 111.4 Failure to comply [Amended]. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove the violation or unsafe condition, shall be subject to penalties as prescribed by law.
- (30) 503.1 Where required [Amended]. Fire apparatus access roads shall be provided and maintained in accordance with sections 503.1.1 through 503.1.3 or when approved by the Fire Marshal, in accordance with appendix D.

Exception: Fire apparatus access roads constructed in accordance with NCC 32-101.

- (31) 503.2.1 Dimensions [Amended]. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6,096 mm), exclusive of shoulders, except for approved security gates in accordance with section 503.6, and an unobstructed vertical clearance of not less than 13 feet six inches (4,115 mm). Fire apparatus access roads shall not be located within ten feet (3,048 mm) of any building.
- (32) 507.3 Fire flow [Amended]. Fire flow requirements for buildings or portions of buildings and facilities shall be determined by an approved method or when approved by the Fire Marshal, in accordance with appendix B.
- (33) 507.5 Fire hydrant systems [Amended]. Fire hydrant systems shall comply with sections 507.5.1 through 507.5.6 or when approved by the Fire Marshal, in accordance with appendix C.
Exception: Fire hydrant systems constructed in accordance with NCC 32-101.
- (34) 507.5.5 Clear space around hydrants [Amended]. A clear space, as described in section 2002.8 of the City Engineering Design Criteria, shall be maintained around fire hydrants.
- (35) 3103.2 Approval required [Amended]. Tents and membrane structures having an area in excess of 120 square feet (11.16 m²) shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the Fire Marshal. Multiple tents placed side by side with a clearance of not less than 12 feet (3,658 mm) to any other tent shall be considered as an individual tent.

Exceptions:

- a. Tents used exclusively for recreational camping purposes.
 - b. Funeral tents and curtains, or extensions attached thereto, when used for funeral services.
- (36) 3105.2 Approval [Amended]. Temporary stage canopies in excess of 120 square feet (11.16 m²) shall not be erected, operated or maintained for any purpose without first obtaining approval and a permit from the Fire Marshal and the Building Official.
 - (37) 5704.2.9.6.1 Locations where above-ground tanks are prohibited [Amended]. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited.

Exception: Where allowed by the zoning ordinance of the City and when approved by the Fire Marshal.

- (38) 5706.2.4.4 Locations where above-ground tanks are prohibited [Amended]. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited.

Exception: Where allowed by the zoning ordinance of the City and when

approved by the Fire Marshal.

(39) Chapter 80 Referenced Standards [Amended]. IFC chapter 80 is hereby amended to include the following substitutions:

- a. [Substitute] "NFPA 13-13" with "NFPA 13-16."
- b. [Substitute] "NFPA 13D-13" with "NFPA 13D-16."
- c. [Substitute] "NFPA 13R-13" with "NFPA 13R-16."
- d. [Substitute] "NFPA 14-13" with "NFPA 14-16."
- e. [Substitute] "NFPA 17A-13" with "NFPA 17A-17."
- f. [Substitute] "NFPA 20-13" with "NFPA 20-16."
- g. [Substitute] "NFPA 24-13" with "NFPA 24-16."
- h. [Substitute] "NFPA 25-14" with "NFPA 25-17."
- i. [Substitute] "NFPA 30-12" with "NFPA 30-15."
- j. [Substitute] "NFPA 72-13" with "NFPA 72-16."

(Code 1976, § 9-402; Ord. No. O-1718-17, § 4)

AFTER AMENDMENT

14-202 ~~Adoption Of The Fire Code~~ Reserved.

- (a) ~~ursuant to 59 O.S. § 1000.23, the International Fire Code, 2015 edition, including appendixes B, C and D, as published by the International Code Council, Inc., including modifications by the Oklahoma Uniform Building Code Commission as set forth in title 748, chapter 20, subchapter 3 of the Oklahoma Administrative Code; more specifically sections 3, 7, 7.1, 8, 11, 12, 13, 13.2, 13.3, 13.4, and 13.5, effective September 15, 2017; hereinafter referred to as "IFC," is hereby adopted as the fire code of the City for regulating construction of new buildings, remodeling of existing buildings, additions to existing buildings, and change of occupancy group of existing buildings, with the same force and effect as if fully set out in this section with amendments thereto as prescribed in this section. The fire code shall not become effective until at least three copies, including modifications prescribed in this section, have been filed in the office of the City Clerk. The following sections of the IFC are hereby amended, added, deleted, or substituted as noted: 101.1 Title [Amended]. These regulations shall be known as the fire code of the City, hereinafter referred to as "this code." 101.2.1 Appendixes [Amended]. The provisions in appendixes B, C and D are hereby adopted and are considered a part of this code. All other appendixes are not adopted and shall not apply. Section 103 Fire Prevention Division [Substitute]. 103.1 General [Amended]. The Fire Prevention Division of the City Fire Department is established within the jurisdiction under the direction of the Fire Marshal. The function of the Division shall be the implementation, administration and enforcement of the provisions of this code and NFPA 1 as adopted in NCC 14-202. 105.1.6 Annual permit [Deleted]. IFC section 105.1.6 is hereby deleted without substitution. 105.1.6.1 Annual permit records [Deleted]. IFC section 105.1.6.1 is hereby deleted without substitution. Sections 105.6 through 105.6.48 [Deleted]. IFC sections 105.6 through 105.6.48 are hereby deleted without substitution. 105.7 Construction permits [Amended]. The Fire Marshal is authorized to issue construction permits in accordance~~

with sections 105.7.1 through 105.7.18. Those cases in which the Fire Marshal does not establish a permit shall not justify a violation of any provision of this code or any other applicable law or regulation. 105.7.1 Automatic fire-extinguishing systems [Amended]. The installation of or modification to an automatic fire-extinguishing system shall be reviewed and approved by the Fire Marshal. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit. 105.7.2 Battery systems [Deleted]. IFC section 105.7.2 is hereby deleted without substitution. 105.7.3 Compressed gases [Deleted]. IFC section 105.7.3 is hereby deleted without substitution. 105.7.4 Cryogenic fluids [Deleted]. IFC section 105.7.4 is hereby deleted without substitution. 105.7.5 Emergency responder radio coverage system [Deleted]. IFC section 105.7.5 is hereby deleted without substitution. 105.7.6 Fire alarm and detection systems and related equipment [Amended]. The installation of or modification to fire alarm and detection systems and related equipment shall be reviewed and approved by the Fire Marshal. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit. 105.7.7 Fire pumps and related equipment [Amended]. The installation of or modification of fire pumps and related fuel tanks, jockey pumps, controllers and generators shall be reviewed and approved by the Fire Marshal. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit. 105.7.8 Flammable and combustible liquids [Deleted]. IFC section 105.7.8 is hereby deleted without substitution. 105.7.9 Gates and barricades across fire apparatus access roads [Deleted]. IFC section 105.7.9 is hereby deleted without substitution. 105.7.10 Hazardous materials [Deleted]. IFC section 105.7.10 is hereby deleted without substitution. 105.7.11 Industrial ovens [Deleted]. IFC section 105.7.11 is hereby deleted without substitution. 105.7.12 LP-gas [Deleted]. IFC section 105.7.12 is hereby deleted without substitution. 105.7.13 Private fire hydrants [Amended]. The installation of or modification to private fire hydrants shall be reviewed and approved by the Fire Marshal. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit. 105.7.14 Smoke control or smoke exhaust systems [Amended]. The installation of or modification to smoke control or smoke exhaust systems shall be reviewed and approved by the Fire Marshal. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit. 105.7.15 Solar photovoltaic power systems [Deleted]. IFC section 105.7.15 is hereby deleted without substitution. 105.7.16 Spraying and dipping [Deleted]. IFC section 105.7.16 is hereby deleted without substitution. 105.7.17 Standpipe systems [Amended]. The installation, modification or removal from service of a standpipe system shall be reviewed and approved by the Fire Marshal. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit. 105.7.18 Temporary membrane structures and tents [Amended]. A construction permit is required to erect an air-supported temporary membrane structure, a temporary stage canopy, or an individual tent having an area in excess of 120 square feet (11.16 m²). Multiple tents placed side by side with a clearance of not less than 12 feet (3,658 mm) to any other tent shall be considered as an individual tent. Exceptions: Section 108 Board of Appeals [Deleted]. IFC section 108 is hereby

~~deleted in favor of the provisions of NCC 2-314. 109.4 Violation penalties [Amended]. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, installs, alters, repairs or does work in violation of the approved construction documents, directive of the Fire Marshal or of a permit issued under the provisions of this code shall be subject to penalties as prescribed by law. 111.4 Failure to comply [Amended]. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove the violation or unsafe condition, shall be subject to penalties as prescribed by law. 503.1 Where required [Amended]. Fire apparatus access roads shall be provided and maintained in accordance with sections 503.1.1 through 503.1.3 or when approved by the Fire Marshal, in accordance with appendix D.~~

~~Exception: Fire apparatus access roads constructed in accordance with NCC 32-101. 503.2.1 Dimensions [Amended]. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6,096 mm), exclusive of shoulders, except for approved security gates in accordance with section 503.6, and an unobstructed vertical clearance of not less than 13 feet six inches (4,115 mm). Fire apparatus access roads shall not be located within ten feet (3,048 mm) of any building. 507.3 Fire flow [Amended]. Fire flow requirements for buildings or portions of buildings and facilities shall be determined by an approved method or when approved by the Fire Marshal, in accordance with appendix B. 507.5 Fire hydrant systems [Amended]. Fire hydrant systems shall comply with sections 507.5.1 through 507.5.6 or when approved by the Fire Marshal, in accordance with appendix C. Exception: Fire hydrant systems constructed in accordance with NCC 32-101. 507.5.5 Clear space around hydrants [Amended]. A clear space, as described in section 2002.8 of the City Engineering Design Criteria, shall be maintained around fire hydrants. 3103.2 Approval required [Amended]. Tents and membrane structures having an area in excess of 120 square feet (11.16 m²) shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the Fire Marshal. Multiple tents placed side by side with a clearance of not less than 12 feet (3,658 mm) to any other tent shall be considered as an individual tent.~~

~~Exceptions: 3105.2 Approval [Amended]. Temporary stage canopies in excess of 120 square feet (11.16 m²) shall not be erected, operated or maintained for any purpose without first obtaining approval and a permit from the Fire Marshal and the Building Official. 5704.2.9.6.1 Locations where above-ground tanks are prohibited [Amended]. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited.~~

~~Exception: Where allowed by the zoning ordinance of the City and when approved by the Fire Marshal. 5706.2.4.4 Locations where above-ground tanks are prohibited [Amended]. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited.~~

~~Exception: Where allowed by the zoning ordinance of the City and when approved by the Fire Marshal. Chapter 80 Referenced Standards [Amended]. IFC chapter 80 is hereby amended to include the following substitutions: Tents used exclusively for~~

~~recreational camping purposes. Funeral tents and curtains, or extensions attached thereto, when used for funeral services. Tents used exclusively for recreational camping purposes. Funeral tents and curtains, or extensions attached thereto, when used for funeral services. [Substitute] "NFPA 13-13" with "NFPA 13-16." [Substitute] "NFPA 13D-13" with "NFPA 13D-16." [Substitute] "NFPA 13R-13" with "NFPA 13R-16." [Substitute] "NFPA 14-13" with "NFPA 14-16." [Substitute] "NFPA 17A-13" with "NFPA 17A-17." [Substitute] "NFPA 20-13" with "NFPA 20-16." [Substitute] "NFPA 24-13" with "NFPA 24-16." [Substitute] "NFPA 25-14" with "NFPA 25-17." [Substitute] "NFPA 30-12" with "NFPA 30-15." [Substitute] "NFPA 72-13" with "NFPA 72-16." (Code 1976, § 9-402; Ord. No. O-1718-17, § 4)~~

SECTION 5: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

PASSED AND ADOPTED BY THE CITY OF NORMAN CITY COUNCIL

<p>AYE</p> <p>_____</p> <p>Presiding Officer</p> <p>_____ Larry Heikkila, Mayor, City of Norman</p>	<p>NAY</p> <p>_____</p>	<p>ABSENT</p> <p>_____</p> <p>Attest</p> <p>_____ Brenda Hall, City Clerk, City of Norman</p>	<p>ABSTAIN</p> <p>_____</p>
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UPDATING THE 2018 BUILDING CODES



City of Norman
Business and Community Affairs
12/01/2022

STATUS OF CODES IN OKLAHOMA

- The Oklahoma Uniform Building Code Commission (OUBCC) adopts the minimum code for all jurisdictions in Oklahoma.
- Municipalities are required by statute to adopt these minimums and enforce them in a timely manner.
- September 14th 2021, the OUBCC adopted the 2018 I-Codes and 2017 NEC as the minimum standard for all commercial buildings.
- Effective September 14th 2022, the OUBCC informed the municipalities that the minimum standards for One and Two Family Dwellings/Townhouses will be the 2018 International Residential Code with modifications provided in their updated rules. Additionally the 2020 NEC was adopted as the minimum standard for Electrical Work.

UPDATING THE CODES IN NORMAN

- To stay in compliance with the state statute the City of Norman will need to update our codes to the 2018 I-Codes with modifications by the OUBCC.
- The base 2018 Code can be found on the ICC website [here](#).
- The rule changes by the OUBCC can be found on their website [here](#).
- An unofficial compilation of the state changes and base code can be found on UpCodes website [here](#).

UPDATING THE CODES IN NORMAN(CONT.)

Staff has been on a continual outreach campaign over the past year to inform the Building Community and Public about the pending Code Changes. The following are some of those highlights.

- Staff hosted a code review/change meeting on 7/28/22 to discuss significant changes to the code and seek input from the building community and public.
- A second code review/change meeting was held on 8/16/22 to complete discussions about significant changes to the code.
- Provided to meeting attendee's and on our website is a "Code change request form" if anyone desired to submit a change to the code for consideration.
- Staff Recorded a Webinar and linked it at the front of the Development Services Website with the significant changes to the code so that anyone interested could see an overview of the coming code changes.
- Staff provided by email outreach to Builders, Designers, Trade Contractors and others who pulled permits in the prior calendar year detailed list of the significant changes to the various codes as well as the code change request form.
- Inspection and Office Staff continually educated Builders/Designers that the Codes would be updating to the 2018 building codes and when interested offered resources to these individuals.

NOTABLE CHANGES (FEES)

Update to the Base and Reinspection Fee.

- Currently the Base/Re-inspection Fee is \$25.00.
- This fee hasn't been updated since 2006.
- Proposing making the base/reinspect fee \$35.00. (keeps the fee in-line with inflation)
- In Calendar Year 2021 we resulted over 27,000 Inspections.
- 3,200 of these inspections were inspections with a Re-Inspect Fee.
- In 2021 Staff issued over 4900 Trade Permits of these over 2100 had the Base Fee. These are typically stand alone permits such as Miscellaneous Electrical Work, Changing out of Plumbing items (water/sewer lines, water heaters), Heat and Air Work like Duct Replacements, Irrigation Sprinkler Systems.

Establish an after hours Inspection Fee.

- Proposing \$200 minimum fee for two hours of inspection time and \$75.00 for each hour thereafter.

Updating the Code to include the State mandated \$4.00 permit fee obligated by the OUBCC with a .50 administration fee. In the past it was determined this did not have to be in the City's fee schedule but better practice is include it.

NOTABLE CHANGES (FEES CONT.)

	Reinspect Fee	Base Fee
Edmond	\$50 for 1 st reinspection, \$100 subsequent reinspection	\$30 min. but they have qualifiers for added fixtures/appliances etc.
Oklahoma City	\$38.50 min. but this can be more for trades i.e. plumbing reinspection \$42.00	\$28.00 but they have qualifiers for added fixtures/appliances etc.
Moore	\$30.00	\$30.00 But they have qualifiers for added appliances/fixtures.
Yukon	\$30.00 for the 2 reinspection, then \$60.00 per reinspection	\$35.00 Base fee. Their fee structure closely resembles the City of Norman's.

NOTABLE CHANGES(CONT.) IFC CODE FULLY ADOPTED.

In past code cycles Fire Prevention has adopted the National Fire Protection Association I , Fire Code for existing buildings for annual inspections and separately adopted the International Fire Code for new construction. This was not needed as the IFC adequately address's the topics in the NFPA I and at times create conflicts where a newly build building could be in opposition to another city code.

By having one code for Permitting and Annual Inspections this helps in having the Review Staff and Inspectors on the same page.



NOTABLE CHANGES (CONT.) UNIVERSAL CHANGING STATIONS

Proposing adding to the 2018 IBC (Commercial Code) adding language that requires a universal changing station for projects that require a Family Assisted Bathroom. This would only impact some Assembly and Mercantile Occupants. Examples where it would be required.

- Restaurants with over 450 Occupants
- Church with over 675 Occupants
- Retail with over 3000 Occupants
- Theater or similar with over 570 Occupants

For record this requirement is a part of the 2021 IBC.



NOTABLE CHANGES (CONT.) MANUAL J AND S FOR MECHANICAL SYSTEMS TABLE R301.2(1), N1103.7, M1401.3

While the code has always obligated heat and air systems to be designed per Manual J and S it was never a requirement that this submittal be obligated by the AHJ. The code has been updated to require the AHJ to publish the climate conditions in Table R301.2(1). The OUBCC went further and requires the AHJ to require documentation demonstrating compliance that the system is being designed in accordance with Manual J and S before issuing a mechanical permit for NEW residential permits. This will be an impactful change to our permitting process and for the mechanical contractors.

N1103.7 (R403.7) Equipment sizing and efficiency rating (Mandatory). Heating and cooling equipment shall be sized in accordance with ACCA Manual S based on building loads calculated in accordance with ACCA Manual J or other approved heating and cooling calculation methodologies. New or replacement heating and cooling equipment shall have an efficiency rating equal to or greater than the minimum required by federal law for the geographic location where the equipment is installed. Documentation demonstrating compliance with this section is to be provided at the authority having jurisdiction at the time a Mechanical Permit is required on new one-and two-family dwellings and townhouses.

M1401.3 Equipment and appliance sizing. Heating and cooling equipment and appliances shall be sized in accordance with ACCA Manual S or other approved sizing methodologies based on building loads calculated in accordance with ACCA Manual J or other approved heating and cooling methodologies. Documentation demonstrating compliance with this section is to be provided at the authority having jurisdiction at the time a Mechanical Permit is required on new one-and two-family dwellings and townhouses.

MANUAL J DESIGN CRITERIA ^a							
Elevation	Latitude	Winter heating	Summer cooling	Altitude correction factor	Indoor design temperature	Design temperature cooling	Heating temperature difference
—	—	—	—	—	—	—	—
Cooling temperature difference	Wind velocity heating	Wind velocity cooling	Coincident wetbulb	Daily range	Winter humidity	Summer humidity	—
—	—	—	—	—	—	—	—

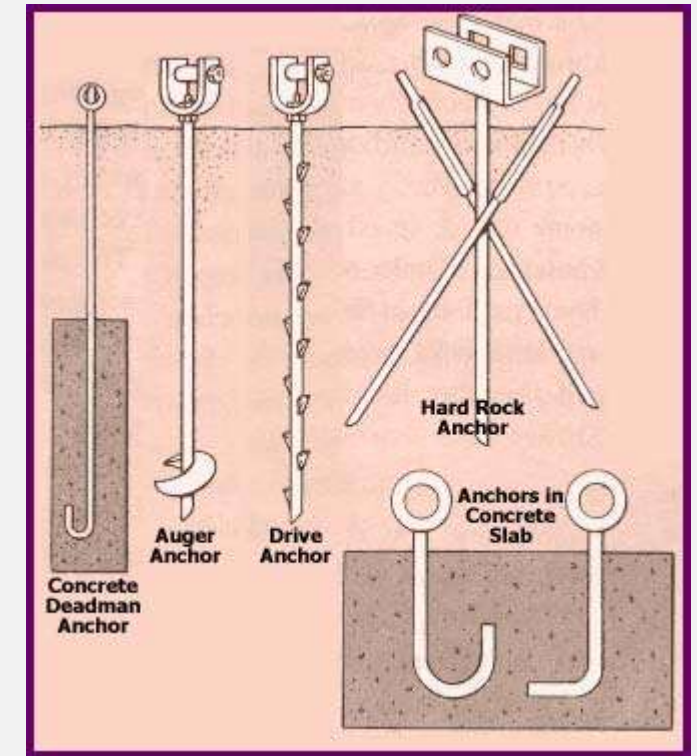
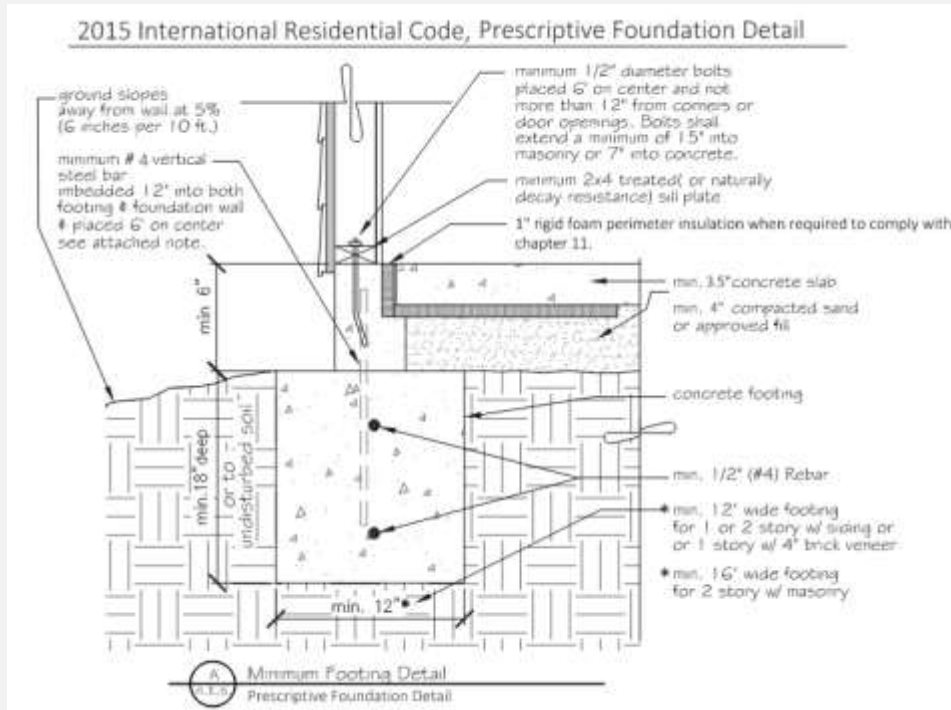
NOTABLE CHANGES (CONT.) FOUNDATION EXCEPTIONS.

Prior adoptions of the Residential Code allowed for exemption of unoccupied accessory buildings to be exempt from the foundation requirements in the code. But were silent regarding small occupied structures. The language has been cleared up to reflect that small unoccupied structures less than 600 square feet and occupied structures less than 400 square feet are exempt from the foundation requirements of the residential code. But still must have some connection methods to the ground or footing/slab.

The clarification allows for economically feasible small accessory type storage buildings and limited small occupancies like a small workshop or tiny home to be built without a prescriptive footing or engineering.



NOTABLE CHANGES (CONT.) FOUNDATION EXCEPTIONS.



Prescriptive Code Foundation minimums.

Fastening solutions but really only allowed by code with engineering or design work.

NOTABLE CHANGES (CONT.)

CHAPTER II ENERGY CODES

The OUBCC updated the State wide minimum ERI to a 64. Recently the City of Norman updated our score benchmark for the Energy Efficient Credit program to a benchmark of 57.

Table N1106.4 (R406.4) Maximum Energy Rating Index

CLIMATE ZONE	ENERGY RATING INDEX *
1	57
2	57
3	57 64
4	62
5	61
6	61
7	58
8	58

Supporting information: This updates the ERI for the performance path to be more in line with prescriptive amendments proposed to the OUBCC

OUBCC Current ERI

City of Norman's Energy Efficient Credit
HERS/ERI Program with a 57

47 or less	Builder pays no permit fees
48	Pays 05% of permit fees
49	Pays 10% of permit fees
50	Pays 15% of permit fees
51	Pays 20% of permit fees
52	Pays 25% of permit fees
53	Pays 30% of permit fees
54	Pays 35% of permit fees
55	Pays 40% of permit fees
56	Pays 45% of permit fees
57	Pays 50% of permit fees

PROPOSED COMMENT FORM ICE BARRIER AT EAVES OF HOMES

We had an individual submit a Code Change request form. Asking to modify the code to require Ice Barrier on the Eave (soffit) of homes for roofs that were being re-roofed but not new construction.

See code section and narrative as provided.

R908.3.1 Ice barriers. Roof replacement shall include ice barriers to be installed for asphalt shingles, metal roof shingles, mineral surfaced roll roofing, wood shingles and wood shakes. The ice barrier shall consist of not fewer than two layers of underlayment cemented together, or a self-adhering polymer-modified bitumen sheet shall be used in place of normal underlayment and shall extend from the lowest edges of all roof surfaces to a point not less than 24 inches (610 mm) inside the warm wall of the building. On roofs with slope equal to or greater than 8 units vertical in 12 units horizontal, the ice barrier shall also be applied not less than 36 inches (914 mm) measured along the roof slope from the eave edge of the building.

Exception: Detached accessory structures not containing conditioned floor area

Supporting Information

The entire State of Oklahoma has seen a history of periodic ice damming that causes water penetration to roofing shingles and extensive water damage inside walls and ceilings of residential homes. The Oklahoma Roofing Contractors Association and other Oklahoma professional roofing contractors believe that the installation of the ice barrier when reroofing residential houses will prevent ice dam leaks and avoid the interior damages caused by water penetration from ice damming.

PROPOSED COMMENT FORM (CONT.)

ICE BARRIER TABLE 301.2(I) AND 905.1.2

Roofing

- The OUBCC has determined that ice barrier's are not required in the State of Oklahoma at the eaves.
- The OUBCC added into the code to add a 36" ice barrier centered on all valleys.
- The OUBCC added into the code a 36" ice barrier at pitch changes. This should be centered at the pitch change.
- These OUBCC determinations were made after a Technical committee of roofers/builders met for months and further considered by the State Commission that recommends adoption of the code.
- Oklahoma City recently had a two part discussion about this very topic as well and ultimately determined not to require the Ice Barrier at the eave of homes.
- While I obviously cannot say Ice Damming could never occur most existing and new construction do not have ice barrier's installed at the eave and the reporting of cases with these issues are minimal.



QUESTIONS/COMMENTS/DIRECTION?

Any questions?

Comments?

Staff Direction?



File Attachments for Item:

13. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-41 UPON FIRST READING BY TITLE:
AN ORDINANCE OF THE CITY OF NORMAN, OKLAHOMA AMENDING SECTION 16-601 OF ARTICLE 16-VI OF THE CODE OF THE CITY OF NORMAN SO AS TO ADOPT AND AMEND THE 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE; AND PROVIDING FOR THE SEVERABILITY THEREOF.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/09/2023

REQUESTER: Jane Hudson, Planning and Community Development Director

PRESENTER: Greg Clark, Development Services Manager

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-41 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE CITY OF NORMAN, OKLAHOMA AMENDING SECTION 16-601 OF ARTICLE 16-VI OF THE CODE OF THE CITY OF NORMAN SO AS TO ADOPT AND AMEND THE 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

BACKGROUND:

The Oklahoma Legislature, in May 2009, passed legislation creating the Oklahoma Uniform Building Code Commission (OUBCC). The Commission is tasked with creating and maintaining a statewide minimum Uniform Building Code that jurisdictions must follow.

The current edition of codes adopted by the State of Oklahoma include the 2018 Editions of the International Residential Code, International Building Code, International Mechanical Code, International Plumbing Code, International Existing Building Code, International Fuel Gas Code, International Fire Code all published by the International Code Council (ICC) and the 2020 Edition of the National Electrical Code (NEC) published by the National Fire Protection Association (NFPA).

The City of Norman Code of Ordinances currently references the 2015 Editions of ICC Codes and the 2014 Edition of the NEC. Consistent with the legislative action creating the Uniform Building Code, the City of Norman is obligated to adhere to the State Codes.

Similarly, local code enforcement pertaining to existing structures and minimum housing standards are administered through the local adoption of the International Property Maintenance Code. To remain consistent with updating to the 2018 Building Codes, the Property Maintenance Code is typically updated as well.

DISCUSSION:

In preparation of updating the adopted Codes, City Staff conducted outreach in many forms over the past year, including the following.

- 7/28/2022: Hosted meeting with the building community to review significant code changes and solicit feedback.
- 8/16/2022: Hosted 2nd meeting with the building community to review significant code changes and solicit feedback.
- 12/01/2022: Presented to Business and Community Affairs a summary of the Building Code Updates with some of the significant changes.
- 1/17/2023: Presented to City Council a summary of the Building Code Updates.
- Recorded and shared on the front of the Development Services website a webinar outlining significant changes occurring in the codes.
- Distributed to Contractors, Owners, and Subcontractors who pulled permits in the previous year summaries of significant changes to the code for their review and consideration.
- Provided by email, in-person during meetings, and posted online a Code Change request form so individuals and contractors could propose amendments to the codes.
- Placed at the top of Development Services website significant meeting dates and times, statement of intent to update to the 2018 Codes with a general timeline, Webinar links and code change request forms.
- As a staff, we made an active effort to inform contractors, designers and the public about the pending code update over the past year.

The proposed code update has a number of changes, most of which are “cleanup” language and amendments but the most substantial include:

- Updating our fee schedule for our Base Fee/Re-inspection fee to \$35.00. This fee has not been updated since 2006. This update keeps Norman on par with other jurisdictions in the metro.
- Utilizing the International Fire Code (IFC) for both Building Permits and Fire Prevention. In the past, we had adopted NFPA 1 for Fire Prevention and the IFC for permitting. Having separate codes for these activities could create differing requirements and plausible conflicts that was unnecessary.
- For new homes, mechanical contractors are now required to provide a Manual J and S (documentation proving the systems are properly sized) before a mechanical permit is issued. While the requirement to run these has been in the code, the requirement to submit to the Authority having Jurisdiction (AHJ) is new.
- Language has been updated to reflect that small-unoccupied structures less than 600 square feet and occupied structures less than 400 square feet are exempt from the foundation requirements of the residential Code. These scenarios still require that these buildings have some connection methods to the ground or footing/slab. The clarification allows for economically feasible small accessory type storage buildings and limited small occupancies, like a small workshop or tiny home, to be built without a prescriptive footing or engineering.

RECOMMENDATION:

Staff recommends changes to Chapters 2, 6, 14, 16 of the Norman City Code, updating the City’s Building, Fire and Property Maintenance Codes to stay in compliance with Title 748 of the Oklahoma Administrative Code. Updating these Codes helps insure minimum standards for new and remodeled structures are up to date and are in-line with current safety and industry practice.

**CITY OF NORMAN
ORDINANCE O-2223-41**

**AN ORDINANCE OF THE CITY OF NORMAN, OKLAHOMA AMENDING
SECTION 16-601 OF ARTICLE 16-VI OF THE CODE OF THE CITY OF NORMAN
SO AS TO ADOPT AND AMEND THE 2018 INTERNATIONAL PROPERTY
MAINTENANCE CODE; AND PROVIDING FOR THE SEVERABILITY
THEREOF.**

NOW THEREFORE, be it ordained by the City Council of the City of Norman, in the State of Oklahoma, as follows:

SECTION 1: **AMENDMENT** "16-601 Adoption Of The Property Maintenance Code" of the City of Norman Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

16-601 Adoption Of The Property Maintenance Code

- (a) The International Property Maintenance Code, 2015 edition, as published by the International Code Council, Inc., hereinafter referred to as "IPMC," is hereby adopted as the property maintenance code of the City with the same force and effect as if fully set out in this subsection with amendments thereto as prescribed in this section.
- (b) The property maintenance code shall not become effective until at least three copies, including modifications prescribed in this section, have been filed in the office of the City Clerk.
- (c) The following sections of the IPMC are hereby amended, added, deleted, or substituted as noted:
 - (1) 101.1 Title [Amended]. These regulations shall be known as the property maintenance code of the City, hereinafter referred to as "this code."
 - (2) Section 103 Code Compliance [Substitute].
 - (3) 103.1 General [Amended]. Code Compliance is hereby created and the official in charge thereof shall be known as the code official.
 - (4) 103.5 Fees [Deleted]. IPMC section 103.5 is hereby deleted without substitution.
 - (5) 107.3 Method of service [Amended]. Such notice prescribed in section 107.1 shall be deemed properly served if the notice is delivered personally or mailed to either the property owner, owner's authorized agent, or mortgage holder. If the notice is mailed, the City shall obtain a receipt of mailing from the postal service indicating the date of mailing and the name and address of the recipient. Additionally, the code official shall post a code violation notice on the affected property.
 - (6) Section 111 Means of Appeal [Deleted]. IPMC section III is hereby deleted in

favor of the provisions of NCC 2-203.

- (7) 112.4 Failure to comply [Amended]. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.
- (8) 302.3.1 Legal nonconforming gravel driveways and parking areas [Added]. Gravel driveways and parking areas have been prohibited by the zoning ordinance (chapter 22) of the City since 1966. It is presumed by the City that all gravel driveways and parking areas are of an illegal, nonconforming status. Any such parking area or driveway must have been in existence prior to March 1973. In order for such parking areas to maintain their legal nonconforming status, the following procedures shall be followed:
 - a. Gravel surfaces must be kept substantially free of any grass or weeds.
 - b. Gravel surfaces may not be expanded beyond established borders. The property owner shall ensure that a clear line of demarcation exists at the edges of the gravel drive that is obvious and can be visually verified from the street or sidewalk.
 - c. In order to comply with the requirement that parking areas be substantially mud- and dust-free, gravel shall be maintained so that at least three inches of material covers the entire parking and driveway area.

If an owner is violating any provision of this section, a notice of violation will be sent. Failure to correct the violation within the prescribed time frame will result in the filing of charges. Upon conviction or a plea of nolo contendere, the property will lose its nonconforming status as a gravel parking surface. If the owner fails to file a complete application for a special exception for gravel surfacing from the Board of Adjustment within ten days of that court decision, the loss of that nonconforming status is considered final. If a special exception is not granted by the Board of Adjustment, the gravel parking area and driveway must be removed or brought into compliance with the current ordinance within 180 days.

- (9) 302.4 Weeds [Amended]. Premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches. Noxious weeds shall be prohibited. The term "weeds" means all grasses, annual plants and vegetation, other than trees or shrubs provided; however, the term "weeds" shall not include cultivated flowers and gardens.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

- (10) 303.2 Enclosures [Amended]. Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier not less than 48 inches (1,219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1,372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

Exception:

- a. A swimming pool with a power safety cover or a spa or hot tub with a safety cover that complies with ASTM F 1346 shall be exempt from the provisions of this section.
 - b. Swimming pools, spas and hot tubs on lots in excess of two acres shall be exempt from the provisions of this section.
- (11) 304.14 Insect screens [Amended]. Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

- (12) 602.3 Heat supply [Amended]. Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat to maintain a minimum temperature of 68 degrees Fahrenheit (20 degrees Celsius) in all habitable rooms, bathrooms and toilet rooms.

Exception: When the outdoor temperature is below the winter outdoor design temperature of 13 degrees Fahrenheit (-10.56 degrees Celsius), maintenance of the minimum room temperature shall not be required, provided that the heating system is operating at its full design capacity.

- (13) 602.4 Occupiable work spaces [Amended]. Indoor occupiable work spaces shall be supplied with heat to maintain a minimum temperature of 68 degrees Fahrenheit (20 degrees Celsius) during the period the spaces are occupied.

Exceptions:

- a. Processing, storage and operation areas that require cooling or special temperature conditions.

- b. Areas in which persons are primarily engaged in vigorous physical activities.

(Code 1976, § 10-601; Ord. No. O-1718-18, § 1)

AFTER AMENDMENT

16-601 Adoption Of The Property Maintenance Code

- (a) The International Property Maintenance Code, 201~~5~~⁸ edition, as published by the International Code Council, Inc., hereinafter referred to as "IPMC," is hereby adopted as the property maintenance code of the City with the same force and effect as if fully set out in this subsection with amendments thereto as prescribed in this section.
- (b) The property maintenance code shall not become effective until at least three copies, including modifications prescribed in this section, have been filed in the office of the City Clerk.
- (c) The following sections of the IPMC are hereby amended, added, deleted, or substituted as noted:
 - (1) 101.1 Title [Amended]. These regulations shall be known as the property maintenance code of the City, hereinafter referred to as "this code."
 - (2) Section 103 Code Compliance [Substitute].
 - (3) 103.1 General [Amended]. Code Compliance is hereby created and the official in charge thereof shall be known as the code official.
 - (4) 103.5 Fees [Deleted]. IPMC section 103.5 is hereby deleted without substitution.
 - (5) 107.3 Method of service [Amended]. Such notice prescribed in section 107.1 shall be deemed properly served if the notice is delivered personally or mailed to either the property owner, owner's authorized agent, or mortgage holder. If the notice is mailed, the City shall obtain a receipt of mailing from the postal service indicating the date of mailing and the name and address of the recipient. Additionally, the code official shall post a code violation notice on the affected property.
 - (6) Section 111 Means of Appeal [Deleted]. IPMC section III is hereby deleted in favor of the provisions of NCC 2-203.
 - (7) 112.4 Failure to comply [Amended]. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.
 - (8) 302.3.1 Legal nonconforming gravel driveways and parking areas [Added]. Gravel driveways and parking areas have been prohibited by the zoning ordinance (chapter 22) of the City since 1966. It is presumed by the City that all gravel driveways and parking areas are of an illegal, nonconforming status. Any such parking area or driveway must have been in existence prior to March 1973. In order for such parking areas to maintain their legal nonconforming status, the following procedures shall be followed:

- a. Gravel surfaces must be kept substantially free of any grass or weeds.
- b. Gravel surfaces may not be expanded beyond established borders.
The property owner shall ensure that a clear line of demarcation exists at the edges of the gravel drive that is obvious and can be visually verified from the street or sidewalk.
- c. In order to comply with the requirement that parking areas be substantially mud- and dust-free, gravel shall be maintained so that at least three inches of material covers the entire parking and driveway area.

If an owner is violating any provision of this section, a notice of violation will be sent. Failure to correct the violation within the prescribed time frame will result in the filing of charges. Upon conviction or a plea of nolo contendere, the property will lose its nonconforming status as a gravel parking surface. If the owner fails to file a complete application for a special exception for gravel surfacing from the Board of Adjustment within ten days of that court decision, the loss of that nonconforming status is considered final. If a special exception is not granted by the Board of Adjustment, the gravel parking area and driveway must be removed or brought into compliance with the current ordinance within 180 days.

- (9) 302.4 Weeds [Amended]. Premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches. Noxious weeds shall be prohibited. The term "weeds" means all grasses, annual plants and vegetation, other than trees or shrubs provided; however, the term "weeds" shall not include cultivated flowers and gardens, nor areas designated as Water Quality Protection Zones (WQPZ).

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

- (10) 303.2 Enclosures [Amended]. Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier not less than 48 inches (1,219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1,372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

Exception:

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Exceptions:

- a. Processing, storage and operation areas that require cooling or special temperature conditions.
- b. Areas in which persons are primarily engaged in vigorous physical activities.

(Code 1976, § 10-601; Ord. No. O-1718-18, § 1)

SECTION 2: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

PASSED AND ADOPTED BY THE CITY OF NORMAN CITY COUNCIL

_____.

AYE

NAY

ABSENT

ABSTAIN

Presiding Officer

Attest

Larry Heikkila, Mayor, City of
Norman

Brenda Hall, City Clerk, City of
Norman

UPDATING THE 2018 BUILDING CODES



City of Norman
Business and Community Affairs
12/01/2022

STATUS OF CODES IN OKLAHOMA

- The Oklahoma Uniform Building Code Commission (OUBCC) adopts the minimum code for all jurisdictions in Oklahoma.
- Municipalities are required by statute to adopt these minimums and enforce them in a timely manner.
- September 14th 2021, the OUBCC adopted the 2018 I-Codes and 2017 NEC as the minimum standard for all commercial buildings.
- Effective September 14th 2022, the OUBCC informed the municipalities that the minimum standards for One and Two Family Dwellings/Townhouses will be the 2018 International Residential Code with modifications provided in their updated rules. Additionally the 2020 NEC was adopted as the minimum standard for Electrical Work.

UPDATING THE CODES IN NORMAN

- To stay in compliance with the state statute the City of Norman will need to update our codes to the 2018 I-Codes with modifications by the OUBCC.
- The base 2018 Code can be found on the ICC website [here](#).
- The rule changes by the OUBCC can be found on their website [here](#).
- An unofficial compilation of the state changes and base code can be found on UpCodes website [here](#).

UPDATING THE CODES IN NORMAN(CONT.)

Staff has been on a continual outreach campaign over the past year to inform the Building Community and Public about the pending Code Changes. The following are some of those highlights.

- Staff hosted a code review/change meeting on 7/28/22 to discuss significant changes to the code and seek input from the building community and public.
- A second code review/change meeting was held on 8/16/22 to complete discussions about significant changes to the code.
- Provided to meeting attendee's and on our website is a "Code change request form" if anyone desired to submit a change to the code for consideration.
- Staff Recorded a Webinar and linked it at the front of the Development Services Website with the significant changes to the code so that anyone interested could see an overview of the coming code changes.
- Staff provided by email outreach to Builders, Designers, Trade Contractors and others who pulled permits in the prior calendar year detailed list of the significant changes to the various codes as well as the code change request form.
- Inspection and Office Staff continually educated Builders/Designers that the Codes would be updating to the 2018 building codes and when interested offered resources to these individuals.

NOTABLE CHANGES (FEES)

Update to the Base and Reinspection Fee.

- Currently the Base/Re-inspection Fee is \$25.00.
- This fee hasn't been updated since 2006.
- Proposing making the base/reinspect fee \$35.00. (keeps the fee in-line with inflation)
- In Calendar Year 2021 we resulted over 27,000 Inspections.
- 3,200 of these inspections were inspections with a Re-Inspect Fee.
- In 2021 Staff issued over 4900 Trade Permits of these over 2100 had the Base Fee. These are typically stand alone permits such as Miscellaneous Electrical Work, Changing out of Plumbing items (water/sewer lines, water heaters), Heat and Air Work like Duct Replacements, Irrigation Sprinkler Systems.

Establish an after hours Inspection Fee.

- Proposing \$200 minimum fee for two hours of inspection time and \$75.00 for each hour thereafter.

Updating the Code to include the State mandated \$4.00 permit fee obligated by the OUBCC with a .50 administration fee. In the past it was determined this did not have to be in the City's fee schedule but better practice is include it.

NOTABLE CHANGES (FEES CONT.)

	Reinspect Fee	Base Fee
Edmond	\$50 for 1 st reinspection, \$100 subsequent reinspection	\$30 min. but they have qualifiers for added fixtures/appliances etc.
Oklahoma City	\$38.50 min. but this can be more for trades i.e. plumbing reinspection \$42.00	\$28.00 but they have qualifiers for added fixtures/appliances etc.
Moore	\$30.00	\$30.00 But they have qualifiers for added appliances/fixtures.
Yukon	\$30.00 for the 2 reinspection, then \$60.00 per reinspection	\$35.00 Base fee. Their fee structure closely resembles the City of Norman's.

NOTABLE CHANGES(CONT.) IFC CODE FULLY ADOPTED.

In past code cycles Fire Prevention has adopted the National Fire Protection Association I , Fire Code for existing buildings for annual inspections and separately adopted the International Fire Code for new construction. This was not needed as the IFC adequately address's the topics in the NFPA I and at times create conflicts where a newly build building could be in opposition to another city code.

By having one code for Permitting and Annual Inspections this helps in having the Review Staff and Inspectors on the same page.



NOTABLE CHANGES (CONT.) UNIVERSAL CHANGING STATIONS

Proposing adding to the 2018 IBC (Commercial Code) adding language that requires a universal changing station for projects that require a Family Assisted Bathroom. This would only impact some Assembly and Mercantile Occupants. Examples where it would be required.

- Restaurants with over 450 Occupants
- Church with over 675 Occupants
- Retail with over 3000 Occupants
- Theater or similar with over 570 Occupants

For record this requirement is a part of the 2021 IBC.



NOTABLE CHANGES (CONT.)

MANUAL J AND S FOR MECHANICAL SYSTEMS TABLE R301.2(1), N1103.7, M1401.3

While the code has always obligated heat and air systems to be designed per Manual J and S it was never a requirement that this submittal be obligated by the AHJ. The code has been updated to require the AHJ to publish the climate conditions in Table R301.2(1). The OUBCC went further and requires the AHJ to require documentation demonstrating compliance that the system is being designed in accordance with Manual J and S before issuing a mechanical permit for NEW residential permits. This will be an impactful change to our permitting process and for the mechanical contractors.

N1103.7 (R403.7) Equipment sizing and efficiency rating (Mandatory). Heating and cooling equipment shall be sized in accordance with ACCA Manual S based on building loads calculated in accordance with ACCA Manual J or other approved heating and cooling calculation methodologies. New or replacement heating and cooling equipment shall have an efficiency rating equal to or greater than the minimum required by federal law for the geographic location where the equipment is installed. Documentation demonstrating compliance with this section is to be provided at the authority having jurisdiction at the time a Mechanical Permit is required on new one-and two-family dwellings and townhouses.

M1401.3 Equipment and appliance sizing. Heating and cooling equipment and appliances shall be sized in accordance with ACCA Manual S or other approved sizing methodologies based on building loads calculated in accordance with ACCA Manual J or other approved heating and cooling methodologies. Documentation demonstrating compliance with this section is to be provided at the authority having jurisdiction at the time a Mechanical Permit is required on new one-and two-family dwellings and townhouses.

MANUAL J DESIGN CRITERIA ^a							
Elevation	Latitude	Winter heating	Summer cooling	Altitude correction factor	Indoor design temperature	Design temperature cooling	Heating temperature difference
—	—	—	—	—	—	—	—
Cooling temperature difference	Wind velocity heating	Wind velocity cooling	Coincident wetbulb	Daily range	Winter humidity	Summer humidity	—
—	—	—	—	—	—	—	—

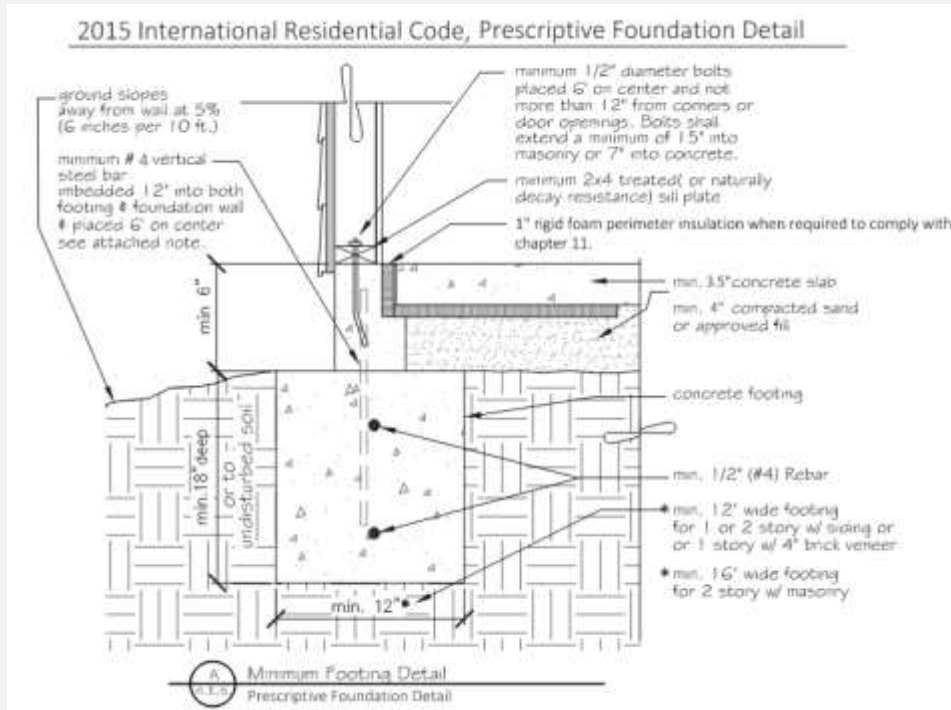
NOTABLE CHANGES (CONT.) FOUNDATION EXCEPTIONS.

Prior adoptions of the Residential Code allowed for exemption of unoccupied accessory buildings to be exempt from the foundation requirements in the code. But were silent regarding small occupied structures. The language has been cleared up to reflect that small unoccupied structures less than 600 square feet and occupied structures less than 400 square feet are exempt from the foundation requirements of the residential code. But still must have some connection methods to the ground or footing/slab.

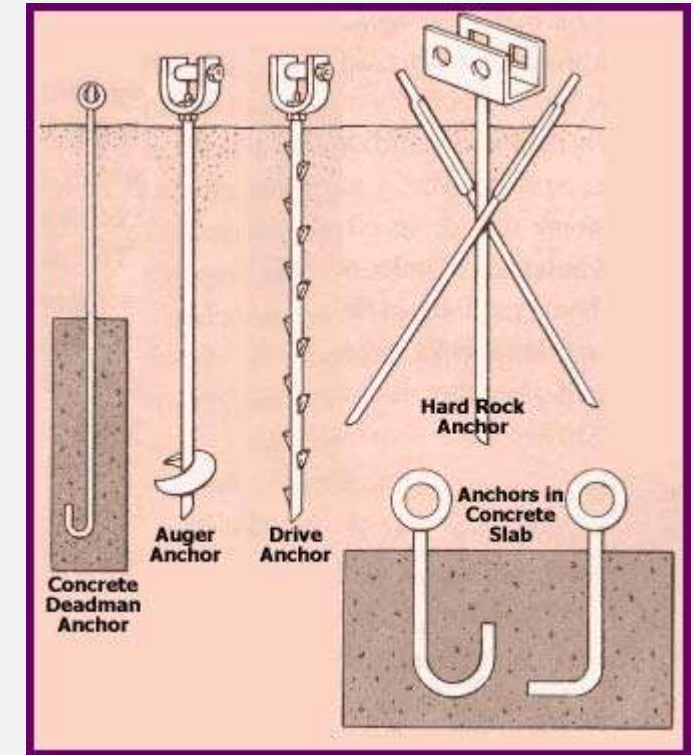
The clarification allows for economically feasible small accessory type storage buildings and limited small occupancies like a small workshop or tiny home to be built without a prescriptive footing or engineering.



NOTABLE CHANGES (CONT.) FOUNDATION EXCEPTIONS.



Prescriptive Code Foundation minimums.



Fastening solutions but really only allowed by code with engineering or design work.

NOTABLE CHANGES (CONT.)

CHAPTER II ENERGY CODES

The OUBCC updated the State wide minimum ERI to a 64. Recently the City of Norman updated our score benchmark for the Energy Efficient Credit program to a benchmark of 57.

Table N1106.4 (R406.4) Maximum Energy Rating Index

CLIMATE ZONE	ENERGY RATING INDEX *
1	57
2	57
3	57 64
4	62
5	61
6	61
7	58
8	58

Supporting information: This updates the ERI for the performance path to be more in line with prescriptive amendments proposed to the OUBCC

OUBCC Current ERI

City of Norman's Energy Efficient Credit
HERS/ERI Program with a 57

47 or less	Builder pays no permit fees
48	Pays 05% of permit fees
49	Pays 10% of permit fees
50	Pays 15% of permit fees
51	Pays 20% of permit fees
52	Pays 25% of permit fees
53	Pays 30% of permit fees
54	Pays 35% of permit fees
55	Pays 40% of permit fees
56	Pays 45% of permit fees
57	Pays 50% of permit fees

PROPOSED COMMENT FORM ICE BARRIER AT EAVES OF HOMES

We had an individual submit a Code Change request form. Asking to modify the code to require Ice Barrier on the Eave (soffit) of homes for roofs that were being re-roofed but not new construction.

See code section and narrative as provided.

R908.3.1 Ice barriers. Roof replacement shall include ice barriers to be installed for asphalt shingles, metal roof shingles, mineral surfaced roll roofing, wood shingles and wood shakes. The ice barrier shall consist of not fewer than two layers of underlayment cemented together, or a self-adhering polymer-modified bitumen sheet shall be used in place of normal underlayment and shall extend from the lowest edges of all roof surfaces to a point not less than 24 inches (610 mm) inside the warm wall of the building. On roofs with slope equal to or greater than 8 units vertical in 12 units horizontal, the ice barrier shall also be applied not less than 36 inches (914 mm) measured along the roof slope from the eave edge of the building.

Exception: Detached accessory structures not containing conditioned floor area

Supporting Information

The entire State of Oklahoma has seen a history of periodic ice damming that causes water penetration to roofing shingles and extensive water damage inside walls and ceilings of residential homes. The Oklahoma Roofing Contractors Association and other Oklahoma professional roofing contractors believe that the installation of the ice barrier when reroofing residential houses will prevent ice dam leaks and avoid the interior damages caused by water penetration from ice damming.

PROPOSED COMMENT FORM (CONT.)

ICE BARRIER TABLE 301.2(I) AND 905.1.2

Roofing

- The OUBCC has determined that ice barrier's are not required in the State of Oklahoma at the eaves.
- The OUBCC added into the code to add a 36" ice barrier centered on all valleys.
- The OUBCC added into the code a 36" ice barrier at pitch changes. This should be centered at the pitch change.
- These OUBCC determinations were made after a Technical committee of roofers/builders met for months and further considered by the State Commission that recommends adoption of the code.
- Oklahoma City recently had a two part discussion about this very topic as well and ultimately determined not to require the Ice Barrier at the eave of homes.
- While I obviously cannot say Ice Damming could never occur most existing and new construction do not have ice barrier's installed at the eave and the reporting of cases with these issues are minimal.



QUESTIONS/COMMENTS/DIRECTION?

Any questions?

Comments?

Staff Direction?



File Attachments for Item:

14. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-42 UPON FIRST READING BY TITLE:
AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLES 6-I, 6-II, AND 6-IV OF THE CODE OF THE CITY OF NORMAN SO AS TO ADOPT AND AMEND THE 2018 INTERNATIONAL BUILDING CODE, THE 2018 INTERNATIONAL EXISTING BUILDING CODE, THE 2006 ENERGY CONSERVATION CODE, THE 2018 INTERNATIONAL PLUMBING CODE, THE 2018 INTERNATIONAL MECHANICAL CODE, THE 2018 INTERNATIONAL FUEL GAS CODE, THE 2020 NATIONAL ELECTRIC CODE, AND THE 2018 INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO- FAMILY DWELLINGS; AND PROVIDING FOR THE SEVERABILITY THEREOF.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/09/2023

REQUESTER: Jane Hudson, Planning and Community Development Director

PRESENTER: Greg Clark, Development Services Manager

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-42 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLES 6-I, 6-II, AND 6-IV OF THE CODE OF THE CITY OF NORMAN SO AS TO ADOPT AND AMEND THE 2018 INTERNATIONAL BUILDING CODE, THE 2018 INTERNATIONAL EXISTING BUILDING CODE, THE 2006 ENERGY CONSERVATION CODE, THE 2018 INTERNATIONAL PLUMBING CODE, THE 2018 INTERNATIONAL MECHANICAL CODE, THE 2018 INTERNATIONAL FUEL GAS CODE, THE 2020 NATIONAL ELECTRIC CODE, AND THE 2018 INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO- FAMILY DWELLINGS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

BACKGROUND:

The Oklahoma Legislature, in May 2009, passed legislation creating the Oklahoma Uniform Building Code Commission (OUBCC). The Commission is tasked with creating and maintaining a statewide minimum Uniform Building Code that jurisdictions must follow.

The current edition of codes adopted by the State of Oklahoma include the 2018 Editions of the International Residential Code, International Building Code, International Mechanical Code, International Plumbing Code, International Existing Building Code, International Fuel Gas Code, International Fire Code all published by the International Code Council (ICC) and the 2020 Edition of the National Electrical Code (NEC) published by the National Fire Protection Association (NFPA).

The City of Norman Code of Ordinances currently references the 2015 Editions of ICC Codes and the 2014 Edition of the NEC. Consistent with the legislative action creating the Uniform Building Code, the City of Norman is obligated to adhere to the State Codes.

Similarly, local code enforcement pertaining to existing structures and minimum housing standards are administered through the local adoption of the International Property Maintenance

Code. To remain consistent with updating to the 2018 Building Codes, the Property Maintenance Code is typically updated as well.

DISCUSSION:

In preparation of updating the adopted Codes, City Staff conducted outreach in many forms over the past year, including the following.

- 7/28/2022: Hosted meeting with the building community to review significant code changes and solicit feedback.
- 8/16/2022: Hosted 2nd meeting with the building community to review significant code changes and solicit feedback.
- 12/01/2022: Presented to Business and Community Affairs a summary of the Building Code Updates with some of the significant changes.
- 1/17/2023: Presented to City Council a summary of the Building Code Updates.
- Recorded and shared on the front of the Development Services website a webinar outlining significant changes occurring in the codes.
- Distributed to Contractors, Owners, and Subcontractors who pulled permits in the previous year summaries of significant changes to the code for their review and consideration.
- Provided by email, in-person during meetings, and posted online a Code Change request form so individuals and contractors could propose amendments to the codes.
- Placed at the top of Development Services website significant meeting dates and times, statement of intent to update to the 2018 Codes with a general timeline, Webinar links and code change request forms.
- As a staff, we made an active effort to inform contractors, designers and the public about the pending code update over the past year.

The proposed code update has a number of changes, most of which are “cleanup” language and amendments but the most substantial include:

- Updating our fee schedule for our Base Fee/Re-inspection fee to \$35.00. This fee has not been updated since 2006. This update keeps Norman on par with other jurisdictions in the metro.
- Utilizing the International Fire Code (IFC) for both Building Permits and Fire Prevention. In the past, we had adopted NFPA 1 for Fire Prevention and the IFC for permitting. Having separate codes for these activities could create differing requirements and plausible conflicts that was unnecessary.
- For new homes, mechanical contractors are now required to provide a Manual J and S (documentation proving the systems are properly sized) before a mechanical permit is issued. While the requirement to run these has been in the code, the requirement to submit to the Authority having Jurisdiction (AHJ) is new.
- Language has been updated to reflect that small-unoccupied structures less than 600 square feet and occupied structures less than 400 square feet are exempt from the foundation requirements of the residential Code. These scenarios still require that these buildings have some connection methods to the ground or footing/slab. The clarification allows for economically feasible small accessory type storage buildings and limited small occupancies, like a small workshop or tiny home, to be built without a prescriptive footing or engineering.

RECOMMENDATION:

Staff recommends changes to Chapters 2, 6, 14, 16 of the Norman City Code, updating the City's Building, Fire and Property Maintenance Codes to stay in compliance with Title 748 of the Oklahoma Administrative Code. Updating these Codes helps insure minimum standards for new and remodeled structures are up to date and are in-line with current safety and industry practice.

**CITY OF NORMAN
ORDINANCE O-2223-42**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA,
AMENDING ARTICLES 6-I, 6-II, AND 6-IV OF THE CODE OF THE CITY OF
NORMAN SO AS TO ADOPT AND AMEND THE 2018 INTERNATIONAL
BUILDING CODE, THE 2018 INTERNATIONAL EXISTING BUILDING CODE,
THE 2006 ENERGY CONSERVATION CODE, THE 2018 INTERNATIONAL
PLUMBING CODE, THE 2018 INTERNATIONAL MECHANICAL CODE, THE
2018 INTERNATIONAL FUEL GAS CODE, THE 2020 NATIONAL ELECTRIC
CODE, AND THE 2018 INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND
TWO- FAMILY DWELLINGS; AND PROVIDING FOR THE SEVERABILITY
THEREOF.**

NOW THEREFORE, be it ordained by the City Council of the City of Norman, in the State of Oklahoma, as follows:

SECTION 1: **AMENDMENT** “6-101 Applicability” of the City of Norman Municipal Code is hereby *amended* as follows:

B E F O R E A M E N D M E N T

6-101 Applicability

Except as otherwise provided in this chapter, the provisions of NCC 6-I shall apply to all construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal or demolition of buildings or structures or appurtenances connected or attached to such buildings or structures:

- (a) Within the limits of the City; and
- (b) Within one-half mile outside the limits of the City when the City provides either water or sewer services to that building or structure.

(Code 1976, § 5-101; Ord. No. O-1718-16, § 1)

A F T E R A M E N D M E N T

6-101 Applicability

Except as otherwise provided in this chapter, the provisions of NCC 6-I shall apply to all construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal or demolition of buildings or structures or appurtenances connected or attached to such buildings or structures:

- (a) Within the limits of the City; ~~and~~
- (b) ~~Within one-half mile outside the limits of the City when the City provides either water or sewer services to that building or structure.~~

(Code 1976, § 5-101; Ord. No. O-1718-16, § 1)

SECTION 2: **AMENDMENT** “6-103 Inspections” of the City of Norman Municipal Code is hereby *amended* as follows:

B E F O R E A M E N D M E N T

6-103 Inspections

- (a) All work for which a permit is required shall be subject to inspection as required by any code adopted in this chapter. Such inspection shall be made by the Department of Planning and Community Development.
- (b) No plumbing work or electrical wiring, installed electrical or gas fixtures or electrical or gas equipment shall be used in a building or on any premises until it has also had a final inspection.

(Code 1976, § 5-103; Ord. No. O-1718-16, § 1)

A F T E R A M E N D M E N T

6-103 Inspections

- (a) All work for which a permit is required shall be subject to inspection as required by any code adopted in this chapter. Such inspection shall be made by the Department of Planning and Community Development.
- (b) ~~No plumbing work or electrical wiring, installed electrical or gas fixtures or electrical or gas equipment shall be used in a building or on any premises until it has also had a final inspection.~~

(Code 1976, § 5-103; Ord. No. O-1718-16, § 1)

SECTION 3: **AMENDMENT** “6-104 Permits Required” of the City of Norman Municipal Code is hereby *amended* as follows:

B E F O R E A M E N D M E N T

6-104 Permits Required

Except as otherwise provided in this chapter, no person shall engage in the following acts without having first obtained the necessary permits from the appropriate City department:

- (a) The alteration, construction, enlargement, removal, relocation, or repair of any building or other structure, sign or other advertising structure.
- (b) The installation of any electrical, gas distribution, or plumbing systems, the subsequent modification of existing systems, or the installation of electrical or gas appliances.
- (c) The installation of any air conditioning, heating, and/or refrigeration systems, or the subsequent modification of existing systems.
- (d) The construction, alteration, cutting, mutilation, or changing in any manner for any purpose, any paved or traveled portion of any street or alley, any curb, gutter, catch basin or other appurtenance of a street or alley or any sidewalk.
- (e) The construction or repair of any off-site improvement within that area defined by the

2025 plan or the most recent comprehensive plan as adopted by the City Council.

(Code 1976, § 5-104; Ord. No. O-1718-16, § 1)

AFTER AMENDMENT

6-104 Permits Required

Except as otherwise provided in this chapter, no person shall engage in the following acts without having first obtained the necessary permits from the appropriate City department:

- (a) The alteration, construction, enlargement, removal, relocation, or repair of any building or other structure, sign or other advertising structure.
- (b) The installation of any electrical, gas distribution, or plumbing systems, the subsequent modification of existing systems, or the installation of electrical or gas appliances.
- (c) The installation of any air conditioning, heating, and/or refrigeration systems, or the subsequent modification of existing systems.
- (d) The construction, alteration, cutting, mutilation, or changing in any manner for any purpose, any paved or traveled portion of any street or alley, any curb, gutter, catch basin or other appurtenance of a street or alley or any sidewalk.
- (e) ~~The construction or repair of any off-site improvement within that area defined by the 2025 plan or the most recent comprehensive plan as adopted by the City Council.~~ Any work requiring permits as noted in the adopted building codes.

(Code 1976, § 5-104; Ord. No. O-1718-16, § 1)

SECTION 4: AMENDMENT “APPENDIX A CITY OF NORMAN FEE SCHEDULE” of the City of Norman Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

APPENDIX A CITY OF NORMAN FEE SCHEDULE

<i>Code Section</i>	<i>Description</i>	<i>Fee</i>
<i>Chapter 1--General Provisions</i>		
1-114	Court costs	Not to exceed \$30.00
<i>Chapter 4--Animals</i>		
4-203	Fees, charges and/or deposits may be charged for each animal claimed by an owner and/or adopted from the City that are lawfully impounded by the Animal Welfare Officers for services.	Based on actual costs
4-203	For animals claimed by an owner	
(1)	Impoundment.	
(2)	Handling fee for special equipment or services.	

(3)	Room and boarding charge. A full day's charge shall be made for any portion of a day in excess of four hours that an animal is impounded.	
(4)	Sterilization fee.	
(5)	Veterinarian fees as determined by shelter staff in accordance with common local costs.	
(6)	Quarantine and impoundment of animals that injure humans.	
(7)	Quarantine and impoundment of animals suspected to have rabies.	
(8)	Quarantine and impoundment of animals declared dangerous or impounded during the declaration process.	
(9)	Relinquishment fee of bite animal.	
(10)	Dead animal disposal fee.	
4-211	Pet license	
4-220	Replacement tag	
4-408	Dangerous animal permit	
<i>Chapter 6--Buildings and Building Regulations</i>		
6-105(1)		
a.	Demolition permit:	
1.	First floor.	\$20.00
2.	Additional floors.	\$12.50
b.	Storm or fallout shelter, swimming pools.	\$50.00
c.	Water well permit.	\$50.00
d.	One- and two-family dwellings including remodeling, alterations, covered open spaces, porches, patios, carports, awnings, and parking structures, per square foot of project area.	\$0.14
e.	One- and two-family dwellings, move-ins, and mobile homes, per square foot of project area.	\$0.14
f.	New construction and additions or alterations to multifamily buildings, fraternities, and sororities, per square foot of project area.	\$0.14
g.	New construction and additions or alterations to warehouses, industrial, and manufacturing buildings, per square foot of project area.	\$0.14
h.	New construction and additions or alterations to commercial buildings, office buildings, and institutional facilities, per square foot of project area.	\$0.14
i.	Foundation only permits.	\$1,000.00
j.	Plan examination fee. Plan examination fee is non-refundable.	\$50.00 minimum to \$4,000.00 maximum
k.	New construction and additions or alterations to parking lots	\$50.00

1.	Minimum fee for each extra inspection, on-site consultation, or reinspection	\$25.00
m.	Retaining wall permit fees	
1.	Retaining walls from two feet in height to less than three feet in height	\$50.00
2.	Retaining walls three feet in height or more	\$75.00
6-105(2)	Certificate of Occupancy	
	Temporary Certificate of Occupancy	
	For each one- and two-family dwelling, manufactured home, townhouse, or accessory building/structure	\$100.00
	For all other permits	\$250.00
6-105(3)	Air-conditioning, heating and refrigeration	
a.	Heating and Cooling Equipment:	
1.	Cooling Units of 0 to 3 tons/HP	\$17.50 per unit
2.	Cooling Units of 3.5 to 25 tons/HP	2.50 per ton
	Minimum per unit	\$17.50
3.	Cooling Units of 25.5 to 149.5 tons/HP	\$1.80 per ton
	Minimum per unit	\$57.50
4.	Cooling Units of 150 tons/HP or larger	\$185.00 per unit
5.	Gas Heating Unit 0 to 120k BTU output	\$17.00 per unit
6.	Gas Heating Unit 121k to 200k BTU output	\$16.50 per unit
7.	Gas Heating Unit over 200k BTU output	\$23.00 per unit
8.	Electric Heating Unit 0 to 40 KWH output	\$17.00 per unit
9.	Electric Heating Unit 41 to 60 KWH output	\$16.50 per unit
10.	Electric Heating Unit 61 to 150 KWH output	\$23.00 per unit
11.	Electric Heating Unit over 150 KWH output	\$41.00 per unit
b.	Minimum fee for each extra inspection, on-site consultation, or reinspection.	\$25.00 ea.
c.	Additions, alterations or repair of existing mechanical systems	
1.	Base fee (Base fee includes first two inspections.)	\$25.00

2.	Additional inspections	\$25.00 ea.
6-105(4)	Electric permit	
a.	Service size, general wiring:	
1.	125 amps or less	\$35.00 ea.
2.	126 amps to 200 amps	\$58.00 ea.
3.	Over 200 amps	\$58.00
	Plus, per 100 amps (or fraction thereof)	\$25.00
b.	Minimum fee for each extra inspection, on-site consultation, or reinspection	\$25.00 ea.
c.	Additions, alterations or repair of existing electrical systems:	
1.	Base fee (Base fee includes first two inspections)	\$25.00
2.	Additional inspections	\$25.00 ea.
6-105(5)	Plumbing permit	
a.	Water service size, general plumbing:	
1.	3/4-inch	\$35.00 ea.
2.	One-inch	\$65.00 ea.
3.	1 1/2-inch	\$125.00 ea.
4.	Two-inch	\$215.00 ea.
5.	Three-inch	\$485.00 ea.
6.	Four-inch	\$725.00 ea.
7.	Six-inch	\$845.00 ea.
8.	Eight-inch	\$1,050.00 ea.
9.	Ten-inch	\$1,560.00 ea.
b.	Gas service size, general gas piping:	
1.	Zero to less than Two-inch	\$17.50 ea.
2.	Two to three-inch	\$22.50 ea.
3.	Over three-inch	\$32.50 ea.
c.	Minimum fee for each extra inspection, on-site consultation, or reinspection	\$25.00 ea.
d.	Water service line, sewer service line or gas service line repair or replacement	\$25.00 ea.
e.	Additions, alterations or repair of existing plumbing systems:	
1.	Base fee. (Base fee includes first two inspections.)	\$25.00
2.	Additional inspections	\$25.00 ea.

6-105(6)	Each missed inspection	\$50.00
6-105(7)	Off-site improvement	
	Drive entrance and sidewalks	
	Installation of a new sidewalk and drive entrance for a single-family lot	\$15.00
	Replacement of driveway or sidewalk	\$15.00
	(There will be no charge when due to a water or sewer line repair)	
	Minimum fee	\$25.00
6-105(8)	Erosion control and earth change	
	Erosion control	\$80.00
	Earth change	\$100.00
	Plus, per acre	\$10.00
6-105(9)	Reinspection fee	\$25.00
6-303(b)	Residential dwelling unit neighborhood park development	\$75.00
	Residential dwelling unit community park development	\$75.00
<i>Chapter 10—Elections</i>		
10-101	Filing fee or nomination by petition	
	Candidates for City Council	\$50.00
	Candidates for Office of Mayor	\$75.00
<i>Chapter 12—Finance</i>		
12-105	Telephone exchange	
	Annual fee	
	Inspection fee	
12-109	E911 installation and operation	
12-617	Wastewater system new development excise tax	
(1)	New residential construction, up to 1,200 square feet	\$850.00
	Plus per square foot for each square foot in excess of 1,200	\$2.00
(2)	Nonresidential construction, per employee	\$115.00
	Plus per gallon per day of additional flow if greater than 30 gallons/day/employee	\$4.00
(3)	Residential expansions, per square foot for each additional square foot added	\$1.00
(5)	Charge for entities not required to obtain building permit	Amount equal to excise tax
<i>Chapter 16--Health and Safety</i>		

16-112	Variance application	
16-403	POTW fees	
(1)	The reimbursement of the costs of setting up and operating the City's pretreatment program;	
(2)	Monitoring, inspection and surveillance procedures;	
(3)	Reviewing accidental discharge procedures and construction;	
(4)	Permit applications;	
(5)	Filing appeals;	
(6)	Consistent removal by the City of pollutants otherwise subject to federal pretreatment standards;	
(7)	Reimbursement of costs associated with line blockages or accidental spills;	
(8)	Extra-strength wastewater.	
16-404	Wastewater discharge permit	\$500.00
16-904(b)(1)	Applications to alter trees-Street tree removal	\$50.00--\$2,000.00
16-904(b)(2)	Remediation	
a.	1 tree	\$200.00 credit
b.	2 trees	\$500.00 credit
c.	3 trees	\$900.00 credit
d.	4 trees	\$1,400.00 credit
e.	5 trees	\$2,000.00 credit
<i>Chapter 18--Labor Relations</i>		
18-201	Hearing Examiner reimbursement rate, per hour	Up to \$25.00
<i>Chapter 20--Licenses and Occupations</i>		
20-104	Duplicate license	\$10.00
20-109	Occupational tax fee	
(1)	Brewer, per year	\$1,000.00
	Brewer, Oklahoma, per year	\$50.00
(2)	Brewpub, per year	\$1,000.00

	Brewpub, if licensee also holds a mixed beverage or wine and beer permit, per year	\$50.00
(3)	Distiller, per year	\$35.00
(4)	Retail spirits store	\$900.00
(5)	Mixed beverages, first year	\$1,000.00
	Renewals, per year	\$900.00
(6)	On-premises beer or wine, first year	\$500.00
	Renewals, per year	\$450.00
(7)	Mixed beverage/caterer combination	\$1,250.00
	Renewals, per year	\$1,250.00
(8)	Rectifier, per year	\$2,500.00
(11)	Winemaker, per year	\$500.00
(12)	Winemaker, Oklahoma, per year	\$50.00
(13)	Wholesaler, and effective October 1, 2018, Wine and Spirits Wholesaler, per year	\$2,000.00
(14)	Wholesaler, class B, and effective October 1, 2018, Beer Distributer, per year	\$500.00
(15)	Retail beer (effective beginning October 1, 2018)	\$500.00
(16)	Retail wine (effective beginning October 1, 2018)	\$1,000.00
(c)	Coin-operated amusement/vending devices:	
(1)	Coin-operated devices, per year	\$35.00
(2)	Coin-operated bulk vending device	No charge
(3)	Transient amusements, not otherwise provided per day	\$30.00
(4)	Transient tent show, whatever nature, per day	\$50.00
(d)	Beekeeping, per year	\$5.00
(e)	Child-care establishments, per year	\$10.00
(f)	Contractors/journeymen:	
(1)	Limited mechanical HVAC contractor, per year	\$100.00
	Renewals, per year	\$25.00
(2)	Unlimited mechanical HVAC contractor, per year	\$100.00
	Renewals, per year	\$25.00
(3)	Unlimited electrical, contractor, per year	\$100.00
	Renewals, per year	\$25.00
(4)	Residential electrical contractor, per year	\$100.00
	Renewal, per year	\$25.00

(5)	Natural gas piping contractor, per year	\$100.00
	Renewals, per year	\$25.00
(6)	Process piping contractor, per year	\$100.00
	Renewals, per year	\$25.00
(7)	Structure moving, per year	\$25.00
(8)	Refrigeration, contractor, per year	\$100.00
	Renewals, per year	\$25.00
(9)	Sign contractor, per year	\$100.00
	Renewals, per year	\$25.00
(10)	Plumber, contractor, per year	\$100.00
	Renewals, per year	\$25.00
(11)	Sheet metal contractor, per year	\$100.00
	Renewals, per year	\$25.00
(12)	Ground source piping contractor, per year	\$100.00
	Renewals, per year	\$25.00
(13)	Propane system installer (includes holders of Oklahoma Liquefied Petroleum Gas Board Class I, Class IV, Class IV-D and Class X Permits, per year	\$10.00
	Renewal, per year	\$5.00
(g)	Garage sales, per sale	\$10.00
(h)	Kennels, per year:	
(1)	Commercial kennel	\$350.00
	Renewal, per year	\$100.00
(2)	Private kennel	\$50.00
	Renewal, per year	\$25.00
(3)	Rescue kennel	\$100.00
	Renewal, per year	\$50.00
(i)	Dangerous animal	\$100.00
	Renewal, per year	\$50.00
(j)	Mobile home trailer parks, per space, per year	\$5.00
(k)	Pawnbroker, per year	\$50.00
(l)	Public transportation:	
(1)	Limousine, per car, per year	\$25.00
(2)	Motorbus, per bus, per year	\$25.00
(3)	Taxicab, per cab, per year	\$25.00

(4)	Pedicab	
	Per operator, per year	\$30.00
	Decal fee, per cab	\$15.00
(m)	Slaughterhouses, per year	\$50.00
(n)	Food service establishments:	
(1)	Annual	\$50.00
(2)	Temporary	\$20.00
(o)	Roominghouses and boardinghouses and hotels, per year	\$50.00
(p)	All adult entertainment uses	\$50.00
(q)	Impoundment/salvage yards	\$50.00
(r)	Manufactured fertilizer	\$25.00
(s)	Marijuana establishment:	
(1)	Medical marijuana dispensary:	
	Initial	\$600.00
	Renewal	\$450.00
(2)	Medical marijuana processor (a Tier I or II medical marijuana processor that also obtains a medical marijuana dispensary license for the location shall be issued a separate processor license but shall not be required to pay duplicative initial or renewal fees):	
a.	Tier 1 and/or II medical marijuana processor:	
	Initial	\$600.00
	Renewal	\$450.00
b.	Tier III processor (initial and renewal)	\$900.00
(3)	Medical marijuana commercial grower (initial and renewal)	\$900.00
(4)	Medical marijuana testing laboratory (initial and renewal)	\$900.00
(5)	Medical marijuana research facility (initial and renewal)	\$500.00
(6)	Medical marijuana education facility (initial and renewal)	\$500.00
(7)	Medical marijuana storage facility (only required for locations where no other marijuana establishment license is obtained):	
	Initial	\$600.00
	Renewal	\$450.00
(t)	Short-term rentals:	
	License fee	\$150.00
	Inspection fee	\$50.00
20-118	License renewal	

20-120	Transfers of licenses and permits	\$25.00
20-404	Initial registration and application, alarms	\$25.00
	Renewal, alarms	\$10.00
	Reinstatement after permit revocation, alarms	\$25.00
20-1012	Garage sale permit:	
	One-day	\$20.00
	30-day	\$50.00
	180-day	\$250.00
20-1201	Hospital application, equal to one percent of the capital cost of the proposed facility	\$1,000.00-- \$75,000.00
20-1202	Ambulatory surgical care facility application, equal to one percent of the capital cost of the proposed facility	\$1,000.00-- \$25,000.00
20-1502	Marijuana establishment license	
20-1903	Gas and mineral production, permits required:	
	Oil/gas well drilling permit	\$5,000.00
	Annual inspection	\$450.00
	Re-entry permit	\$3,000.00
	Convert a producing well to an injection well permit	\$1,000.00
	Plugging permit	\$250.00
	Delinquent payment fee per well	\$450.00
20-2706	Short-term rental license:	
	Initial issuance	\$150.00
	Renewal	\$50.00
20-2802	Sign contractor's license:	
	Initial registration	\$100.00
	Renewal	\$25.00
20-2907	Solicitor and peddler permits:	
	30-day	\$100.00
	Additional seller under same permit, each	\$50.00
	60-day	\$200.00
	Additional seller under same permit, each	\$100.00
	Outdoor vending, 30-day	\$500.00
	One-day solicitor, peddler, and outdoor vendor permit	\$20.00
20-3012	Banner permit, special events	\$50.00
20-3013	Temporary food license, special events	\$10.00

20-3015	Solicitor/peddler, special event	\$10.00
<i>Chapter 22--Municipal Courts</i>		
22-102	Appointment of counsel, payment	\$100.00-- \$250.00
22-104	Court costs, per case filed	\$30.00
22-404	Suspension or deferral of sentence	
	Administrative fee, with any State fee, maximum	\$500.00
22-405	Technology fee	\$25.00
<i>Chapter 26--Public Improvements</i>		
26-203	Arterial street construction--Recoupment of costs for additional construction, administrative fee	
26-303	Wastewater plant investment	
	Residential development, per dwelling unit	\$850.00
	Nonresidential development, per thousand gallons of projected wastewater generation from process per day	\$3,025.00
	Plus, per anticipated employee	\$90.75
26-305	Imposition on new subdivisions and existing lots	
<i>Chapter 28--Sign Regulations</i>		
28-207	Sign permit fees:	
	Bench or bus shelter signs	\$10.00 per year
	Temporary signs (31—90 days)	\$25.00
	Temporary signs (1—30 days)	\$15.00
	Temporary window signs	No permit
	Permanent ground signs, on-premises	\$35.00
	Permanent signs other than ground signs, on-premises	\$25.00
	Permanent signs, off-premises	\$50.00
	Annual renewal	\$25.00
	Electronic digital sign, new construction or conversion (one-time fee):	
	On-premises sign	\$250.00
	Off-premises sign	\$500.00.
	The above fees do not include electrical permit fees, which shall be in addition to the above. If any person installs or commences work on a sign for which a permit is required before obtaining the necessary permit, the permit fee shall automatically be doubled.	
20-504	Industrial zone sign standards:	
	Temporary sign annual permit, per sign	\$100.00

	Wind signs, permit per sign	\$25.00
	Wind signs annual permit per property	\$50.00
	Feather flags permit (in lieu of temporary or annual banner signs for six months)	\$25.00
28-505	Commercial zone sign standards:	
	Banner sign in lieu of ground or wall signs, each	\$100.00
	Temporary 30-day balloon permit	\$25.00
	Annual permit for wind flags	\$50.00
	Feather flags permit (in lieu of temporary or annual banner signs for six months)	\$25.00
28-506	Office zone sign standards:	
	Temporary 30-day balloon permit	\$25.00
	Feather flags permit (in lieu of temporary or annual banner signs for six months)	\$25.00
28-507	Medium density residential sign standards:	
	Temporary signs for special events (balloons, pennants)	\$25.00
	Feather flags permit (in lieu of temporary or annual banner signs for six months)	\$25.00
28-508	Low density residential zone sign standards:	
	Temporary 30-day balloon permit	\$25.00
<i>Chapter 30--Subdivisions</i>		
30-202	Plat filing fees:	
	Preliminary plats	\$150.00
	Plus, per acre	\$10.00
	Preliminary plat renewal	\$900.00
	Final plat	\$350.00
	Plus, per acre	\$10.00
	Plus, per lot for every lot in each final plat	\$100.00
	Short form plats	\$150.00
	Plus, per acre	\$10.00
	Plus, per lot for every lot in each final plat	\$100.00
30-209	Utility line extension--Payback of costs for oversize or extended utility main construction, administrative fee	two percent of the total costs
30-302	Preliminary plat--Procedure for filing application for consideration of the planning commission--filing	\$125.00
30-307	Preliminary plat--Requirements for administrative renewal	\$900.00

30-309	Final plat--Procedure for filing application for consideration of the City Council--initial registration	\$25.00
	Plus, for each renewal	\$10.00
30-603	Exception to allow lot line adjustments	\$50.00
30-606	Exception to allow Norman rural certificates of survey as plats in A-1 and A-2 zoning districts	\$125.00
30-704	Standards for determining amount of land and/or fee--parkland dedication. Fee in lieu of a land contribution.	Determined by formula
<i>Chapter 32-- Traffic and Vehicles</i>		
32-107	Parade or procession permits--Permit	\$5.00
	Escort charge	\$35.00

AFTER AMENDMENT

APPENDIX A CITY OF NORMAN FEE SCHEDULE

<i>Code Section</i>	<i>Description</i>	<i>Fee</i>
<i>Chapter 1--General Provisions</i>		
1-114	Court costs	Not to exceed \$30.00
<i>Chapter 4--Animals</i>		
4-203	Fees, charges and/or deposits may be charged for each animal claimed by an owner and/or adopted from the City that are lawfully impounded by the Animal Welfare Officers for services.	Based on actual costs
4-203	For animals claimed by an owner	
(1)	Impoundment.	
(2)	Handling fee for special equipment or services.	
(3)	Room and boarding charge. A full day's charge shall be made for any portion of a day in excess of four hours that an animal is impounded.	
(4)	Sterilization fee.	
(5)	Veterinarian fees as determined by shelter staff in accordance with common local costs.	
(6)	Quarantine and impoundment of animals that injure humans.	
(7)	Quarantine and impoundment of animals suspected to have rabies.	
(8)	Quarantine and impoundment of animals declared dangerous or impounded during the declaration process.	
(9)	Relinquishment fee of bite animal.	
(10)	Dead animal disposal fee.	

4-211	Pet license	
4-220	Replacement tag	
4-408	Dangerous animal permit	
<i>Chapter 6--Buildings and Building Regulations</i>		
6-105(1 <u>a</u>)		
a. (1)	Demolition permit:	
1 <u>a.</u>	First floor.	\$20.00
2 <u>b.</u>	Additional floors.	\$12.50
b. (2)	Storm or fallout shelter, swimming pools.	\$50.00
e. (3)	Water well permit.	\$50.00
d. (4)	One- and two-family dwellings including remodeling, alterations, covered open spaces, porches, patios, carports, awnings, and parking structures, per square foot of project area.	\$0.14
e. (5)	One- and two-family dwellings, move-ins, and mobile homes, per square foot of project area.	\$0.14
f. (6)	New construction and additions or alterations to multifamily buildings, fraternities, and sororities, per square foot of project area.	\$0.14
g. (7)	New construction and additions or alterations to warehouses, industrial, and manufacturing buildings, per square foot of project area.	\$0.14
h. (8)	New construction and additions or alterations to commercial buildings, office buildings, and institutional facilities, per square foot of project area.	\$0.14
i. (9)	Foundation only permits.	\$1,000.00
j. (10)	Plan examination fee. Plan examination fee is non-refundable.	\$50.00 minimum to \$4,000.00 maximum
k. (11)	New construction and additions or alterations to parking lots	\$50.00
l. (12)	Minimum fee for each extra inspection, on-site consultation, or reinspection	\$25 35.00 <u>ea.</u>
m. (13)	Retaining wall permit fees	
1 <u>a.</u>	Retaining walls from two feet in height to less than three feet in height	\$50 65.00
2 <u>b.</u>	Retaining walls three feet in height or more	\$75 90.00
6-105(2 <u>b</u>)	Certificate of Occupancy	
	Temporary Certificate of Occupancy	
	For each one- and two-family dwelling, manufactured home, townhouse, or accessory building/structure	\$100.00

	For all other permits	\$250.00
6-105(3c)	Air-conditioning, heating and refrigeration	
a. (1)	Heating and Cooling Equipment:	
1a.	Cooling Units of 0 to 3 tons/HP	\$17.50 per unit
2b.	Cooling Units of 3.5 to 25 tons/HP	2.50 per ton
	Minimum per unit	\$17.50
3c.	Cooling Units of 25.5 to 149.5 tons/HP	\$1.80 per ton
	Minimum per unit	\$57.50
4d.	Cooling Units of 150 tons/HP or larger	\$185.00 per unit
5e.	Gas Heating Unit 0 to 120k BTU output	\$17.00 per unit
6f.	Gas Heating Unit 121k to 200k BTU output	\$16.50 per unit
7g.	Gas Heating Unit over 200k BTU output	\$23.00 per unit
8h.	Electric Heating Unit 0 to 40 KWH output	\$17.00 per unit
9i.	Electric Heating Unit 41 to 60 KWH output	\$16.50 per unit
10j.	Electric Heating Unit 61 to 150 KWH output	\$23.00 per unit
11k.	Electric Heating Unit over 150 KWH output	\$41.00 per unit
b. (2)	Minimum fee for each extra inspection, on-site consultation, or reinspection.	\$23 5.00 ea.
e. (3)	Additions, alterations or repair of existing mechanical systems	
1a.	Base fee (Base fee includes first two inspections.)	\$23 5.00
2b.	Additional inspections	\$23 5.00 ea.
6-105(4d)	Electric permit	
a. (1)	Service size, general wiring:	
1a.	125 amps or less	\$35.00 ea.
2b.	126 amps to 200 amps	\$58.00 ea.
3c.	Over 200 amps	\$58.00
	Plus, per 100 amps (or fraction thereof)	\$25.00
b. (2)	Minimum fee for each extra inspection, on-site consultation, or reinspection	\$23 5.00 ea.

e.(3)	Additions, alterations or repair of existing electrical systems:	-
1.a.	Base fee (Base fee includes first two inspections)	\$ 2 35.00
2.b.	Additional inspections	\$ 2 35.00 ea.
6-105(5e)	Plumbing permit	
a.(1)	Water service size, general plumbing:	
1.a.	3/4-inch	\$35.00 ea.
2.b.	One-inch	\$65.00 ea.
3.c.	1 1/2-inch	\$125.00 ea.
4.d.	Two-inch	\$215.00 ea.
5.e.	Three-inch	\$485.00 ea.
6.f.	Four-inch	\$725.00 ea.
7.g.	Six-inch	\$845.00 ea.
8.h.	Eight-inch	\$1,050.00 ea.
9.i.	Ten-inch	\$1,560.00 ea.
b.(2).	Gas service size, general gas piping:	
1.a.	Zero to less than Two-inch	\$17.50 ea.
2.b.	Two to three-inch	\$22.50 ea.
3.c.	Over three-inch	\$32.50 ea.
e.(3)	Minimum fee for each extra inspection, on-site consultation, or reinspection	\$ 2 35.00 ea.
d.(4)	Water service line, sewer service line or gas service line repair or replacement	\$ 2 35.00 ea.
e.(5)	Additions, alterations or repair of existing plumbing systems:	
1.a.	Base fee. (Base fee includes first two inspections.)	\$ 2 35.00
2.b.	Additional inspections	\$ 2 35.00 ea.
6-105(f6)	Each missed inspection	\$50.00
6-105(7g)	Off-site improvement	
(1)	Drive entrance and sidewalks	
a.	Installation of a new sidewalk and drive entrance for a single-family lot	\$ 15 30.00
b.	Replacement of driveway or sidewalk	\$ 15 30.00
	(There will be no charge when due to a water or sewer line repair)	
(2)	Minimum fee	\$ 2 35.00 ea.

6-105(8h)	Erosion control and earth change	
(1)	Erosion control	\$80.00
(2)	Earth change	\$100.00
	Plus, per acre	\$10.00
6-105(9i)	Reinspection fee	\$25 50.00
6-105(j)	<u>After hour inspection fee</u>	
	<u>For the first two hours</u>	<u>\$200.00</u>
	<u>For each additional hour after two hours</u>	<u>\$75.00</u>
6-303(b)	Residential dwelling unit neighborhood park development	\$75.00
	Residential dwelling unit community park development	\$75.00
<i>Chapter 10—Elections</i>		
10-101	Filing fee or nomination by petition	
	Candidates for City Council	\$50.00
	Candidates for Office of Mayor	\$75.00
<i>Chapter 12—Finance</i>		
12-105	Telephone exchange	
	Annual fee	
	Inspection fee	
12-109	E911 installation and operation	
12-617	Wastewater system new development excise tax	
(1)	New residential construction, up to 1,200 square feet	\$850.00
	Plus per square foot for each square foot in excess of 1,200	\$2.00
(2)	Nonresidential construction, per employee	\$115.00
	Plus per gallon per day of additional flow if greater than 30 gallons/day/employee	\$4.00
(3)	Residential expansions, per square foot for each additional square foot added	\$1.00
(5)	Charge for entities not required to obtain building permit	Amount equal to excise tax
<i>Chapter 16--Health and Safety</i>		
16-112	Variance application	
16-403	POTW fees	
(1)	The reimbursement of the costs of setting up and operating the City's pretreatment program;	

(2)	Monitoring, inspection and surveillance procedures;	
(3)	Reviewing accidental discharge procedures and construction;	
(4)	Permit applications;	
(5)	Filing appeals;	
(6)	Consistent removal by the City of pollutants otherwise subject to federal pretreatment standards;	
(7)	Reimbursement of costs associated with line blockages or accidental spills;	
(8)	Extra-strength wastewater.	
16-404	Wastewater discharge permit	\$500.00
16-904(b)(1)	Applications to alter trees-Street tree removal	\$50.00--\$2,000.00
16-904(b)(2)	Remediation	
a.	1 tree	\$200.00 credit
b.	2 trees	\$500.00 credit
c.	3 trees	\$900.00 credit
d.	4 trees	\$1,400.00 credit
e.	5 trees	\$2,000.00 credit
<i>Chapter 18--Labor Relations</i>		
18-201	Hearing Examiner reimbursement rate, per hour	Up to \$25.00
<i>Chapter 20--Licenses and Occupations</i>		
20-104	Duplicate license	\$10.00
20-109	Occupational tax fee	
(1)	Brewer, per year	\$1,000.00
	Brewer, Oklahoma, per year	\$50.00
(2)	Brewpub, per year	\$1,000.00
	Brewpub, if licensee also holds a mixed beverage or wine and beer permit, per year	\$50.00
(3)	Distiller, per year	\$35.00
(4)	Retail spirits store	\$900.00
(5)	Mixed beverages, first year	\$1,000.00

	Renewals, per year	\$900.00
(6)	On-premises beer or wine, first year	\$500.00
	Renewals, per year	\$450.00
(7)	Mixed beverage/caterer combination	\$1,250.00
	Renewals, per year	\$1,250.00
(8)	Rectifier, per year	\$2,500.00
(11)	Winemaker, per year	\$500.00
(12)	Winemaker, Oklahoma, per year	\$50.00
(13)	Wholesaler, and effective October 1, 2018, Wine and Spirits Wholesaler, per year	\$2,000.00
(14)	Wholesaler, class B, and effective October 1, 2018, Beer Distributer, per year	\$500.00
(15)	Retail beer (effective beginning October 1, 2018)	\$500.00
(16)	Retail wine (effective beginning October 1, 2018)	\$1,000.00
(c)	Coin-operated amusement/vending devices:	
(1)	Coin-operated devices, per year	\$35.00
(2)	Coin-operated bulk vending device	No charge
(3)	Transient amusements, not otherwise provided per day	\$30.00
(4)	Transient tent show, whatever nature, per day	\$50.00
(d)	Beekeeping, per year	\$5.00
(e)	Child-care establishments, per year	\$10.00
(f)	Contractors/journeymen:	
(1)	Limited mechanical HVAC contractor, per year	\$100.00
	Renewals, per year	\$25.00
(2)	Unlimited mechanical HVAC contractor, per year	\$100.00
	Renewals, per year	\$25.00
(3)	Unlimited electrical, contractor, per year	\$100.00
	Renewals, per year	\$25.00
(4)	Residential electrical contractor, per year	\$100.00
	Renewal, per year	\$25.00
(5)	Natural gas piping contractor, per year	\$100.00
	Renewals, per year	\$25.00
(6)	Process piping contractor, per year	\$100.00
	Renewals, per year	\$25.00
(7)	Structure moving, per year	\$25.00

(8)	Refrigeration, contractor, per year	\$100.00
	Renewals, per year	\$25.00
(9)	Sign contractor, per year	\$100.00
	Renewals, per year	\$25.00
(10)	Plumber, contractor, per year	\$100.00
	Renewals, per year	\$25.00
(11)	Sheet metal contractor, per year	\$100.00
	Renewals, per year	\$25.00
(12)	Ground source piping contractor, per year	\$100.00
	Renewals, per year	\$25.00
(13)	Propane system installer (includes holders of Oklahoma Liquefied Petroleum Gas Board Class I, Class IV, Class IV-D and Class X Permits, per year	\$10.00
	Renewal, per year	\$5.00
(g)	Garage sales, per sale	\$10.00
(h)	Kennels, per year:	
(1)	Commercial kennel	\$350.00
	Renewal, per year	\$100.00
(2)	Private kennel	\$50.00
	Renewal, per year	\$25.00
(3)	Rescue kennel	\$100.00
	Renewal, per year	\$50.00
(i)	Dangerous animal	\$100.00
	Renewal, per year	\$50.00
(j)	Mobile home trailer parks, per space, per year	\$5.00
(k)	Pawnbroker, per year	\$50.00
(l)	Public transportation:	
(1)	Limousine, per car, per year	\$25.00
(2)	Motorbus, per bus, per year	\$25.00
(3)	Taxicab, per cab, per year	\$25.00
(4)	Pedicab	
	Per operator, per year	\$30.00
	Decal fee, per cab	\$15.00
(m)	Slaughterhouses, per year	\$50.00
(n)	Food service establishments:	

(1)	Annual	\$50.00
(2)	Temporary	\$20.00
(o)	Roominghouses and boardinghouses and hotels, per year	\$50.00
(p)	All adult entertainment uses	\$50.00
(q)	Impoundment/salvage yards	\$50.00
(r)	Manufactured fertilizer	\$25.00
(s)	Marijuana establishment:	
(1)	Medical marijuana dispensary:	
	Initial	\$600.00
	Renewal	\$450.00
(2)	Medical marijuana processor (a Tier I or II medical marijuana processor that also obtains a medical marijuana dispensary license for the location shall be issued a separate processor license but shall not be required to pay duplicative initial or renewal fees):	
a.	Tier 1 and/or II medical marijuana processor:	
	Initial	\$600.00
	Renewal	\$450.00
b.	Tier III processor (initial and renewal)	\$900.00
(3)	Medical marijuana commercial grower (initial and renewal)	\$900.00
(4)	Medical marijuana testing laboratory (initial and renewal)	\$900.00
(5)	Medical marijuana research facility (initial and renewal)	\$500.00
(6)	Medical marijuana education facility (initial and renewal)	\$500.00
(7)	Medical marijuana storage facility (only required for locations where no other marijuana establishment license is obtained):	
	Initial	\$600.00
	Renewal	\$450.00
(t)	Short-term rentals:	
	License fee	\$150.00
	Inspection fee	\$50.00
20-118	License renewal	
20-120	Transfers of licenses and permits	\$25.00
20-404	Initial registration and application, alarms	\$25.00
	Renewal, alarms	\$10.00
	Reinstatement after permit revocation, alarms	\$25.00
20-1012	Garage sale permit:	
	One-day	\$20.00

	30-day	\$50.00
	180-day	\$250.00
20-1201	Hospital application, equal to one percent of the capital cost of the proposed facility	\$1,000.00-- \$75,000.00
20-1202	Ambulatory surgical care facility application, equal to one percent of the capital cost of the proposed facility	\$1,000.00-- \$25,000.00
20-1502	Marijuana establishment license	
20-1903	Gas and mineral production, permits required:	
	Oil/gas well drilling permit	\$5,000.00
	Annual inspection	\$450.00
	Re-entry permit	\$3,000.00
	Convert a producing well to an injection well permit	\$1,000.00
	Plugging permit	\$250.00
	Delinquent payment fee per well	\$450.00
20-2706	Short-term rental license:	
	Initial issuance	\$150.00
	Renewal	\$50.00
20-2802	Sign contractor's license:	
	Initial registration	\$100.00
	Renewal	\$25.00
20-2907	Solicitor and peddler permits:	
	30-day	\$100.00
	Additional seller under same permit, each	\$50.00
	60-day	\$200.00
	Additional seller under same permit, each	\$100.00
	Outdoor vending, 30-day	\$500.00
	One-day solicitor, peddler, and outdoor vendor permit	\$20.00
20-3012	Banner permit, special events	\$50.00
20-3013	Temporary food license, special events	\$10.00
20-3015	Solicitor/peddler, special event	\$10.00
<i>Chapter 22--Municipal Courts</i>		
22-102	Appointment of counsel, payment	\$100.00-- \$250.00
22-104	Court costs, per case filed	\$30.00
22-404	Suspension or deferral of sentence	

	Administrative fee, with any State fee, maximum	\$500.00
22-405	Technology fee	\$25.00
<i>Chapter 26--Public Improvements</i>		
26-203	Arterial street construction--Recoupment of costs for additional construction, administrative fee	
26-303	Wastewater plant investment	
	Residential development, per dwelling unit	\$850.00
	Nonresidential development, per thousand gallons of projected wastewater generation from process per day	\$3,025.00
	Plus, per anticipated employee	\$90.75
26-305	Imposition on new subdivisions and existing lots	
<i>Chapter 28--Sign Regulations</i>		
28-207	Sign permit fees:	
	Bench or bus shelter signs	\$10.00 per year
	Temporary signs (31—90 days)	\$25.00
	Temporary signs (1—30 days)	\$15.00
	Temporary window signs	No permit
	Permanent ground signs, on-premises	\$35.00
	Permanent signs other than ground signs, on-premises	\$25.00
	Permanent signs, off-premises	\$50.00
	Annual renewal	\$25.00
	Electronic digital sign, new construction or conversion (one-time fee):	
	On-premises sign	\$250.00
	Off-premises sign	\$500.00.
	The above fees do not include electrical permit fees, which shall be in addition to the above. If any person installs or commences work on a sign for which a permit is required before obtaining the necessary permit, the permit fee shall automatically be doubled.	
20-504	Industrial zone sign standards:	
	Temporary sign annual permit, per sign	\$100.00
	Wind signs, permit per sign	\$25.00
	Wind signs annual permit per property	\$50.00
	Feather flags permit (in lieu of temporary or annual banner signs for six months)	\$25.00
28-505	Commercial zone sign standards:	
	Banner sign in lieu of ground or wall signs, each	\$100.00

	Temporary 30-day balloon permit	\$25.00
	Annual permit for wind flags	\$50.00
	Feather flags permit (in lieu of temporary or annual banner signs for six months)	\$25.00
28-506	Office zone sign standards:	
	Temporary 30-day balloon permit	\$25.00
	Feather flags permit (in lieu of temporary or annual banner signs for six months)	\$25.00
28-507	Medium density residential sign standards:	
	Temporary signs for special events (balloons, pennants)	\$25.00
	Feather flags permit (in lieu of temporary or annual banner signs for six months)	\$25.00
28-508	Low density residential zone sign standards:	
	Temporary 30-day balloon permit	\$25.00
<i>Chapter 30--Subdivisions</i>		
30-202	Plat filing fees:	
	Preliminary plats	\$150.00
	Plus, per acre	\$10.00
	Preliminary plat renewal	\$900.00
	Final plat	\$350.00
	Plus, per acre	\$10.00
	Plus, per lot for every lot in each final plat	\$100.00
	Short form plats	\$150.00
	Plus, per acre	\$10.00
	Plus, per lot for every lot in each final plat	\$100.00
30-209	Utility line extension--Payback of costs for oversize or extended utility main construction, administrative fee	two percent of the total costs
30-302	Preliminary plat--Procedure for filing application for consideration of the planning commission--filing	\$125.00
30-307	Preliminary plat--Requirements for administrative renewal	\$900.00
30-309	Final plat--Procedure for filing application for consideration of the City Council--initial registration	\$25.00
	Plus, for each renewal	\$10.00
30-603	Exception to allow lot line adjustments	\$50.00
30-606	Exception to allow Norman rural certificates of survey as plats in A-1 and A-2 zoning districts	\$125.00

30-704	Standards for determining amount of land and/or fee--parkland dedication. Fee in lieu of a land contribution.	Determined by formula
<i>Chapter 32-- Traffic and Vehicles</i>		
32-107	Parade or procession permits--Permit	\$5.00
	Escort charge	\$35.00

SECTION 5: **AMENDMENT** “6-105 Permit Fee Schedule” of the City of Norman Municipal Code is hereby *amended* as follows:

B E F O R E A M E N D M E N T

6-105 Permit Fee Schedule

All fees within subsections (1), (3), (4) and (5) of this section shall be doubled if the work is commenced before a permit is issued.

- (a) The following building permit fees shall be charged, as provided in the city fee schedule:
- (1) Demolition permit:
 - a. First floor.
 - b. Additional floors.
 - (2) Storm or fallout shelter, swimming pools.
 - (3) Water well permit.
 - (4) One- and two-family dwellings including remodeling, alterations, covered open spaces, porches, patios, carports, awnings, and parking structures, per square foot of project area.
 - (5) One- and two-family dwellings, move-ins, and mobile homes, per square foot of project area.
 - (6) New construction and additions or alterations to multifamily buildings, fraternities, and sororities, per square foot of project area.
 - (7) New construction and additions or alterations to warehouses, industrial, and manufacturing buildings, per square foot of project area.
 - (8) New construction and additions or alterations to commercial buildings, office buildings, and institutional facilities, per square foot of project area.
 - (9) Foundation only permits.
 - (10) Plan examination fee. 20 percent of full permit fee as calculated in Items d, e, f, g, h, and i above and all work in this chapter requiring a permit that does not otherwise have a fee associated with it; collected at time of submittal. Plan examination fee is non-refundable.
 - (11) New construction and additions or alterations to parking lots.
 - (12) Minimum fee for each extra inspection, on-site consultation, or reinspection.
 - (13) Retaining wall permit fees. (See sections 1008.1 through 1008.3 of the City Engineering Design Criteria.)
 - a. Retaining walls from two feet in height to less than three feet in height.
 - b. Retaining walls three feet in height or more.
 - c. If the builder/contractor obtained a retaining wall permit, but the retaining wall is constructed without the proper required inspections, a

penalty as provided in the City penalty and fine schedule for each missed inspection will be incurred. Additionally, the builder/contractor will be required to provide documentation that the retaining wall was constructed per the permit.

(b) *Certificate of occupancy fees.*

(1) Certificate of occupancy (CO) fees are included in permit fees and collected when permit is issued. All outstanding fees are due and payable before the CO is issued.

(2) A temporary certificate of occupancy (TCO) may be issued for 30 days provided the structure or portions thereof may be occupied safely. All outstanding fees are due and payable before the TCO is issued. If the TCO expires prior to receiving a CO, the permit holder shall obtain an extension. The conditions for an extension shall be the same as for the initial TCO.

Temporary certificate of occupancy fees are as set out in the city fee schedule.

(c) The following air-conditioning, heating and refrigeration fees shall be charged in the amounts set out in the City fee schedule:

(1) Heating and cooling equipment:

- a. Cooling units of zero to three tons/HP.
- b. Cooling units of 3.5 to 25 tons/HP.
- c. Cooling units of 25.5 to 149.5 tons/HP.
- d. Cooling units of 150 tons/HP or larger.
- e. Gas heating unit zero to 120,000 BTU output.
- f. Gas heating unit 121,000 to 200,000 BTU output.
- g. Gas heating unit over 200,000 BTU output.
- h. Electric heating unit zero to 40 KWH output.
- i. Electric heating unit 41 to 60 KWH output.
- j. Electric heating unit 61 to 150 KWH output.
- k. Electric heating unit over 150 KWH output.

(2) Minimum fee for each extra inspection, on-site consultation, or reinspection.

(3) Additions, alterations or repair of existing mechanical systems:

- a. Base fee. (Base fee includes first two inspections.)
- b. Additional inspections.

(d) The following electric permit fees shall be charged in the amounts set out in the City fee schedule:

(1) Service size, general wiring:

- a. 125 amps or less.
- b. 126 amps to 200 amps.
- c. Over 200 amps, plus an amount per 100 amps (or fraction thereof).

(2) Minimum fee for each extra inspection, on-site consultation, or reinspection.

(3) Additions, alterations or repair of existing electrical systems:

- a. Base fee. (Base fee includes first two inspections.)
- b. Additional inspections.

(e) Plumbing permit fees shall be charged in an amount as provided in the City fee schedule for the following:

(1) Water service size, general plumbing:

- a. Three-quarter-inch.
- b. One-inch.
- c. 1 1/2-inch.
- d. Two-inch.
- e. Three-inch.
- f. Four-inch.
- g. Six-inch.

- h. Eight-inch.
 - i. Ten-inch.
- (2) Gas service size, general gas piping:
 - a. Zero inches to less than two-inch.
 - b. Two-inch to three-inch.
 - c. Over three-inch.
- (3) Minimum fee for each extra inspection, on-site consultation, or reinspection.
- (4) Water service line, sewer service line or gas service line repair or replacement.
- (5) Additions, alterations or repair of existing plumbing systems:
 - a. Base fee. (Base fee includes first two inspections.)
 - b. Additional inspections.
- (f) *Missed inspection fee.* An inspection fee, as provided in the City fee schedule, for each missed inspection will be charged if work requiring an inspection is concealed before the work is inspected and approved. Additionally, the work must be revealed for inspection or comply with an alternative inspection compliance method prescribed by the Building Official. Inspection fees are due and payable before the certificate of occupancy is issued.
- (g) The following off-site improvement fees shall be charged, as provided in the City fee schedule (see section 3001.8 of the City Engineering Standard Specification and Construction Drawings):
 - (1) Drive entrance and sidewalks:
 - a. Installation of a new sidewalk and drive entrance for a single-family lot.
 - b. Replacement of driveway or sidewalk.

There will be no charge when the cause of the driveway or sidewalk replacement is due to a water or sewer line repair.
 - (2) Minimum fee for each extra inspection, on-site consultation, or reinspection.
- (h) *Erosion control and earth change fees.*
 - (1) An erosion control fee, as provided in the City fee schedule shall be assessed with each building permit issued for the construction of any structure or addition to a structure which results in greater than 500 square feet of new, additional impervious area; or the construction of any swimming pool, driveway, parking area; or any other construction activity which results in greater than 500 square feet of new, additional impervious area; except that no erosion control fee shall be charged for residential building permits on lots larger than two acres when the additional impervious area is less than 5,000 square feet. No erosion control fee shall be charged for any permit when no new, additional impervious area is created.
 - (2) The earth change permit fee, as provided in the City fee schedule, plus an amount per acre for administration and inspection. (See section 1005.2 of the City Engineering Design Criteria.)
- (i) *Reinspection fees.* An inspection fee, as provided in the City fee schedule, per inspection will be charged if a builder or property owner requests assistance from a City Construction Inspector or Engineer in determining the following:
 - (1) Building pad elevation inspection;
 - (2) Sidewalk or driveway approach design inspection;
 - (3) Final grading design inspection;
 - (4) Retaining wall design inspection; or
 - (5) Any other similar activity that requires an on-site inspection.

Inspection fees are due and payable before the certificate of occupancy is issued.

(Code 1976, § 5-105; Ord. No. O-1718-16, § 1)

AFTER AMENDMENT

6-105 Permit Fee Schedule

All fees within subsections (~~1a~~), (~~3c~~), (~~4d~~) and (~~5e~~) of this section shall be doubled if the work is commenced before a permit is issued.

- (a) The following building permit fees shall be charged, as provided in the city fee schedule:
- (1) Demolition permit:
 - a. First floor.
 - b. Additional floors.
 - (2) Storm or fallout shelter, swimming pools.
 - (3) Water well permit.
 - (4) One- and two-family dwellings including remodeling, alterations, covered open spaces, porches, patios, carports, awnings, and parking structures, per square foot of project area.
 - (5) One- and two-family dwellings, move-ins, and mobile homes, per square foot of project area.
 - (6) New construction and additions or alterations to multifamily buildings, fraternities, and sororities, per square foot of project area.
 - (7) New construction and additions or alterations to warehouses, industrial, and manufacturing buildings, per square foot of project area.
 - (8) New construction and additions or alterations to commercial buildings, office buildings, and institutional facilities, per square foot of project area.
 - (9) Foundation only permits.
 - (10) Plan examination fee. 20 percent of full permit fee as calculated in Items d, e, f, g, h, and i above and all work in this chapter requiring a permit that does not otherwise have a fee associated with it; collected at time of submittal. Plan examination fee is non-refundable.
 - (11) New construction and additions or alterations to parking lots.
 - (12) Minimum fee for each extra inspection, on-site consultation, or reinspection.
 - (13) Retaining wall permit fees. (See sections 1008.1 through 1008.3 of the City Engineering Design Criteria.)
 - a. Retaining walls from two feet in height to less than three feet in height.
 - b. Retaining walls three feet in height or more.
 - c. If the builder/contractor obtained a retaining wall permit, but the retaining wall is constructed without the proper required inspections, a penalty as provided in the City penalty and fine schedule for each missed inspection will be incurred. Additionally, the builder/contractor will be required to provide documentation that the retaining wall was constructed per the permit.
- (b) *Certificate of occupancy fees.*
- (1) Certificate of occupancy (CO) fees are included in permit fees and collected when permit is issued. All outstanding fees are due and payable before the CO is issued.
 - (2) A temporary certificate of occupancy (TCO) may be issued for 30 days provided the structure or portions thereof may be occupied safely. All outstanding fees are due and payable before the TCO is issued. If the TCO expires prior to receiving a CO, the permit holder shall obtain an extension. The conditions for an extension shall be the same as for the initial TCO.

Temporary certificate of occupancy fees are as set out in the city fee schedule.

- (c) The following air-conditioning, heating and refrigeration fees shall be charged in the amounts set out in the City fee schedule:
 - (1) Heating and cooling equipment:
 - a. Cooling units of zero to three tons/HP.
 - b. Cooling units of 3.5 to 25 tons/HP.
 - c. Cooling units of 25.5 to 149.5 tons/HP.
 - d. Cooling units of 150 tons/HP or larger.
 - e. Gas heating unit zero to 120,000 BTU output.
 - f. Gas heating unit 121,000 to 200,000 BTU output.
 - g. Gas heating unit over 200,000 BTU output.
 - h. Electric heating unit zero to 40 KWH output.
 - i. Electric heating unit 41 to 60 KWH output.
 - j. Electric heating unit 61 to 150 KWH output.
 - k. Electric heating unit over 150 KWH output.
 - (2) Minimum fee for each extra inspection, on-site consultation, or reinspection.
 - (3) Additions, alterations or repair of existing mechanical systems:
 - a. Base fee. (Base fee includes first two inspections.)
 - b. Additional inspections.
- (d) The following electric permit fees shall be charged in the amounts set out in the City fee schedule:
 - (1) Service size, general wiring:
 - a. 125 amps or less.
 - b. 126 amps to 200 amps.
 - c. Over 200 amps, plus an amount per 100 amps (or fraction thereof).
 - (2) Minimum fee for each extra inspection, on-site consultation, or reinspection.
 - (3) Additions, alterations or repair of existing electrical systems:
 - a. Base fee. (Base fee includes first two inspections.)
 - b. Additional inspections.
- (e) Plumbing permit fees shall be charged in an amount as provided in the City fee schedule for the following:
 - (1) Water service size, general plumbing:
 - a. Three-quarter-inch.
 - b. One-inch.
 - c. 1 1/2-inch.
 - d. Two-inch.
 - e. Three-inch.
 - f. Four-inch.
 - g. Six-inch.
 - h. Eight-inch.
 - i. Ten-inch.
 - (2) Gas service size, general gas piping:
 - a. Zero inches to less than two-inch.
 - b. Two-inch to three-inch.
 - c. Over three-inch.
 - (3) Minimum fee for each extra inspection, on-site consultation, or reinspection.
 - (4) Water service line, sewer service line or gas service line repair or replacement.
 - (5) Additions, alterations or repair of existing plumbing systems:
 - a. Base fee. (Base fee includes first two inspections.)
 - b. Additional inspections.
- (f) *Missed inspection fee.* An inspection fee, as provided in the City fee schedule, for each missed inspection will be charged if work requiring an inspection is concealed before

the work is inspected and approved. Additionally, the work must be revealed for inspection or comply with an alternative inspection compliance method prescribed by the Building Official. Inspection fees are due and payable before the certificate of occupancy is issued.

- (g) The following off-site improvement fees shall be charged, as provided in the City fee schedule (see section 3001.8 of the City Engineering Standard Specification and Construction Drawings):

(1) Drive entrance and sidewalks:

a. Installation of a new sidewalk and drive entrance for a single-family lot.

b. Replacement of driveway or sidewalk.

There will be no charge when the cause of the driveway or sidewalk replacement is due to a water or sewer line repair.

(2) Minimum fee for each extra inspection, on-site consultation, or reinspection.

- (h) *Erosion control and earth change fees.*

(1) An erosion control fee, as provided in the City fee schedule shall be assessed with each building permit issued for the construction of any structure or addition to a structure which results in greater than 500 square feet of new, additional impervious area; or the construction of any swimming pool, driveway, parking area; or any other construction activity which results in greater than 500 square feet of new, additional impervious area; except that no erosion control fee shall be charged for residential building permits on lots larger than two acres when the additional impervious area is less than 5,000 square feet. No erosion control fee shall be charged for any permit when no new, additional impervious area is created.

(2) The earth change permit fee, as provided in the City fee schedule, plus an amount per acre for administration and inspection. (See section 1005.2 of the City Engineering Design Criteria.)

- (i) *Reinspection fees.* An inspection fee, as provided in the City fee schedule, per inspection will be charged if a builder or property owner requests assistance from a City Construction Inspector or Engineer in determining the following:

- (1) Building padelevation inspection;
- (2) Sidewalk or driveway approach design inspection;
- (3) Final grading design inspection;
- (4) Retaining wall design inspection; or
- (5) Any other similar activity that requires an on-site inspection.

Inspection fees are due and payable before the certificate of occupancy is issued.

- (j) After hour inspection fees. An inspection fee, as provided in the City fee schedule, will be charged per inspection requested to be conducted after City of Norman business hours.

- (k) In addition the the fees set forth in Appendix A, City of Norman Fee Schedule, a four dollar (\$4.00) fee shall be collected for any permits associated with Section 6-105 (a), (c), (d), and (e) to be remitted to the Oklahoma Uniform Building Code Commission per 59 Okla.. Stat. § 1000.25. Additionally, a fifty cent (\$0.50) administration fee shall be collected for processing this fee for the City of Norman.

(Code 1976, § 5-105; Ord. No. O-1718-16, § 1)

SECTION 6: AMENDMENT “6-106 Permit Fee Waiver” of the City of Norman Municipal Code is hereby *amended* as follows:

B E F O R E A M E N D M E N T

6-106 Permit Fee Waiver

When an applicant for a building permit is building a new home, remodeling an existing home or installing a mobile home due to the impact of a natural disaster as declared by the Governor of the State and/or by the Mayor of the City, all building permit fees associated with such construction shall be waived according to the following limitations:

- (a) The fee waiver shall not apply to any portion of a new structure which exceeds the square footage of the structure which is being replaced;
- (b) The applicant must have been the owner of the structures proposed to be rebuilt, at the time of the damage or destruction;
- (c) The fee waiver shall not apply to a structure rebuilt after being damaged or destroyed by natural disaster without first obtaining building permits or which has been cited as being in violation of building codes;
- (d) The permits must be applied for within one year of the natural disaster to be eligible for this fee waiver; and
- (e) All applicable fees required to be collected by the State Uniform Building Code Commission are not waived.

(Code 1976, § 5-106; Ord. No. O-1718-16, § 1)

A F T E R A M E N D M E N T

6-106 Permit Fee Waiver

When an applicant for a building permit is building a new home, remodeling an existing home or installing a mobile home due to the impact of a natural disaster as declared by the Governor of the State and/or by the Mayor of the City, all building permit fees associated with such construction shall be waived according to the following limitations:

- (a) The fee waiver shall not apply to any portion of a new structure which exceeds the square footage of the structure which is being replaced;
- (b) The applicant must have been the owner of the structures proposed to be rebuilt, at the time of the damage or destruction;
- (c) The fee waiver shall not apply to a structure rebuilt after being damaged or destroyed by natural disaster without first obtaining building permits or which has been cited as being in violation of building codes;
- (d) The permits must be applied for within one year of the natural disaster to be eligible for this fee waiver; and
- (e) ~~All applicable fees required to be collected by the State Uniform Building Code Commission are not waived.~~

(Code 1976, § 5-106; Ord. No. O-1718-16, § 1)

SECTION 7: AMENDMENT “6-201 Construction Codes Adopted By Reference” of the City of Norman Municipal Code is hereby *amended* as follows:

B E F O R E A M E N D M E N T

6-201 Construction Codes Adopted By Reference

The City has adopted, as though fully set forth in this section, the following construction codes, subject to state amendments to such codes, as provided in OAC title 748, ch. 20, and subject to additional local amendments set forth in this chapter. Three copies of each adopted code shall be kept on file in the office of the City Clerk:

- (a) International Building Code, 2015 edition.
- (b) International Existing Building Code, 2015 edition.
- (c) International Energy Conservation Code, 2006 edition.
- (d) International Plumbing Code, 2015 edition.
- (e) International Mechanical Code, 2015 edition.
- (f) International Fuel Gas Code, 2015 edition.
- (g) National Electrical Code, 2014 edition.
- (h) International Residential Code, 2015 edition.

A F T E R A M E N D M E N T

6-201 Construction Codes Adopted By Reference

The City has adopted, as though fully set forth in this section, the following construction codes, subject to state amendments to such codes, as provided in OAC title 748, ch. 20, and subject to additional local amendments set forth in this chapter. Three copies of each adopted code shall be kept on file in the office of the City Clerk:

- (a) International Building Code, 201~~5~~⁸ edition.
- (b) International Existing Building Code, 201~~5~~⁸ edition.
- (c) International Energy Conservation Code, 2006 edition.
- (d) International Plumbing Code, 201~~5~~⁸ edition.
- (e) International Mechanical Code, 201~~5~~⁸ edition.
- (f) International Fuel Gas Code, 201~~5~~⁸ edition.
- (g) National Electrical Code, 20~~14~~²⁰ edition.
- (h) International Residential Code, 201~~5~~⁸ edition.

SECTION 8: AMENDMENT “6-202 Adoption Of The Building Code” of the City of Norman Municipal Code is hereby *amended* as follows:

B E F O R E A M E N D M E N T

6-202 Adoption Of The Building Code

- (a) (1) Pursuant to 59 O.S. § 1000.23, the International Building Code, 2015 edition, as published by the International Code Council, Inc., including modifications by the Oklahoma Uniform Building Code Commission as set forth in title 748,

ch. 20, subch. 1 of the Oklahoma Administrative Code; more specifically sections 3, 7, 8, 9, 11, 12, 13, 14, 15, and 16, effective September 15, 2017; hereinafter referred to as "IBC," is hereby adopted as the building code of the City for regulating construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure other than one- and two-family dwellings, townhouses, manufactured homes, or accessory structures not more than three stories above grade plane with the same force and effect as if fully set out in this section with amendments thereto as prescribed in this section.

- (2) In addition, any construction, alteration, repair, or installation of storm shelters and safe rooms in critical emergency operation facilities and educational facilities for children kindergarten through 12th grade that complies with appendix N created in title 748, ch. 20, subch. 1, section 19 of the Oklahoma Administrative Code shall be permitted; however, compliance with appendix N is not mandatory.
- (b) The building code shall not become effective until at least three copies, including modifications prescribed in this section, have been filed in the office of the City Clerk.
- (c) The following sections of the IBC are hereby amended, added, deleted, or substituted as noted:
 - (1) 101.1 Title [Amended]. These regulations shall be known as the building code of the City, hereinafter referred to as "this code."
 - (2) 101.4.3 Plumbing [Amended]. The provisions of the International Plumbing Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. Private sewage disposal systems shall conform to the regulations set forth in title 252, chapter 641 of the Oklahoma Administrative Code.
 - (3) 101.4.5 Fire prevention [Amended]. The provisions of the International Fire Code shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression, automatic sprinkler systems and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.
 - (4) Section 103 Development Services Division [Substitute].
 - (5) 103.1 Creation of enforcement agency [Amended]. The Development Services Division is hereby created and the official in charge thereof shall be known as the Building Official.
 - (6) 104.2.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas [Deleted]. IBC section 104.2.1 is hereby deleted in favor of the provisions of NCC 36-533.
 - (7) 104.10.1 Flood hazard areas [Amended]. The Building Official shall not grant modifications to any provisions required in flood hazard areas as established by section 1612.3 without the prior issuance of a floodplain permit by the City Floodplain Committee.
 - (8) 105.1.1 Annual permit [Deleted]. IBC section 105.1.1 is hereby deleted without substitution.
 - (9) 105.1.2 Annual permit records [Deleted]. IBC section 105.1.2 is hereby deleted without substitution.

- (10) 105.2 Work exempt from permit [Amended]. Exemptions from permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

- a. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the following: the floor area is not greater than 108 square feet (10.03 m²); such building is not constructed on or attached to a concrete slab, foundation, or permanent base; and such building has no electric, plumbing or gas service connection.
- b. Fences not over eight feet (2,438 mm) high.
- c. Oil derricks.
- d. Retaining walls shall be permitted and built per the City Engineering Standards, as amended.

(The remainder of the section shall remain unchanged.)

- (11) 110.3.5 Insulation inspection [Substitute]. Insulation inspections shall be made after framing, mechanical, electrical, and plumbing rough-in inspections are approved and before the installation of any wall coverings.
- (12) 110.3.10.1 Flood hazard documentation [Amended]. If located in a flood hazard area, the documentation of elevations required in NCC 36-533 shall be submitted to the Floodplain Administrator prior to the final inspection.
- (13) Section 113 Board of Appeals [Deleted]. IBC section 113 is hereby deleted in favor of the provisions of NCC 2-314.
- (14) Chapter 2 Definitions [Amended]. IBC section 202 is adopted as published, provided that the following definition is hereby added to read as follows:

Diaper Changing Table [Added]. A safe, sanitary and permanent affixed station, deck table, surface or similar amenity specifically set aside for changing a diaper. The diaper changing table shall have safety straps or other appropriate restraint to secure a baby or young child age 3 1/2 or under. The diaper changing table shall meet ASTM F2285-04(2016) (Standard Consumer Safety Performance Specification for Diaper Changing Tables for Commercial Use) or shall be a permanent installed counter.

- (15) 1203.4.2 Exceptions [Amended]. The following are exceptions to sections 1203.4 and 1203.4.1:
- (16) 1210.4 Fixture placement [Added]. A water closet, urinal, lavatory or bidet shall not be set closer than 15 inches (381 mm) from its center to any side wall, partition, vanity or other obstruction, or closer than 30 inches (762 mm) center-to-center between adjacent fixtures. There shall be not less than a 21-inch (533 mm) clearance in front of the water closet, urinal, lavatory or bidet to any wall, fixture or door. Water closet compartments shall be not less than 30 inches (762 mm) in width and 60 inches (1,524 mm) in depth for floor-mounted water closets and not less than 30 inches (762 mm) in width and 56 inches (1,422 mm) in depth for wall-hung water closets.
- (17) 1211.1 Required [Added]. Customers, patrons and visitors shall be provided with diaper changing tables in buildings and tenant spaces intended for public utilization. Both male and female occupants shall have access to at least one diaper changing table. Installation of the diaper changing table shall comply

with this section.

Exceptions:

- a. Group F, H, I-3, and S occupancies that are not accessed by the public.
- b. Group B occupancies less than 10,000 square feet (928 m²).
- c. Dwelling units or sleeping units in Group R-1, R-2, R-3, I-1 or I-2.
- d. Group E and U occupancies.
- e. A building or tenant space that restricts entrance due to age such as a nightclub, bar or liquor store.

- (18) 1211.2 Access [Added]. The required diaper changing table shall be located on an accessible route and the path to such facility shall not exceed a distance of 500 feet (152 m) or require access through an adjacent tenant space.
- (19) 1211.3 Location [Added]. The required diaper changing table shall be installed in accordance with section 603.5 of ICC A117.1 and be located per section 1211.3.1 or 1211.3.2.
- (20) 1211.3.1 Diaper changing table located in toilet rooms [Added]. A diaper changing table shall not be located in the accessible toilet compartment. Where multiple single-user toilet rooms are clustered together, a diaper changing table shall be located in at least two single-user toilet rooms, one of which is accessible.

Exception: A diaper changing table installed in a single-user toilet room that is not required to be accessible shall not be required to comply with clear floor space or knee and toe clearance provisions of ICC A117.1.

- (21) 1211.3.2 Diaper changing table located in other than toilet rooms [Added]. A diaper changing table shall not be located in kitchens, storage rooms, closets or spaces used for similar purposes. A lavatory or a permanent hand sanitizer dispenser shall be located in the same room as the diaper changing table.
- (22) 1211.4 Signage [Added]. Rooms containing diaper changing tables shall be provided with signs readily visible and located near the entrance to the room. Signs shall comply with section 703 of ICC A117.1.
- (23) 1403.7 Flood resistance for coastal high-hazard areas and coastal A zones [Deleted]. IBC section 1403.7 is hereby deleted without substitution.
- (24) 1603.1.7 Flood design data [Amended]. For buildings located in whole or in part in flood hazard areas as established in section 1612.3, the documentation pertaining to design shall be included as prescribed in NCC 36-533.
- (25) 1612.1 General [Amended]. Within flood hazard areas as established in section 1612.3, all new construction of buildings, structures and portions of buildings and structures, including substantial improvement and restoration of substantial damage to buildings and structures, shall be designed and constructed to resist the effects of flood hazards and flood loads and in accordance with the provisions contained in NCC 36-533.
- (26) 1612.3 Establishment of flood hazard areas [Amended]. Areas that have been determined to be prone to flooding shall be designated as flood hazard areas as shown on the City special flood hazard area map.
- (27) 1612.3.1 Design flood elevations [Amended]. The design flood elevation shall be determined as prescribed in NCC 36-533.
- (28) 1612.3.2 Determination of impacts [Deleted]. IBC section 1612.3.2 is hereby deleted in favor of the provisions of NCC 36-533.
- (29) 1612.4 Design and construction [Amended]. The design and construction of

buildings and structures located in flood hazard areas shall be in accordance with chapter 5 of ASCE 7 and ASCE 24.

- (30) 1612.5 Flood hazard documentation [Deleted]. IBC section 1612.5 is hereby deleted in favor of the provisions of NCC 36-533.
- (31) 1804.5 Grading and fill in flood hazard areas [Amended]. Grading, fill or both in flood hazard areas established in section 1612.3, is prohibited without the prior issuance of a floodplain permit by the City Floodplain Committee.
- (32) 2901.1 Scope [Amended]. The provisions of this chapter and the International Plumbing Code shall govern the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing equipment and systems. Toilet and bathing rooms shall be constructed in accordance with section 1210. Plumbing systems and equipment shall be constructed, installed and maintained in accordance with the International Plumbing Code. Private sewage disposal systems shall conform to the regulations set forth in title 252, ch. 641 of the Oklahoma Administrative Code.
- (33) 3106.1 General [Amended]. Marquees shall comply with sections 3106.2 through 3106.5 and other applicable sections of this Code. All marquees shall require a consent to encroach approval by the City Council.
- (34) 3202.3 Encroachments eight feet or more above grade [Amended]. Encroachments eight feet (2,438 mm) or more above grade shall comply with sections 3202.3.1 through 3202.3.4. Such encroachments, other than awnings and canopies, shall require a consent to encroach approval by the City Council.
- (35) 3306.1 Protection required [Amended]. Pedestrians shall be protected during construction, remodeling and demolition activities as required by this chapter and Table 3306.1. Signs shall be provided to direct pedestrian traffic. Where pedestrian protection encroaches in the public right-of-way a permit shall be obtained from the Department of Public Works per 1010.1(B) of the City Engineering Design Criteria.
- (36) Chapter 35 Referenced Standards [Amended]. IBC ch. 35 is hereby amended to include the following substitution:
 - a. [Substitute] "IECC-15 with "IECC-06."
 - b. [Substitute] "NFPA 13-13 with "NFPA 13-16."
 - c. [Substitute] "NFPA 13D-13 with "NFPA 13D-16."
 - d. [Substitute] "NFPA 13R-13 with "NFPA 13R-16."
 - e. [Substitute] "NFPA 14-13 with "NFPA 14-16."
 - f. [Substitute] "NFPA 17A-13 with "NFPA 17A-17."
 - g. [Substitute] "NFPA 20-13 with "NFPA 20-16."
 - h. [Substitute] "NFPA 30-12 with "NFPA 30-15."
 - i. [Substitute] "NFPA 72-13 with "NFPA 72-16."

(Code 1976, § 5-201; Ord. No. O-1718-16, § 2; Ord. No. O-1819-32, § 1)

A F T E R A M E N D M E N T

6-202 Adoption Of The Building Code

- (a) (1) Pursuant to 59 O.S. § 1000.23, the International Building Code, 201~~5~~⁸ edition, as published by the International Code Council, Inc., including modifications by the Oklahoma Uniform Building Code Commission as set

forth in title 748, ~~ch. 20, subch. 1~~ of the Oklahoma Administrative Code, ~~more specifically sections 3, 7, 8, 9, 11, 12, 13, 14, 15, and 16, effective September 15, 2017;~~ hereinafter referred to as "IBC," is hereby adopted as the building code of the City for regulating construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure other than one- and two-family dwellings, townhouses, manufactured homes, or accessory structures not more than three stories above grade plane with the same force and effect as if fully set out in this section with amendments thereto as prescribed in this section.

- (2) In addition, any construction, alteration, repair, or installation of storm shelters and safe rooms in critical emergency operation facilities and educational facilities for children kindergarten through 12th grade that complies with appendix ~~ON~~ created in title 748, ~~ch. 20, subch. 1, section 19~~ of the Oklahoma Administrative Code shall be permitted; however, compliance with appendix ~~NO~~ is not mandatory.
- (b) The building code shall not become effective until at least three copies, including modifications prescribed in this section, have been filed in the office of the City Clerk.
- (c) The following sections of the IBC are hereby amended, added, deleted, or substituted as noted:
 - (1) 101.1 Title [Amended]. These regulations shall be known as the building code of the City, hereinafter referred to as "this code."
 - (2) 101.4.3 Plumbing [Amended]. The provisions of the International Plumbing Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. Private sewage disposal systems shall conform to the regulations set forth in title 252, chapter 641 of the Oklahoma Administrative Code.
 - (3) ~~101.4.5 Fire prevention [Amended]. The provisions of the International Fire Code shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire-suppression, automatic sprinkler systems and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.~~
 - (4) Section 103 Development Services Division [Substitute].
 - (5) 103.1 Creation of enforcement agency [Amended]. The Development Services Division is hereby created and the official in charge thereof shall be known as the Building Official.
 - (6) 104.2.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas [Deleted]. IBC section 104.2.1 is hereby deleted in favor of the provisions of NCC 36-533.
 - (7) 104.10.1 Flood hazard areas [Amended]. The Building Official shall not grant modifications to any provisions required in flood hazard areas as established by section 1612.3 without the prior issuance of a floodplain permit by the City Floodplain Committee.
 - (8) ~~105.1.1 Annual permit [Deleted]. IBC section 105.1.1 is hereby deleted without substitution.~~
 - (9) ~~105.1.2 Annual permit records [Deleted]. IBC section 105.1.2 is hereby deleted without substitution.~~

- (10) 105.2 Work exempt from permit [Amended]. Exemptions from permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

- a. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the following: the floor area is not greater than ~~12008~~-square feet (~~10.03~~ 11.15 m²); such building is not constructed on or attached to a concrete slab, foundation, or permanent base; and such building has no electric, plumbing or gas service connection.
- b. Fences not over ~~eight~~ ten feet (~~2,438~~ 3,048 mm) high.
- c. Oil derricks.
- d. Retaining walls shall be permitted and built per the City Engineering Standards, as amended.

(The remainder of the section shall remain unchanged.)

- (11) 110.3.5 Insulation inspection [Substitute]. Insulation inspections shall be made after framing, mechanical, electrical, and plumbing rough-in inspections are approved and before the installation of any wall coverings.
- (12) ~~110.3.10.1~~ 110.3.11.1 Flood hazard documentation [Amended]. If located in a flood hazard area, the documentation of elevations required in NCC 36-533 shall be submitted to the Floodplain Administrator prior to the final inspection.
- (13) Section 113 Board of Appeals [Deleted]. IBC section 113 is hereby deleted in favor of the provisions of NCC 2-314.
- (14) Chapter 2 Definitions [Amended]. IBC section 202 is adopted as published, provided that the following definition is hereby added to read as follows:

Diaper Changing Table [Added]. A safe, sanitary and permanent affixed station, deck table, surface or similar amenity specifically set aside for changing a diaper. The diaper changing table shall have safety straps or other appropriate restraint to secure a baby or young child age 3 1/2 or under. The diaper changing table shall meet ASTM F2285-04(2016) (Standard Consumer Safety Performance Specification for Diaper Changing Tables for Commercial Use) or shall be a permanent installed counter.

- (15) 1109.2.1.8 Universal Changing Station [Added]. In an assembly or mercantile occupancy with an occupant load over 500 and if it requires a family or assisted-use toilet or bathing rooms, it shall include a universal changing station for the assistance of persons with disabilities. The changing station area must be equipped with a height-adjustable changing table suitable for use for an adult or a child. The table shall be:
 - a. Of minimum dimension 24 inches in width by 70 inches in length;
 - b. Adjustable to allow lowering to a height not greater than 8 inches, and raising to a height no less than 34" above finished floor elevation;
and
 - c. Capable of supporting a minimum of 350 pounds.

Exception: Where a building is provided with more than one family or assisted-use toilet and bathing room, only one such room shall require a Universal Changing Station. Where this exception is utilized, signage shall be provided at all such rooms indicating the location of a Universal Changing Station.

~~1203.4.2 Exceptions [Amended]. The following are exceptions to sections~~

(16) ~~1203.4 and 1203.4.1:~~

(17) ~~1210.4 Fixture placement [Added]. A water closet, urinal, lavatory or bidet shall not be set closer than 15 inches (381 mm) from its center to any side wall, partition, vanity or other obstruction, or closer than 30 inches (762 mm) center to center between adjacent fixtures. There shall be not less than a 21-inch (533 mm) clearance in front of the water closet, urinal, lavatory or bidet to any wall, fixture or door. Water closet compartments shall be not less than 30 inches (762 mm) in width and 60 inches (1,524 mm) in depth for floor-mounted water closets and not less than 30 inches (762 mm) in width and 56 inches (1,422 mm) in depth for wall hung water closets.~~

(18) ~~1211.1~~ 1210.1 Required [Added]. Customers, patrons and visitors shall be provided with diaper changing tables in buildings and tenant spaces intended for public utilization. Both male and female occupants shall have access to at least one diaper changing table. Installation of the diaper changing table shall comply with this section.

Exceptions:

- a. Group F, H, I-3, and S occupancies that are not accessed by the public.
- b. Group B occupancies less than 10,000 square feet (928 m²).
- c. Dwelling units or sleeping units in Group R-1, R-2, R-3, I-1 or I-2.
- d. Group E and U occupancies.
- e. A building or tenant space that restricts entrance due to age such as a nightclub, bar or liquor store.
- f. Existing buildings being altered.

(19) ~~1211.2~~ 1210.2 Access [Added]. The required diaper changing table shall be located on an accessible route and the path to such facility shall not exceed a distance of 500 feet (152 m) or require access through an adjacent tenant space.

(20) ~~1211.3~~ 1210.3 Location [Added]. The required diaper changing table shall be installed in accordance with section 603.5 of ICC A117.1 and be located per section 1211.3.1 or 1211.3.2.

(21) ~~1211.3.1~~ 1210.3.1 Diaper changing table located in toilet rooms [Added]. A diaper changing table shall not be located in the accessible toilet compartment. Where multiple single-user toilet rooms are clustered together, a diaper changing table shall be located in at least two single-user toilet rooms, one of which is accessible.

Exception: A diaper changing table installed in a single-user toilet room that is not required to be accessible shall not be required to comply with clear floor space or knee and toe clearance provisions of ICC A117.1.

(22) ~~1211.3.2~~ 1210.3.2 Diaper changing table located in other than toilet rooms [Added]. A diaper changing table shall not be located in kitchens, storage rooms, closets or spaces used for similar purposes. A lavatory or a permanent hand sanitizer dispenser shall be located in the same room as the diaper

changing table.

- (23) ~~1211.4~~ 1210.4 Signage [Added]. Rooms containing diaper changing tables shall be provided with signs readily visible and located near the entrance to the room. Signs shall comply with section 703 of ICC A117.1.
- (24) ~~1403.7 Flood resistance for coastal high hazard areas and coastal A-zones [Deleted]. IBC section 1403.7 is hereby deleted without substitution.~~
- (25) 1603.1.7 Flood design data [Amended]. For buildings located in whole or in part in flood hazard areas as established in section 1612.3, the documentation pertaining to design shall be included as prescribed in NCC 36-533.
- (26) 1612.1 General [Amended]. Within flood hazard areas as established in section 1612.3, all new construction of buildings, structures and portions of buildings and structures, including substantial improvement and restoration of substantial damage to buildings and structures, shall be designed and constructed to resist the effects of flood hazards and flood loads and in accordance with the provisions contained in NCC 36-533.
- (27) 1612.3 Establishment of flood hazard areas [Amended]. Areas that have been determined to be prone to flooding shall be designated as flood hazard areas as shown on the City special flood hazard area map.
- (28) 1612.3.1 Design flood elevations [Amended]. The design flood elevation shall be determined as prescribed in NCC 36-533.
- (29) 1612.3.2 Determination of impacts [Deleted]. IBC section 1612.3.2 is hereby deleted in favor of the provisions of NCC 36-533.
- (30) ~~1612.4 Design and construction [Amended]. The design and construction of buildings and structures located in flood hazard areas shall be in accordance with chapter 5 of ASCE 7 and ASCE 24.~~
- (31) ~~1612.5~~ 1612.4 Flood hazard documentation [Deleted]. IBC section ~~1612.5~~ 1612.4 is hereby deleted in favor of the provisions of NCC 36-533.
- (32) 1804.5 Grading and fill in flood hazard areas [Amended]. Grading, fill or both in flood hazard areas established in section 1612.3, is prohibited without the prior issuance of a floodplain permit by the City Floodplain Permit Committee.
- (33) 2901.1 Scope [Amended]. The provisions of this chapter and the International Plumbing Code shall govern the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing equipment and systems. Toilet and bathing rooms shall be constructed in accordance with section 1210. Plumbing systems and equipment shall be constructed, installed and maintained in accordance with the International Plumbing Code. Private sewage disposal systems shall conform to the regulations set forth in title 252, ch. 641 of the Oklahoma Administrative Code.
- (34) 3106.1 General [Amended]. Marquees shall comply with sections 3106.2 through 3106.5 and other applicable sections of this Code. All marquees shall require a consent to encroach approval by the City Council.
- (35) 3202.3 Encroachments eight feet or more above grade [Amended]. Encroachments eight feet (2,438 mm) or more above grade shall comply with sections 3202.3.1 through 3202.3.4. Such encroachments, other than awnings and canopies, shall require a consent to encroach approval by the City Council.
- (36) 3306.1 Protection required [Amended]. Pedestrians shall be protected during construction, remodeling and demolition activities as required by this chapter

and Table 3306.1. Signs shall be provided to direct pedestrian traffic. Where pedestrian protection encroaches in the public right-of-way a permit shall be obtained from the Department of Public Works per 1010.1(B) of the City Engineering Design Criteria.

- (37) ~~Chapter 35 Referenced Standards [Amended]. IBC ch. 35 is hereby amended to include the following substitution:~~
~~[Substitute] "IECC 15 with "IECC 06." [Substitute] "NFPA 13 13 with "NFPA 13 16." [Substitute] "NFPA 13D 13 with "NFPA 13D 16." [Substitute] "NFPA 13R 13 with "NFPA 13R 16." [Substitute] "NFPA 14 13 with "NFPA 14 16." [Substitute] "NFPA 17A 13 with "NFPA 17A 17." [Substitute] "NFPA 20 13 with "NFPA 20 16." [Substitute] "NFPA 30 12 with "NFPA 30 15." [Substitute] "NFPA 72 13 with "NFPA 72 16."~~

(Code 1976, § 5-201; Ord. No. O-1718-16, § 2; Ord. No. O-1819-32, § 1)

SECTION 9: AMENDMENT “6-203 Adoption Of The Existing Building Code” of the City of Norman Municipal Code is hereby *amended* as follows:

B E F O R E A M E N D M E N T

6-203 Adoption Of The Existing Building Code

- (a) Pursuant to 59 O.S. § 1000.23, the International Existing Building Code, 2015 edition, as published by the International Code Council, Inc., including modifications by the Oklahoma Uniform Building Code Commission as set forth in title 748, ch. 20, subch. 7 of the Oklahoma Administrative Code; more specifically section 8, effective September 15, 2017; hereinafter referred to as "IEBC," is hereby adopted as the Existing building code of the City for regulating repair, alteration, change of occupancy, addition, and relocation of all existing buildings and structures, including historic buildings, with the same force and effect as if fully set out in this section with amendments thereto as prescribed in this section.
- (b) The existing building code shall not become effective until at least three copies, including modifications prescribed in this section, have been filed in the office of the City Clerk.
- (c) The following sections of the IEBC are hereby amended, added, deleted, or substituted as noted:
 - (1) 101.1 Title [Amended]. These regulations shall be known as the existing building code of the City, hereinafter referred to as "this code."
 - (2) Section 103 Development Services Division [Substitute].
 - (3) 103.1 Creation of enforcement agency [Amended]. The Development Services Division is hereby created and the official in charge thereof shall be known as the code official.
 - (4) 104.2.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas [Deleted]. IEBC section 104.2.1 is hereby deleted in favor of the provisions of NCC 36-533.
 - (5) 104.10.1 Flood hazard areas [Amended]. For existing buildings located in flood hazard areas for which repairs, alterations and additions constitute substantial improvement, the code official shall not grant modifications to any provisions required in flood hazard areas as established by section 1612.3 of

the International Building Code or section R322 of the International Residential Code without the prior issuance of a floodplain permit by the City Floodplain Committee.

- (6) 105.1.1 Annual permit [Deleted]. IEBC section 105.1.1 is hereby deleted without substitution.
- (7) 105.1.2 Annual permit records [Deleted]. IEBC section 105.1.2 is hereby deleted without substitution.
- (8) 109.3.3 Lowest floor elevation [Amended]. For additions and substantial improvements to existing buildings in flood hazard areas, the documentation of elevations required in NCC 36-533 shall be submitted to the Floodplain Administrator prior to the final inspection.
- (9) Section 112 Board of Appeals [Deleted]. IEBC section 112 is hereby deleted in favor of the provisions of NCC 2-314.
- (10) Chapter 2 Definitions [Amended]. IEBC section 202 is adopted as published, provided that the following definition is hereby added to read as follows:
Diaper Changing Table [Added]. A safe, sanitary and permanent affixed station, deck table, surface or similar amenity specifically set aside for changing a diaper. The diaper changing table shall have safety straps or other appropriate restraint to secure a baby or young child age 3 1/2 or under. The diaper changing table shall meet ASTM F2285-04(2016) (Standard Consumer Safety Performance Specification for Diaper Changing Tables for Commercial Use) or shall be a permanent installed counter.
- (11) 702.7 Diaper changing table [Added]. Where the work area contains alterations or repairs in a toilet room that involves the removal and/or replacement of at least 50 percent of the water closets, a diaper changing table shall be provided in accordance with section 1211 of the International Building Code. Where the alteration or repair affects only a male or female toilet room, the requirements of section 1211 of the International Building Code shall apply to only that toilet room. A diaper changing table installed in accordance with section 705.1.15 shall be deemed to comply with this section.

Exceptions:

- a. No additional diaper changing tables are required where both male and female occupants have access to at least one diaper changing table.
 - b. The diaper changing table may be located in the accessible toilet compartment where it is technically infeasible to maintain compliance with ICCA117.1.
- (12) 705.1.15 Diaper changing table [Added]. Where it is technically infeasible to alter existing toilet rooms to install an accessible diaper changing table in accordance with section 1211 of the International Building Code, a single room, available to male and female occupants, containing an accessible diaper changing table may be provided and located on the same level as the existing toilet rooms. This room may be an accessible family or assisted-use toilet room constructed in accordance with section 1109.2.1 of the International Building Code, or any other room as allowed in section 1211.3.2 of the International Building Code.
 - (13) 705.2 Alterations affecting an area containing a primary function [Amended]. Where an alteration affects the accessibility to a, or contains an area of, primary function, the route to the primary function area shall be accessible. The accessible route to the primary function area shall include toilet facilities, drinking fountains and diaper changing tables serving the area of primary

function.

Exceptions:

- a. The costs of providing the accessible route are not required to exceed 20 percent of the costs of the alterations affecting the area of primary function.
- b. This provision does not apply to alterations limited solely to windows, hardware, operating controls, electrical outlets and signs.
- c. This provision does not apply to alterations limited solely to mechanical systems, electrical systems, installation or alteration of fire protection systems and abatement of hazardous materials.
- d. This provision does not apply to alterations undertaken for the primary purpose of increasing the accessibility of a facility.
- e. This provision does not apply to altered areas limited to Type B dwelling and sleeping units.

(14) 1012.1.5 Diaper changing table [Added]. Diaper changing tables shall be provided in accordance with section 702.7 in existing buildings or tenant spaces that undergo alterations in conjunction with a change of group or occupancy.

(15) 1107.1 Diaper changing table [Added]. Diaper changing tables shall be provided in accordance with section 1211 of the International Building Code in toilet rooms located in an addition to a building. Where alterations of the existing building or tenant space are performed in conjunction with the addition, diaper changing tables shall be provided in accordance with section 702.7.

Exception: No additional diaper changing tables are required where both male and female occupants have access to at least one diaper changing table.

- (16) Chapter 16 Referenced Standards [Amended]. IEBC ch. 16, Referenced Standards, is hereby amended to include the following substitution:
- a. [Substitute] "IECC-15" with "IECC-06."
 - b. [Substitute] "NFPA 13R-13 with "NFPA 13R-16."
 - c. [Substitute] "NFPA 72-13 with "NFPA 72-16."

(Code 1976, § 5-202; Ord. No. O-1718-16, § 2; Ord. No. O-1819-32, § 2)

A F T E R A M E N D M E N T

6-203 Adoption Of The Existing Building Code

- (a) Pursuant to 59 O.S. § 1000.23, the International Existing Building Code, 2015~~8~~ edition, as published by the International Code Council, Inc., including modifications by the Oklahoma Uniform Building Code Commission as set forth in title 748, ~~ch. 20, subch. 7~~ of the Oklahoma Administrative Code, ~~more specifically section 8, effective September 15, 2017;~~ hereinafter referred to as "IEBC," is hereby adopted as the Existing building code of the City for regulating repair, alteration, change of occupancy, addition, and relocation of all existing buildings and structures, including historic buildings, with the same force and effect as if fully set out in this section with amendments thereto as prescribed in this section.
- (b) The existing building code shall not become effective until at least three copies, including modifications prescribed in this section, have been filed in the office of the City Clerk.
- (c) The following sections of the IEBC are hereby amended, added, deleted, or

substituted as noted:

- (1) 101.1 Title [Amended]. These regulations shall be known as the existing building code of the City, hereinafter referred to as "this code."
- (2) Section 103 Development Services Division [Substitute].
- (3) 103.1 Creation of enforcement agency [Amended]. The Development Services Division is hereby created and the official in charge thereof shall be known as the code official.
- (4) 104.2.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas [Deleted]. IEBC section 104.2.1 is hereby deleted in favor of the provisions of NCC 36-533.
- (5) 104.10.1 Flood hazard areas [Amended]. For existing buildings located in flood hazard areas for which repairs, alterations and additions constitute substantial improvement, the code official shall not grant modifications to any provisions required in flood hazard areas as established by section 1612.3 of the International Building Code or section R322 of the International Residential Code without the prior issuance of a floodplain permit by the City Floodplain Permit Committee.
- (6) ~~105.1.1 Annual permit [Deleted]. IEBC section 105.1.1 is hereby deleted without substitution.~~
- (7) ~~105.1.2 Annual permit records [Deleted]. IEBC section 105.1.2 is hereby deleted without substitution.~~
- (8) 109.3.3 Lowest floor elevation [Amended]. For additions and substantial improvements to existing buildings in flood hazard areas, the documentation of elevations required in NCC 36-533 shall be submitted to the Floodplain Administrator prior to the final inspection.
- (9) Section 112 Board of Appeals [Deleted]. IEBC section 112 is hereby deleted in favor of the provisions of NCC 2-314.
- (10) ~~Chapter 2 Definitions [Amended]. IEBC section 202 is adopted as published, provided that the following definition is hereby added to read as follows: Diaper Changing Table [Added]. A safe, sanitary and permanent affixed station, deck table, surface or similar amenity specifically set aside for changing a diaper. The diaper changing table shall have safety straps or other appropriate restraint to secure a baby or young child age 3 1/2 or under. The diaper changing table shall meet ASTM F2285-04(2016) (Standard Consumer Safety Performance Specification for Diaper Changing Tables for Commercial Use) or shall be a permanent installed counter. 702.7 Diaper changing table [Added]. Where the work area contains alterations or repairs in a toilet room that involves the removal and/or replacement of at least 50 percent of the water closets, a diaper changing table shall be provided in accordance with section 1211 of the International Building Code. Where the alteration or repair affects only a male or female toilet room, the requirements of section 1211 of the International Building Code shall apply to only that toilet room. A diaper changing table installed in accordance with section 705.1.15 shall be deemed to comply with this section. Exceptions: 705.1.15 Diaper changing table [Added]. Where it is technically infeasible to alter existing toilet rooms to install an accessible diaper changing table in accordance with section 1211 of the International Building Code, a single room, available to male and female occupants, containing an accessible diaper changing table may be provided and located on the same level as the existing toilet rooms. This room may be an accessible family or assisted use toilet room constructed in accordance with section 1109.2.1 of the International Building Code, or any other room as allowed in section 1211.3.2~~

~~of the International Building Code. 705.2 Alterations affecting an area containing a primary function [Amended]. Where an alteration affects the accessibility to a, or contains an area of, primary function, the route to the primary function area shall be accessible. The accessible route to the primary function area shall include toilet facilities, drinking fountains and diaper changing tables serving the area of primary function.~~

~~Exceptions: 1012.1.5 Diaper changing table [Added]. Diaper changing tables shall be provided in accordance with section 702.7 in existing buildings or tenant spaces that undergo alterations in conjunction with a change of group or occupancy. 1107.1 Diaper changing table [Added]. Diaper changing tables shall be provided in accordance with section 1211 of the International Building Code in toilet rooms located in an addition to a building. Where alterations of the existing building or tenant space are performed in conjunction with the addition, diaper changing tables shall be provided in accordance with section 702.7. Exception: No additional diaper changing tables are required where both male and female occupants have access to at least one diaper changing table. [Substitute] "IECC 15" with "IECC 06." [Substitute] "NFPA 13R 13 with "NFPA 13R 16." No additional diaper changing tables are required where both male and female occupants have access to at least one diaper changing table. The diaper changing table may be located in the accessible toilet compartment where it is technically infeasible to maintain compliance with ICCA A117.1. The costs of providing the accessible route are not required to exceed 20 percent of the costs of the alterations affecting the area of primary function. This provision does not apply to alterations limited solely to windows, hardware, operating controls, electrical outlets and signs. This provision does not apply to alterations limited solely to mechanical systems, electrical systems, installation or alteration of fire protection systems and abatement of hazardous materials. This provision does not apply to alterations undertaken for the primary purpose of increasing the accessibility of a facility. This provision does not apply to altered areas limited to Type B dwelling and sleeping units. [Substitute] "NFPA 72 13 with "NFPA 72 16."~~

- (11) ~~Chapter 16 Referenced Standards [Amended]. IEBC ch. 16, Referenced Standards, is hereby amended to include the following substitution:~~

(Code 1976, § 5-202; Ord. No. O-1718-16, § 2; Ord. No. O-1819-32, § 2)

SECTION 10: **AMENDMENT** “6-204 Adoption Of The Energy Code” of the City of Norman Municipal Code is hereby *amended* as follows:

B E F O R E A M E N D M E N T

6-204 Adoption Of The Energy Code

- (a) The International Energy Conservation Code, 2006 edition, as published by the International Code Council, Inc., hereinafter referred to as "IECC" is hereby adopted as the energy code of the City for regulating energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems with the same force and effect as if fully set out in this section with amendments thereto as prescribed in this section.

- (b) The energy code shall not become effective until at least three copies thereof, including modifications prescribed in this section, have been filed in the office of the City Clerk.
- (c) The following sections of the IECC are hereby amended, added, deleted, or substituted as noted:
 - (1) 101.1 Title [Amended]. These regulations shall be known as the energy code of the City, hereinafter referred to as "this code."
 - (2) Chapter 6 Referenced Standards [Amended]. IECC ch. 6 is hereby amended to include the following substitutions:
 - a. [Substitute] "IBC-06" with "IBC-15."
 - b. [Substitute] "ICC EC-06 ICC Electrical Code®" with "NFPA® 70-14 National Electrical Code."
 - c. [Substitute] "IFC-06" with "IFC-15."
 - d. [Substitute] "IFGC-06" with "IFGC-15."
 - e. [Substitute] "IMC-06" with "IMC-15."
 - f. [Substitute] "IPC-06" with "IPC-15."
 - g. [Substitute] "IRC-06" with "IRC-15."

(Code 1976, § 5-203; Ord. No. O-1718-16, § 2)

A F T E R A M E N D M E N T

6-204 Adoption Of The Energy Code

- (a) The International Energy Conservation Code, 2006 edition, as published by the International Code Council, Inc., hereinafter referred to as "IECC" is hereby adopted as the energy code of the City for regulating energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems with the same force and effect as if fully set out in this section with amendments thereto as prescribed in this section.
- (b) The energy code shall not become effective until at least three copies thereof, including modifications prescribed in this section, have been filed in the office of the City Clerk.
- (c) The following sections of the IECC are hereby amended, added, deleted, or substituted as noted:
 - (1) 101.1 Title [Amended]. These regulations shall be known as the energy code of the City, hereinafter referred to as "this code."
 - (2) Chapter 6 Referenced Standards [Amended]. IECC ch. 6 is hereby amended to include the following substitutions:
 - a. [Substitute] "IBC-06" with "IBC-~~15~~18."
 - b. [Substitute] "ICC EC-06 ICC Electrical Code®" with "NFPA® 70-~~14~~20 National Electrical Code."
 - c. [Substitute] "IFC-06" with "IFC-~~15~~18."
 - d. [Substitute] "IFGC-06" with "IFGC-~~15~~18."
 - e. [Substitute] "IMC-06" with "IMC-~~15~~18."
 - f. [Substitute] "IPC-06" with "IPC-~~15~~18."
 - g. [Substitute] "IRC-06" with "IRC-~~15~~18."

(Code 1976, § 5-203; Ord. No. O-1718-16, § 2)

SECTION 11: AMENDMENT “6-205 Adoption Of The Plumbing Code” of the City of Norman Municipal Code is hereby *amended* as follows:

B E F O R E A M E N D M E N T

6-205 Adoption Of The Plumbing Code

- (a) Pursuant to 59 O.S. § 1000.23, the International Plumbing Code, 2015 edition, including Appendix B, C, D, and E; as published by the International Code Council, Inc., including modifications by the Oklahoma Uniform Building Code Commission as set forth in title 748, ch. 20, subch. 15 of the Oklahoma Administrative Code; more specifically sections 7, 8, 9, 11, 12, 14, 15, 16, and 16.1, effective September 15, 2017; hereinafter referred to as "IPC," is hereby adopted as the plumbing code of the City for regulating design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems with the same force and effect as if fully set out in this section with amendments thereto as prescribed in this section.
- (b) The plumbing code shall not become effective until at least three copies, including modifications prescribed in this section, have been filed in the office of the City Clerk.
- (c) The following sections of the IPC are hereby amended, added, deleted, or substituted as noted:
 - (1) 101.1 Title [Amended]. These regulations shall be known as the plumbing code of the City, hereinafter referred to as "this code."
 - (2) 101.2.1 Appendices [Added]. The provisions in appendices B, C, D and E are hereby adopted and are considered a part of this Code. All other appendices are not adopted and shall not apply.
 - (3) Section 103 Development Services Division [Substitute].
 - (4) 103.1 General [Amended]. The Development Services Division is hereby created and the official in charge thereof shall be known as the Code Official.
 - (5) 106.1.1 Annual permit [Deleted]. IPC section 106.1.1 is hereby deleted without substitution.
 - (6) 106.1.2 Annual permit records [Deleted]. IPC section 106.1.2 is hereby deleted without substitution.
 - (7) 106.6 Fees [Amended]. A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.
 - (8) 106.6.1 Work commencing before permit issuance [Amended]. Any person who commences any work on a plumbing system before obtaining the necessary permits shall be subject to a fee established by the Code Official that shall be in addition to the required permit fees.
 - (9) 106.6.2 Fee schedule [Deleted]. IPC section 106.6.2 is hereby deleted without substitution.
 - (10) 106.6.3 Fee refunds [Amended]. The Code Official is authorized to establish a refund policy.
 - (11) 108.4 Violation penalties [Amended]. Any person who violates a provision of this Code or fails to comply with any of the requirements thereof or who erects, installs, alters or repairs plumbing work in violation of the approved construction documents, directive of the Code Official or of a permit issued under the provisions of this Code, shall be subject to penalties as prescribed by law.

- (12) 108.5 Stop work orders [Amended]. Upon notice from the Code Official that work on any plumbing system regulated by this Code is being performed in a manner either contrary to the provisions of this Code or dangerous or unsafe, the Code Official is authorized to issue a stop work order. The stop work order shall be in writing and shall be given to the owner of the property involved, to the owner's authorized agent or to the person performing the work. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume. Any person who shall continue any work on the plumbing system after having been served with a stop work order, except such work as that person is directed to perform to remove the violation or unsafe condition, shall be subject to penalties as prescribed by law.
- (13) Section 109 Means of Appeal [Deleted]. IPC section 109 is hereby deleted in favor of the provisions of NCC 2-314.
- (14) Chapter 2 Definitions [Amended]. IPC section 202 is adopted as published, provided that the following definition is hereby added to read as follows: Service Sink [Added]. In occupancy groups B, M, S and U a service sink is defined as any approved sink, basin or bowl that discharges to the building sewer and can be used in conjunction with a potable water faucet for the purpose of building cleaning and/or maintenance provided the potable water faucet is not also used for drinking water.
- (15) 312.6 Gravity sewer test [Amended]. Where required, gravity sewer tests shall consist of plugging the end of the building sewer at the point of connection with the building cleanout, filling the building sewer with water, testing with not less than five-foot (1,024 mm) head of water and maintaining such pressure for 15 minutes.
- (16) 410.4 Substitution [Amended]. Where restaurants provide drinking water in a container free of charge, drinking fountains shall not be required in those restaurants. In occupancy Group B, F, M, I-4 and S, with an occupant load less than 50, where drinking fountains are required, a water dispenser connected to the potable water distribution system shall be permitted to be substituted for the required drinking fountain. In other occupancies where drinking fountains are required, water dispensers shall be permitted to be substituted for not more than 50 percent of the required number of drinking fountains.
- (17) 701.2 Sewer required [Amended]. Buildings in which plumbing fixtures are installed and premises having drainage piping shall be connected to a public sewer, where available, or an approved private sewage disposal system as set forth in title 252, chapter 641 of the Oklahoma Administrative Code.
- (18) Chapter 15 Referenced Standards [Amended]. IPC chapter 15 is hereby amended to include the following substitution:

[Substitute] "IECC-15" with "IECC-06."

(Code 1976, § 5-204; Ord. No. O-1718-16, § 2)

A F T E R A M E N D M E N T

6-205 Adoption Of The Plumbing Code

- (a) Pursuant to 59 O.S. § 1000.23, the International Plumbing Code, 2015~~8~~ edition, including Appendix B, C, D, and E; as published by the International Code Council,

Inc., including modifications by the Oklahoma Uniform Building Code Commission as set forth in title 748, ~~ch. 20, subch. 15~~ of the Oklahoma Administrative Code,; ~~more specifically sections 7, 8, 9, 11, 12, 14, 15, 16, and 16.1, effective September 15, 2017;~~ hereinafter referred to as "IPC," is hereby adopted as the plumbing code of the City for regulating design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems with the same force and effect as if fully set out in this section with amendments thereto as prescribed in this section.

- (b) The plumbing code shall not become effective until at least three copies, including modifications prescribed in this section, have been filed in the office of the City Clerk.
- (c) The following sections of the IPC are hereby amended, added, deleted, or substituted as noted:
 - (1) 101.1 Title [Amended]. These regulations shall be known as the plumbing code of the City, hereinafter referred to as "this code."
 - (2) 101.2.1 Appendices [Added]. The provisions in appendices B, C, D and E are hereby adopted and are considered a part of this Code. All other appendices are not adopted and shall not apply.
 - (3) Section 103 Development Services Division [Substitute].
 - (4) 103.1 General [Amended]. The Development Services Division is hereby created and the official in charge thereof shall be known as the Code Official.
 - (5) ~~106.1.1 Annual permit [Deleted]. IPC section 106.1.1 is hereby deleted without substitution.~~
 - (6) ~~106.1.2 Annual permit records [Deleted]. IPC section 106.1.2 is hereby deleted without substitution.~~
 - (7) 106.6 Fees [Amended]. A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.
 - (8) 106.6.1 Work commencing before permit issuance [Amended]. Any person who commences any work on a plumbing system before obtaining the necessary permits shall be subject to a fee established by the Code Official that shall be in addition to the required permit fees.
 - (9) 106.6.2 Fee schedule [Deleted]. IPC section 106.6.2 is hereby deleted without substitution.
 - (10) 106.6.3 Fee refunds [Amended]. The Code Official is authorized to establish a refund policy.
 - (11) 108.4 Violation penalties [Amended]. Any person who violates a provision of this Code or fails to comply with any of the requirements thereof or who erects, installs, alters or repairs plumbing work in violation of the approved construction documents, directive of the Code Official or of a permit issued under the provisions of this Code, shall be subject to penalties as prescribed by law.
 - (12) 108.5 Stop work orders [Amended]. Upon notice from the Code Official that work on any plumbing system regulated by this Code is being performed in a manner either contrary to the provisions of this Code or dangerous or unsafe, the Code Official is authorized to issue a stop work order. The stop work order shall be in writing and shall be given to the owner of the property involved, to the owner's authorized agent or to the person performing the work. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume. Any person who shall continue any work on the plumbing system after having been served with a stop work order, except such work as that person is

directed to perform to remove the violation or unsafe condition, shall be subject to penalties as prescribed by law.

- (13) Section 109 Means of Appeal [Deleted]. IPC section 109 is hereby deleted in favor of the provisions of NCC 2-314.
- (14) ~~Chapter 2 Definitions [Amended]. IPC section 202 is adopted as published, provided that the following definition is hereby added to read as follows: Service Sink [Added]. In occupancy groups B, M, S and U a service sink is defined as any approved sink, basin or bowl that discharges to the building sewer and can be used in conjunction with a potable water faucet for the purpose of building cleaning and/or maintenance provided the potable water faucet is not also used for drinking water.~~
- (15) ~~312.6 Gravity sewer test [Amended]. Where required, gravity sewer tests shall consist of plugging the end of the building sewer at the point of connection with the building cleanout, filling the building sewer with water, testing with not less than five-foot (1,024 mm) head of water and maintaining such pressure for 15 minutes.~~
- (16) ~~410.4 Substitution [Amended]. Where restaurants provide drinking water in a container free of charge, drinking fountains shall not be required in those restaurants. In occupancy Group B, F, M, I-4 and S, with an occupant load less than 50, where drinking fountains are required, a water dispenser connected to the potable water distribution system shall be permitted to be substituted for the required drinking fountain. In other occupancies where drinking fountains are required, water dispensers shall be permitted to be substituted for not more than 50 percent of the required number of drinking fountains.~~
- (17) ~~701.2 Sewer required [Amended]. Buildings in which plumbing fixtures are installed and premises having drainage piping shall be connected to a public sewer, where available, or an approved private sewage disposal system as set forth in title 252, chapter 641 of the Oklahoma Administrative Code.~~
- (18) ~~Chapter 15 Referenced Standards [Amended]. IPC chapter 15 is hereby amended to include the following substitution:~~

~~[Substitute] "IECC-15" with "IECC-06."~~

(Code 1976, § 5-204; Ord. No. O-1718-16, § 2)

SECTION 12: **AMENDMENT** "6-206 Adoption Of The Mechanical Code" of the City of Norman Municipal Code is hereby *amended* as follows:

B E F O R E A M E N D M E N T

6-206 Adoption Of The Mechanical Code

- (a) Pursuant to 59 O.S. § 1000.23, the International Mechanical Code, 2015 edition, including Appendix A, as published by the International Code Council, Inc., including modifications by the Oklahoma Uniform Building Code Commission as set forth in title 748, ch. 20, subch. 13 of the Oklahoma Administrative Code; more specifically sections 8, 9, 10, and 10.1, effective September 15, 2017; hereinafter referred to as "IMC," is

hereby adopted as the mechanical code of the City for regulating design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems with the same force and effect as if fully set out in this section with amendments thereto as prescribed in this section.

- (b) The mechanical code shall not become effective until at least three copies, including modifications prescribed in this section, have been filed in the office of the City Clerk.
- (c) The following sections of the IMC are hereby amended, added, deleted, or substituted as noted:
 - (1) 101.1 Title [Amended]. These regulations shall be known as the mechanical code of the City, hereinafter referred to as "this code."
 - (2) 101.2.1 Appendices [Amended]. The provisions in appendix A are hereby adopted and is considered a part of this Code. All other appendices are not adopted and shall not apply.
 - (3) Section 103 Development Services Division [Substitute].
 - (4) 103.1 General [Amended]. The Development Services Division is hereby created and the official in charge thereof shall be known as the Code Official.
 - (5) 106.1.1 Annual permit [Deleted]. IMC section 106.1.1 is hereby deleted without substitution.
 - (6) 106.1.2 Annual permit records [Deleted]. IMC section 106.1.2 is hereby deleted without substitution.
 - (7) 106.5 Fees [Amended]. A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.
 - (8) 106.5.1 Work commencing before permit issuance [Amended]. Any person who commences any work on a mechanical system before obtaining the necessary permits shall be subject to a fee established by the Code Official that shall be in addition to the required permit fees.
 - (9) 106.5.2 Fee schedule [Deleted]. IMC section 106.5.2 is hereby deleted without substitution.
 - (10) 106.5.3 Fee refunds [Amended]. The Code Official is authorized to establish a refund policy.
 - (11) 108.4 Violation penalties [Amended]. Any person who violates a provision of this Code or fails to comply with any of the requirements thereof or who erects, installs, alters or repairs mechanical work in violation of the approved construction documents, directive of the Code Official or of a permit issued under the provisions of this Code shall be subject to penalties as prescribed by law.
 - (12) 108.5 Stop work orders [Amended]. Upon notice from the Code Official that work on any mechanical system regulated by this Code is being performed in a manner either contrary to the provisions of this Code or dangerous or unsafe, the Code Official is authorized to issue a stop work order. The stop work order shall be in writing and shall be given to the owner of the property involved, to the owner's authorized agent or to the person performing the work. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume. Any person who shall continue any work on the mechanical system after having been served with a stop work order, except such work as that person is directed to perform to remove the violation or unsafe condition, shall be subject to penalties as prescribed by law.
 - (13) Section 109 Means of Appeal [Deleted]. IMC section 109 is hereby deleted in favor of the provisions of NCC 2-314.
 - (14) 504.8.1 Material and size [Amended]. Exhaust ducts shall have a smooth interior finish and shall be constructed of metal a minimum 0.016 inch (0.4 mm) thick. The exhaust duct size shall be four inches (102 mm) nominal in diameter.

Exception: Schedule 40 PVC pipe may be used if the installation complies with all of the following:

- a. The duct shall be installed under a concrete slab poured on grade and arranged to drain to the building exterior.
- b. The under-floor trench in which the duct is installed shall be completely backfilled with sand or gravel.
- c. The PVC duct shall extend not greater than one inch above the indoor concrete floor surface.
- d. The PVC duct shall extend not greater than one inch above grade outside of the building.
- e. The PVC ducts shall be solvent cemented.

- (15) 507.2 Type I hoods [Amended]. Type I hoods shall be installed where cooking appliances produce grease or smoke as a result of the cooking process. Type I hoods shall be installed over medium-duty, heavy-duty and extra-heavy-duty cooking appliances.

Exception: A Type I hood shall not be required for an electric cooking appliance where an approved testing agency provides documentation that the appliance effluent contains five mg/m³ or less of grease when tested at an exhaust flow rate of 500 cfm (0.236 m³ per second) in accordance with UL 710B.

- a. [Deleted]. The exception added in title 748, ch. 20, subch. 13, subsection 9, item (2) of the Oklahoma Administrative Code; is hereby deleted without substitution.

- (16) Chapter 15 Referenced Standards [Amended]. IMC ch. 15 is hereby amended to include the following substitution:

- a. [Substitute] "IECC-15" with "IECC-06."
- b. [Substitute] "NFPA 72-13" with "NFPA 72-16."

(Code 1976, § 5-205; Ord. No. O-1718-16, § 2)

A F T E R A M E N D M E N T

6-206 Adoption Of The Mechanical Code

- (a) Pursuant to 59 O.S. § 1000.23, the International Mechanical Code, 2015~~8~~ edition, including Appendix A, as published by the International Code Council, Inc., including modifications by the Oklahoma Uniform Building Code Commission as set forth in title 748, ~~ch. 20, subch. 13~~ of the Oklahoma Administrative Code, ~~more specifically sections 8, 9, 10, and 10.1, effective September 15, 2017~~; hereinafter referred to as "IMC," is hereby adopted as the mechanical code of the City for regulating design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems with the same force and effect as if fully set out in this section with amendments thereto as prescribed in this section.
- (b) The mechanical code shall not become effective until at least three copies, including modifications prescribed in this section, have been filed in the office of the City Clerk.
- (c) The following sections of the IMC are hereby amended, added, deleted, or substituted as noted:
 - (1) 101.1 Title [Amended]. These regulations shall be known as the mechanical code of the City, hereinafter referred to as "this code."

- (2) 101.2.1 Appendices [Amended]. The provisions in appendix A are hereby adopted and is considered a part of this Code. All other appendices are not adopted and shall not apply.
- (3) Section 103 Development Services Division [Substitute].
- (4) 103.1 General [Amended]. The Development Services Division is hereby created and the official in charge thereof shall be known as the Code Official.
- (5) ~~106.1.1 Annual permit [Deleted]. IMC section 106.1.1 is hereby deleted without substitution.~~
- (6) ~~106.1.2 Annual permit records [Deleted]. IMC section 106.1.2 is hereby deleted without substitution.~~
- (7) 106.5 Fees [Amended]. A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.
- (8) 106.5.1 Work commencing before permit issuance [Amended]. Any person who commences any work on a mechanical system before obtaining the necessary permits shall be subject to a fee established by the Code Official that shall be in addition to the required permit fees.
- (9) 106.5.2 Fee schedule [Deleted]. IMC section 106.5.2 is hereby deleted without substitution.
- (10) 106.5.3 Fee refunds [Amended]. The Code Official is authorized to establish a refund policy.
- (11) 108.4 Violation penalties [Amended]. Any person who violates a provision of this Code or fails to comply with any of the requirements thereof or who erects, installs, alters or repairs mechanical work in violation of the approved construction documents, directive of the Code Official or of a permit issued under the provisions of this Code shall be subject to penalties as prescribed by law.
- (12) 108.5 Stop work orders [Amended]. Upon notice from the Code Official that work on any mechanical system regulated by this Code is being performed in a manner either contrary to the provisions of this Code or dangerous or unsafe, the Code Official is authorized to issue a stop work order. The stop work order shall be in writing and shall be given to the owner of the property involved, to the owner's authorized agent or to the person performing the work. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume. Any person who shall continue any work on the mechanical system after having been served with a stop work order, except such work as that person is directed to perform to remove the violation or unsafe condition, shall be subject to penalties as prescribed by law.
- (13) Section 109 Means of Appeal [Deleted]. IMC section 109 is hereby deleted in favor of the provisions of NCC 2-314.
- (14) ~~504.8.1 Material and size [Amended]. Exhaust ducts shall have a smooth interior finish and shall be constructed of metal a minimum 0.016 inch (0.4 mm) thick. The exhaust duct size shall be four inches (102 mm) nominal in diameter.~~

~~Exception: Schedule 40 PVC pipe may be used if the installation complies with all of the following:-~~

- ~~a. The duct shall be installed under a concrete slab poured on grade and arranged to drain to the building exterior.~~
- ~~b. The under floor trench in which the duct is installed shall be completely backfilled with sand or gravel.~~
- ~~c. The PVC duct shall extended not greater than one inch above the indoor concrete floor surface.~~
- ~~d. The PVC duct shall extend not greater than one inch above grade outside of the building.~~
- ~~e. The PVC ducts shall be solvent cemented.~~

~~(15) 507.2 Type I hoods [Amended]. Type I hoods shall be installed where cooking appliances produce grease or smoke as a result of the cooking process. Type I hoods shall be installed over medium duty, heavy duty and extra heavy duty cooking appliances.~~

~~Exception: A Type I hood shall not be required for an electric cooking appliance where an approved testing agency provides documentation that the appliance effluent contains five mg/m³ or less of grease when tested at an exhaust flow rate of 500 cfm (0.236 m³ per second) in accordance with UL 710B.~~

~~a. [Deleted]. The exception added in title 748, ch. 20, subch. 13, subsection 9, item (2) of the Oklahoma Administrative Code; is hereby deleted without substitution.~~

~~(16) Chapter 15 Referenced Standards [Amended]. IMC ch. 15 is hereby amended to include the following substitution:~~

~~a. [Substitute] "IECC 15" with "IECC 06"~~

~~b. [Substitute] "NFPA 72-13" with "NFPA 72-16".~~

(Code 1976, § 5-205; Ord. No. O-1718-16, § 2)

SECTION 13: AMENDMENT "6-207 Adoption Of The Fuel Gas Code" of the City of Norman Municipal Code is hereby *amended* as follows:

B E F O R E A M E N D M E N T

6-207 Adoption Of The Fuel Gas Code

- (a) Pursuant to 59 O.S. § 1000.23, the International Fuel Gas Code, 2015 edition, including appendix A, B, and C, as published by the International Code Council, Inc., including modifications by the Oklahoma Uniform Building Code Commission as set forth in title 748, ch. 20, subch. 11 of the Oklahoma Administrative Code; more specifically sections 6.1, 7 and 8, effective September 15, 2017; hereinafter referred to as "IFGC," is hereby adopted as the fuel gas code of the City for regulating installation of gas piping and fuel fired appliances with the same force and effect as if fully set out in this section with amendments thereto as prescribed in this section.
- (b) The fuel gas code shall not become effective until at least three copies, including modifications prescribed in this section, have been filed in the office of the City Clerk.
- (c) The following sections of the IFGC are hereby amended, added, deleted, or substituted as noted:
 - (1) 101.1 Title [Amended]. These regulations shall be known as the fuel gas code of the City, hereinafter referred to as "this code."
 - (2) 101.3 Appendices [Amended]. The provisions in appendices A, B and C are hereby adopted and are considered a part of this Code. All other appendices are not adopted and shall not apply.
 - (3) Section 103 Development Services Division [Substitute].
 - (4) 103.1 General [Amended]. The Development Services Division is hereby created and the official in charge thereof shall be known as the Code Official.
 - (5) 106.1.1 Annual permit [Deleted]. IFGC section 106.1.1 is hereby deleted without substitution.
 - (6) 106.1.2 Annual permit records [Deleted]. IFGC section 106.1.2 is hereby deleted without substitution.

- (7) 106.6 Fees [Amended]. A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.
- (8) 106.6.1 Work commencing before permit issuance [Amended]. Any person who commences any work on an installation before obtaining the necessary permits shall be subject to a fee established by the Code Official that shall be in addition to the required permit fees.
- (9) 106.6.2 Fee schedule [Deleted]. IFGC section 106.6.2 is hereby deleted without substitution.
- (10) 106.6.3 Fee refunds [Amended]. The Code Official is authorized to establish a refund policy.
- (11) 108.4 Violation penalties [Amended]. Any person who violates a provision of this Code or fails to comply with any of the requirements thereof or who erects, installs, alters or repairs work in violation of the approved construction documents, directive of the Code Official or of a permit issued under the provisions of this Code, shall be subject to penalties as prescribed by law.
- (12) 108.5 Stop work orders [Amended]. Upon notice from the Code Official that work regulated by this Code is being performed in a manner either contrary to the provisions of this Code or dangerous or unsafe, the Code Official is authorized to issue a stop work order. The stop work order shall be in writing and shall be given to the owner of the property involved, to the owner's authorized agent or to the person performing the work. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove the violation or unsafe condition, shall be subject to penalties as prescribed by law.
- (13) Section 109 Means of Appeal [Deleted]. IFGC section 109 is hereby deleted in favor of the provisions of NCC 2-314.
- (14) 305.3 Elevation of ignition source [Amended]. Equipment and appliances having an ignition source shall be elevated such that the source of ignition is not less than 18 inches (457 mm) above the floor surface on which the equipment or appliance rest in hazardous locations and public garages, private garages, repair garages, motor fuel-dispensing facilities and parking garages. For the purpose of this section, rooms or spaces that are not part of the living space of a dwelling unit and that communicate directly with a private garage through openings shall be considered to be part of the private garage.

Exception: Elevation of the ignition source is not required for appliances that are listed as flammable vapor ignition resistant.

- (15) 310.1.1 CSST [Amended]. Corrugated stainless steel tubing (CSST) gas piping systems and piping systems containing one or more segments of CSST shall be bonded to the electrical service grounding electrode system or, where provided, the lightning protection grounding electrode system.

Exception: [Deleted]. The exception added in title 748, ch. 20, subch. 11, section 7, item (6) of the Oklahoma Administrative Code; is hereby deleted without substitution.

- (16) Chapter 8 Referenced Standards [Amended]. IFGC ch. 8 is hereby amended to include the following substitution:

[Substitute] "IECC-15" with "IECC-06."

(Code 1976, § 5-206; Ord. No. O-1718-16, § 2)

AFTER AMENDMENT

6-207 Adoption Of The Fuel Gas Code

- (a) Pursuant to 59 O.S. § 1000.23, the International Fuel Gas Code, 2015~~8~~ edition, including appendix A, B, and C, as published by the International Code Council, Inc., including modifications by the Oklahoma Uniform Building Code Commission as set forth in title 748, ~~ch. 20, subch. 11~~ of the Oklahoma Administrative Code, ~~more specifically sections 6.1, 7 and 8, effective September 15, 2017~~; hereinafter referred to as "IFGC," is hereby adopted as the fuel gas code of the City for regulating installation of gas piping and fuel fired appliances with the same force and effect as if fully set out in this section with amendments thereto as prescribed in this section.
- (b) The fuel gas code shall not become effective until at least three copies, including modifications prescribed in this section, have been filed in the office of the City Clerk.
- (c) The following sections of the IFGC are hereby amended, added, deleted, or substituted as noted:
 - (1) 101.1 Title [Amended]. These regulations shall be known as the fuel gas code of the City, hereinafter referred to as "this code."
 - (2) 101.3 Appendices [Amended]. The provisions in appendices A, B and C are hereby adopted and are considered a part of this Code. All other appendices are not adopted and shall not apply.
 - (3) Section 103 Development Services Division [Substitute].
 - (4) 103.1 General [Amended]. The Development Services Division is hereby created and the official in charge thereof shall be known as the Code Official.
 - (5) ~~106.1.1 Annual permit [Deleted]. IFGC section 106.1.1 is hereby deleted without substitution.~~
 - (6) ~~106.1.2 Annual permit records [Deleted]. IFGC section 106.1.2 is hereby deleted without substitution.~~
 - (7) 106.6 Fees [Amended]. A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.
 - (8) 106.6.1 Work commencing before permit issuance [Amended]. Any person who commences any work on an installation before obtaining the necessary permits shall be subject to a fee established by the Code Official that shall be in addition to the required permit fees.
 - (9) 106.6.2 Fee schedule [Deleted]. IFGC section 106.6.2 is hereby deleted without substitution.
 - (10) 106.6.3 Fee refunds [Amended]. The Code Official is authorized to establish a refund policy.
 - (11) 108.4 Violation penalties [Amended]. Any person who violates a provision of this Code or fails to comply with any of the requirements thereof or who erects, installs, alters or repairs work in violation of the approved construction documents, directive of the Code Official or of a permit issued under the provisions of this Code, shall be subject to penalties as prescribed by law.
 - (12) 108.5 Stop work orders [Amended]. Upon notice from the Code Official that work regulated by this Code is being performed in a manner either contrary to the provisions of this Code or dangerous or unsafe, the Code Official is authorized to issue a stop work order. The stop work order shall be in writing

and shall be given to the owner of the property involved, to the owner's authorized agent or to the person performing the work. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove the violation or unsafe condition, shall be subject to penalties as prescribed by law.

- (13) Section 109 Means of Appeal [Deleted]. IFGC section 109 is hereby deleted in favor of the provisions of NCC 2-314.
- (14) ~~305.3 Elevation of ignition source [Amended]. Equipment and appliances having an ignition source shall be elevated such that the source of ignition is not less than 18 inches (457 mm) above the floor surface on which the equipment or appliance rest in hazardous locations and public garages, private garages, repair garages, motor fuel dispensing facilities and parking garages. For the purpose of this section, rooms or spaces that are not part of the living space of a dwelling unit and that communicate directly with a private garage through openings shall be considered to be part of the private garage.~~

~~Exception: Elevation of the ignition source is not required for appliances that are listed as flammable vapor ignition resistant.~~

- (15) ~~310.1.1 CSST [Amended]. Corrugated stainless steel tubing (CSST) gas piping systems and piping systems containing one or more segments of CSST shall be bonded to the electrical service grounding electrode system or, where provided, the lightning protection grounding electrode system.~~

~~Exception: [Deleted]. The exception added in title 748, ch. 20, subch. 11, section 7, item (6) of the Oklahoma Administrative Code; is hereby deleted without substitution.~~

- (16) ~~Chapter 8 Referenced Standards [Amended]. IFGC ch. 8 is hereby amended to include the following substitution:
[Substitute] "IECC 15" with "IECC 06."~~

(Code 1976, § 5-206; Ord. No. O-1718-16, § 2)

SECTION 14: **AMENDMENT** "6-208 Adoption Of The Electrical Code" of the City of Norman Municipal Code is hereby *amended* as follows:

B E F O R E A M E N D M E N T

6-208 Adoption Of The Electrical Code

- (a) Pursuant to 59 O.S. § 1000.23, the NFPA® 70, National Electrical Code, 2014 edition, including Annex H, as published by the National Fire Protection Association®, including modifications by the Oklahoma Uniform Building Code Commission as set forth in title 748, ch. 20, subch. 9 of the Oklahoma Administrative Code; more specifically sections 6.1, 6.2, 7, and 8, effective September 15, 2017; hereinafter referred to as "NEC," is hereby adopted as the electrical code of the City for regulating electrical installations made, maintained and operated with the same force and effect as if fully set out in this section with amendments thereto as prescribed in this section.
- (b) The electrical code shall not become effective until at least three copies, including modifications prescribed in this section, have been filed in the office of the City Clerk.

(c) The following sections of the NEC are hereby amended, added, deleted, or substituted as noted:

- (1) 80.7 Title [Amended]. These regulations shall be known as the electrical code of the City, hereinafter referred to as "this code."
- (2) 80.15 Electrical Board [Deleted]. NEC Annex H article 80.15 is hereby deleted without substitution.
- (3) 80.19(D) Annual Permits [Deleted]. NEC Annex H article 80.19 section (D) is hereby deleted without substitution.
- (4) 80.23(B)(3) [Amended]. Any person who violates a provision of this Code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs work in violation of the approved construction documents, directive of the Code Official or of a permit issued under the provisions of this Code, shall be subject to penalties as prescribed by law.
- (5) 80.27 Inspector's Qualifications [Deleted]. NEC Annex H article 80.27 is hereby deleted in favor of the provisions of title 158, chapter 60 of the Oklahoma Administrative Code.
- (6) 110.5 Conductors [Amended]. Conductors normally used to carry current shall be of copper unless otherwise provided in this Code. Where the conductor material is not specified, the material and the sizes given in this Code shall apply to copper conductors. Where other materials are used, the size shall be changed accordingly. The use of aluminum conductors shall be prohibited except for exterior uses and for underground service feeders for manufactured homes.

Informational Note: For aluminum and copper-clad aluminum conductors, see 310.15.

- (7) 210.23(A)(3) Dwelling Occupancies [Added]. Dwelling unit receptacle outlets installed in accordance with 210.52 and lighting outlets installed in accordance with 210.70 shall be limited to a maximum of ten for 20-ampere and a maximum of eight for 15-ampere branch circuits. Kitchen receptacle outlets installed in accordance with 210.52(B)(3) and 210.52(C) shall not exceed five.
- (8) 230.70(A)(1) Readily Accessible Location [Amended]. The service disconnecting means shall be installed at a readily accessible location either outside of a building or structure or inside nearest the point of entrance of the service conductors. The distance from the point of entrance of a building or structure to the service disconnecting equipment enclosure shall not exceed 24 inches measured horizontally or 60 inches measured vertically.
- (9) 312.8(4) Mounting Height [Added]. Enclosures for switches or over-current devices shall be installed so the bottom of the enclosure is not less than 600 mm (two feet) above finish grade or working platform unless specifically listed or approved for an alternate mounting height.
- (10) 334.10(3) and (4) [Deleted]. NEC article 334.10 items (3) and (4) are hereby deleted without substitution.

(Code 1976, § 5-207; Ord. No. O-1718-16, § 2)

A F T E R A M E N D M E N T

6-208 Adoption Of The Electrical Code

- (a) Pursuant to 59 O.S. § 1000.23, the NFPA® 70, National Electrical Code, 2020~~14~~

edition, including Annex H, as published by the National Fire Protection Association®, including modifications by the Oklahoma Uniform Building Code Commission as set forth in title 748, ~~ch. 20, subch. 9~~ of the Oklahoma Administrative Code, ~~more specifically sections 6.1, 6.2, 7, and 8, effective September 15, 2017;~~ hereinafter referred to as "NEC," is hereby adopted as the electrical code of the City for regulating electrical installations made, maintained and operated with the same force and effect as if fully set out in this section with amendments thereto as prescribed in this section.

- (b) The electrical code shall not become effective until at least three copies, including modifications prescribed in this section, have been filed in the office of the City Clerk.
- (c) The following sections of the NEC are hereby amended, added, deleted, or substituted as noted:

- (1) 80.7 Title [Amended]. NEC Annex H. These regulations shall be known as the electrical code of the City, hereinafter referred to as "this code."
- (2) 80.15 Electrical Board [Deleted]. NEC Annex H article 80.15 is hereby deleted without substitution.
- (3) ~~80.19(D) Annual Permits [Deleted]. NEC Annex H article 80.19 section (D) is hereby deleted without substitution.~~
- (4) 80.23(B)(3) [Amended]. Any person who violates a provision of this Code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs work in violation of the approved construction documents, directive of the Code Official or of a permit issued under the provisions of this Code, shall be subject to penalties as prescribed by law.
- (5) 80.27 Inspector's Qualifications [Deleted]. NEC Annex H article 80.27 is hereby deleted in favor of the provisions of title 158, chapter 60 of the Oklahoma Administrative Code.
- (6) 110.5 Conductors [Amended]. Conductors normally used to carry current shall be of copper unless otherwise provided in this Code. Where the conductor material is not specified, the material and the sizes given in this Code shall apply to copper conductors. Where other materials are used, the size shall be changed accordingly. The use of aluminum conductors shall be prohibited except for exterior uses and for underground service feeders for manufactured homes.

~~Informational Note: For aluminum and copper-clad aluminum conductors, see 310.15.~~

- (7) ~~210.23(A)(3) Dwelling Occupancies [Added]. Dwelling unit receptacle outlets installed in accordance with 210.52 and lighting outlets installed in accordance with 210.70 shall be limited to a maximum of ten for 20-ampere and a maximum of eight for 15-ampere branch circuits. Kitchen receptacle outlets installed in accordance with 210.52(B)(3) and 210.52(C) shall not exceed five.~~
- (8) 230.70(A)(1) Readily Accessible Location [Amended]. The service disconnecting means shall be installed at a readily accessible location either outside of a building or structure or inside nearest the point of entrance of the service conductors. The distance from the point of entrance of a building or structure to the service disconnecting equipment enclosure shall not exceed 24 inches measured horizontally or 60 inches measured vertically.
- (9) 312.8(4) Mounting Height [Added]. Enclosures for switches or over-current devices shall be installed so the bottom of the enclosure is not less than 600 mm (two feet) above finish grade or working platform unless specifically

listed or approved for an alternate mounting height.

- (10) ~~334.10(3) and (4) [Deleted]. NEC article 334.10 items (3) and (4) are hereby deleted without substitution.~~

(Code 1976, § 5-207; Ord. No. O-1718-16, § 2)

SECTION 15: **AMENDMENT** “6-209 Adoption Of The Residential Code” of the City of Norman Municipal Code is hereby *amended* as follows:

B E F O R E A M E N D M E N T

6-209 Adoption Of The Residential Code

- (a) Pursuant to 59 O.S. § 1000.23, the International Residential Code for One- and Two-Family Dwellings, 2015 edition, including appendix E and K, as published by the International Code Council, Inc., including modifications by the Oklahoma Uniform Building Code Commission as set forth in title 748, ch. 20, subch. 5 of the Oklahoma Administrative Code; more specifically sections 3, 5.1, 6, 7, 8, 9, 10, 11, 11.1, 11.2, 12, 13, 13.1, 13.2, 14, 15, 16, 17, 19, 20, 22, 22.1, and 24, effective September 15, 2017; hereinafter referred to as "IRC," is hereby adopted as the residential code of the City for regulating construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal, and demolition; of detached one- and two-family dwellings, townhouses, manufactured homes, or accessory structures; not more than three stories in height with separate means of egress with the same force and effect as if fully set out in this section with amendments thereto as prescribed in this section.
- (b) In addition, any construction, alteration, repair, or installation of automatic fire systems in one- and two-family dwellings that complies with appendix V created in title 748, chapter 20, subchapter 5, section 25 of the Oklahoma Administrative Code shall be permitted; however, compliance with appendix V is not mandatory.
- (c) Any permanent certificate for energy efficiency in one- and two-family dwellings that complies with appendix W created in title 748, chapter 20, subchapter 5, section 26 of the Oklahoma Administrative Code shall be permitted; however, compliance with appendix W is not mandatory.
- (d) Any construction, alteration, repair, or installation of swimming pools, spas or hot tubs that complies with appendix X created in title 748, chapter 20, subchapter 5, section 27 of the Oklahoma Administrative Code shall be permitted; however, compliance with appendix X is not mandatory.
- (e) Any new construction with enhanced tornado provision in one- and two-family dwellings that complies with appendix Y created in title 748, chapter 20, subchapter 5, section 28 of the Oklahoma Administrative Code shall be permitted; however, compliance with appendix Y is not mandatory.
- (f) The residential code shall not become effective until at least three copies, including modifications prescribed in this section, have been filed in the office of the City Clerk.
- (g) The following sections of the IRC are hereby amended, added, deleted, or substituted as noted:
 - (1) R101.1 Title [Amended]. These regulations shall be known as the residential code for one- and two-family dwellings of the City, hereinafter referred to as "this code."
 - (2) R102.5 Appendices [Amended]. The provisions in appendices E, K and Q are hereby adopted and are considered a part of this Code. All other appendices are

not adopted and shall not apply.

- (3) R102.7 Existing structures [Amended]. The legal occupancy of any structure existing on the date of adoption of this Code shall be permitted to continue without change, except as is specifically covered in this Code, the International Property Maintenance Code, the International Fire Code or NFPA 1, or as is deemed necessary by the Building Official for the general safety and welfare of the occupants and the public.
- (4) Section R103 Development Services Division [Substitute].
- (5) R103.1 Creation of enforcement agency [Amended]. The Development Services Division is hereby created and the official in charge thereof shall be known as the Building Official.
- (6) R104.10.1 Flood hazard areas [Amended]. The Building Official shall not grant modifications to any provisions required in flood hazard areas as established by Table R301.2(1) without the prior issuance of a floodplain permit by the City Floodplain Committee.
- (7) R105.2 Work exempt from permit [Amended]. Exemption from permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

- a. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the following: the floor area is not greater than 108 square feet (10.03 m²); such building is not constructed on or attached to a concrete slab, foundation, or permanent base; and such building has no electric, plumbing or gas service connection.
- b. Fences not over eight feet (2,438 mm) high.
- c. Retaining walls shall be permitted and built per the City Engineering Standards, as amended.
- d. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
- e. [Deleted]. This item is hereby deleted without substitution.
(The remainder of the section shall remain unchanged.)
- (8) R105.3.1.1 Determination of substantially improved or substantially damaged existing buildings in flood hazard areas [Deleted]. IRC section R105.3.1.1 is hereby deleted in favor of the provisions of NCC 36-533.
- (9) R105.7 Placement of permit [Amended]. For additions and alterations only, the building permit or a copy shall be kept on the site of the work until the completion of the project.
- (10) R106.1.4 Information for construction in flood hazard areas [Deleted]. IRC section R106.1.4 is hereby deleted in favor of the provisions of NCC 36-533.
- (11) R106.5 Retention of construction documents [Amended]. The floor and site plan shall be retained by the Building Official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws.
- (12) R109.1.3 Floodplain inspections [Deleted]. IRC section R109.1.3 is hereby deleted in favor of the provisions of NCC 36-533.
- (13) R109.1.4 Frame inspection [Amended]. Inspection of framing construction

shall be made after the roof, framing, firestopping, draftstopping and bracing are in place and after the plumbing, mechanical and electrical rough inspections are approved.

- (14) R109.1.5.2 Insulation inspection [Added]. Insulation inspections shall be made after framing, mechanical, electrical, and plumbing rough-in inspections are approved and before the installation of wallboard materials. Wallboard materials include, but are not limited to, lath, plaster, gypsum wallboard, wood paneling, sheet metal and the like.
- (15) R109.1.6.1 Elevation documentation [Amended]. If located in a flood hazard area, the documentation of elevations required in NCC 36-533 shall be submitted to the Floodplain Administrator prior to the final inspection.
- (16) R109.3 Inspection requests [Amended]. It shall be the duty of the permit holder or their agent to notify the Building Official that such work is ready for inspection. It shall be the duty of the person requesting any inspections required by this Code to provide safe access to and means for inspection of such work.
- (17) R110.1 Use and occupancy [Amended]. A building or structure shall not be used or occupied, and a change in the existing use or occupancy classification of a building or structure or portion thereof shall not be made, until the Building Official has issued a certificate of occupancy therefor, as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this Code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this Code or other ordinances of the jurisdiction shall not be valid.

Exception: Certificates of occupancy are not required for work exempt from permits under section R105.2.

- (18) Section R112 Board of Appeals [Deleted]. IRC section R112 is hereby deleted in favor of the provisions of NCC 2-314.
- (19) Chapter 2 Definitions [Amended]. IRC section R202 is adopted as published, provided that the following definition is hereby amended to read as follows:

Fire Separation Distance [Amended]. The distance measured from the building face to one of the following:

- a. To the closest interior lot line.
- b. To the center line of a street, an alley or public way.
- c. To an imaginary line between two buildings on the lot.
- d. To the limits of an easement on an adjacent property which restricts construction within said easement and has been recorded and filed with the Cleveland County Clerk, if approved by the Building Official.

The distance shall be measured at a right angle from the face of the wall.

- (20) Table R301.2(1) Climatic and Geographic Design Criteria [Amended]

<u>Ground snow load</u>	<u>Wind Design</u>				<u>Seismic design category^f</u>
	<u>Speed^d (mph)</u>	<u>Topographic effects^k</u>	<u>Special wind regionⁱ</u>	<u>Wind-borne debris zone^m</u>	
<u>10 lbs/ft²</u>	<u>115</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>C</u>

<u>Subject to damage from</u>			<u>Winter design temp^e</u>
<u>Weathering^a</u>	<u>Frost line depth^b</u>	<u>Termite^c</u>	
<u>Moderate</u>	<u>18"</u>	<u>Moderate to heavy</u>	<u>13° F</u>

<u>Ice barrier underlayment required^h</u>	<u>Flood hazards^g</u>	<u>Air freezing indexⁱ</u>	<u>Mean annual temp^j</u>
<u>NO</u>	<u>Section 22-429.1(3)a Code of the City of Norman</u>	<u>300</u>	<u>61.3° F</u>

(The footnotes shall remain unchanged.)

- (21) Table R301.5 Minimum Uniformly Distributed Live Loads [Amended].

(The table shall remain unchanged.)

Footnotes:

- a. Elevated garage floors shall be capable of supporting a 2,000-pound load applied over a 20-square-inch area.
- b. [Amended]. Uninhabitable attics without storage are those where the clear height between joists and rafters is not more than 42 inches, or where there are not two or more adjacent trusses with web configurations capable of accommodating an assumed rectangle 42 inches in height by 24 inches in width, or greater, within the plane of the trusses, or the space is more than ten feet from the point of entry to the attic space and no provision for attic storage is installed. This live load need not be assumed to act concurrently with any other live load requirements.

(The remainder of the footnotes shall remain unchanged.)

- (22) R302.1 Exterior walls [Amended]. Construction, projections, openings and penetrations of exterior walls of dwellings and accessory buildings shall comply with Table R302.1(1); or dwellings equipped throughout with an automatic sprinkler system installed in accordance with section P2904 shall comply with Table R302.1(2).

Exceptions:

- a. Walls, projections, openings or penetrations in walls perpendicular to the line used to determine the fire separation distance.
 - b. Walls of dwellings and accessory structures located on the same lot.
 - c. Detached tool sheds and storage sheds, playhouses and similar structures exempted from permits are not required to provide wall protection based on location on the lot. Projections beyond the exterior wall shall not extend over the lot line.
 - d. Detached garages accessory to a dwelling located within two feet (610 mm) of a lot line are permitted to have roof eave projections not exceeding four inches (102 mm).
 - e. Foundation vents installed in compliance with this Code are permitted.
 - f. Open metal carport structures may be constructed within zero feet of the property line without fire-resistive or opening protection when the location of such is approved as required by other adopted codes.
- (23) R303.3 Bathrooms [Amended]. Bathrooms, water closet compartments and other similar rooms shall be provided with aggregate glazing area in windows of not less than three square feet (0.3 m²), one-half of which must be openable. Separate window or artificial light and mechanical ventilation system provided through exception shall be required for enclosed/segregated toilet, bath or shower spaces.

Exception: The glazed areas shall not be required where artificial light and a local exhaust system are provided. The minimum local exhaust rates shall be determined in accordance with section M1507. Exhaust air from the space shall be exhausted directly to the outdoors and may not terminate in an attic space.

- (24) R304.1 Minimum area [Amended]. Every dwelling unit shall have at least one habitable room that shall have not less than 120 square feet (11 m²) of gross floor area.
- (25) R304.1.1 Other rooms [Added]. Other habitable rooms shall have a floor area of not less than 70 square feet (6.5 m²).

Exception: Kitchens.

- (26) R309.3 Flood hazard areas [Amended]. For buildings located in flood hazard areas as established by Table R301.2(1), garage floors shall be determined in accordance with NCC 36-533.
- (27) R311.7.5.3 Nosings [Amended]. Nosings shall have a curvature or bevel of not less than 1/16 inch (1.6 mm) but not more than 9/16 inch (14.3 mm) from the foremost projection of the tread. Nosings shall project not more than 1 1/4 inches (32 mm) beyond the tread below. The greatest nosing projection shall not exceed the smallest nosing projection by more than three-eighths inch (9.5 mm) between two stories, including the nosing at the level of floors and landings. Beveling of nosings shall not exceed one-half inch (12.7 mm).
- (28) R322.1 General [Amended]. Buildings and structures constructed in whole or in part in flood hazard areas, as established in table R301.2(1), and substantial improvement and restoration of substantial damage of buildings and structures in flood hazard areas, shall be designed and constructed in accordance with the provisions contained in this section and NCC 36-533.
- (29) R322.1.1 Alternative provisions [Deleted]. IRC section R322.1.1 is hereby deleted in favor of the provisions of NCC 36-533.

- (30) R322.1.4 Establishing the design flood elevation [Amended]. The design flood elevation shall be determined as prescribed in NCC 36-533.
- (31) R322.1.4.1 Determination of design flood elevations [Deleted]. IRC section R322.1.4.1 is hereby deleted in favor of the provisions of NCC 36-533.
- (32) R322.1.4.2 Determination of impacts [Deleted]. IRC section R322.1.4.2 is hereby deleted in favor of the provisions of NCC 36-533.
- (33) R322.1.5 Lowest floor [Amended]. The lowest floor shall be the lowest floor of the lowest enclosed area, including basement, or as determined in NCC 36-533.
- (34) R322.1.6 Protection of mechanical, plumbing and electrical systems [Amended]. Electrical systems, equipment and components; heating, ventilating, air conditioning; plumbing appliances and plumbing fixtures; duct systems; and other service equipment shall be located at or above the elevation required in section R322.2.

Exception: Locating electrical systems, equipment and components; heating, ventilating, air conditioning; plumbing appliances and plumbing fixtures; duct systems; and other service equipment is permitted below the elevation required in section R322.2 with the issuance of a floodplain permit by the City Floodplain Committee.

- (35) R322.1.7 Protection of water supply and sanitary sewage systems [Deleted]. IRC section R322.1.7 is hereby deleted in favor of the provisions of NCC 36-533.
- (36) R322.1.9 Manufactured homes [Deleted]. IRC section R322.1.9 is hereby deleted in favor of the provisions of NCC 36-533.
- (37) R322.1.10 As-built elevation documentation [Deleted]. IRC section R322.1.10 is hereby deleted in favor of the provisions of NCC 36-533.
- (38) R322.2 Flood hazard areas (including A Zones) [Amended]. Areas that have been determined to be prone to flooding shall be designated as flood hazard areas as shown on the City special flood hazard area map. Buildings and structures constructed in whole or in part in flood hazard areas shall be designed and constructed in accordance with sections R322.2.1, R322.2.3, and NCC 36-533.
- (39) R322.2.1 Elevation requirements [Amended]. Buildings and structures in flood hazard areas shall have the lowest floors elevated as prescribed in NCC 36-533.
- (40) R322.2.2 Enclosed area below design flood elevation [Deleted]. IRC section R322.2.2 is hereby deleted in favor of the provisions of NCC 36-533.
- (41) R322.2.2.1 Installation of openings [Deleted]. IRC section R322.2.2.1 is hereby deleted in favor of the provisions of NCC 36-533.
- (42) R322.2.4 Tanks [Deleted]. IRC section R322.2.4 is hereby deleted in favor of the provisions of NCC 36-533.
- (43) Sections R322.3 through R322.3.7 [Deleted]. IRC sections R322.3 through R322.3.7 are hereby deleted without substitution.
- (44) Section R327 Landscape Requirements [Added].
- (45) R327.1 Tree requirements [Added]. As of May 12, 2008, within all urban residential plats, when a building permit for a new residence is issued, the following shall apply:
 - a. At least one tree must be planted for each lot designated for single-family or two-family use before a certificate of occupancy for the building permit is issued. In no case will more than two trees be required per lot.

- b. For lots larger than 10,000 square feet, two trees must be planted for the lot.
- c. For corner lots, one tree must be planted per street frontage.
- d. Trees should be planted adjacent to street frontage and shall not be planted in utility easements, or the intersection sight triangle as defined in section 4005.2 of the City Engineering Design Criteria and Drawing No. ST-36 of the City Standard Specifications and Construction Drawings.
- e. Trees must be selected from the plant list in section B of appendix D for the City and be at least two-inch caliper (diameter measured six inches above ground level). Species identification tags shall remain on the trees until the certificate of occupancy for the building permit is issued.
- f. If planting conditions or weather would adversely affect the health of the trees, a paid receipt from the installer indicating the type of trees purchased and projected planting date shall be provided to the City and a certificate of occupancy for the building permit can be issued.
- g. Dead or diseased trees in poor condition should be replaced. Tree maintenance is the responsibility of the property owner. Or, when trees are located in the right-of-way, maintenance is the responsibility of the property owner which abuts the right-of-way or the homeowner's/property owners' association granted maintenance responsibility by the appropriate covenants which are filed of record in the office of the County Clerk of Cleveland County, Oklahoma.

- (46) R403.1 General [Amended]. All exterior walls shall be supported on continuous solid or fully grouted masonry or concrete footings, crushed stone footings, wood foundations, or other approved structural systems which shall be of sufficient design to accommodate all loads according to section R301 and to transmit the resulting loads to the soil within the limitations as determined from the character of the soil. Footings shall be supported on undisturbed natural soils or engineered fill. Concrete footing shall be designed and constructed in accordance with the provisions of section R403 or in accordance with ACI332.

Exception: Temporary buildings and unoccupied buildings not exceeding one story in height and 400 square feet (37.16 m²) in area shall be exempt from the requirements of this section.

- (47) R404.4 Retaining walls [Deleted]. IRC section R404.4 is hereby deleted without substitution.
- (48) R408.7 Flood resistance [Amended]. IRC section R408.7 is hereby deleted in favor of the provisions of NCC 36-533.
- (49) M1502.4.1 Material and size [Amended]. Exhaust ducts shall have a smooth interior finish and be constructed of metal having a minimum thickness of 0.0157 inches (0.3950 mm) (No. 28 gauge). The duct shall be four inches (102 mm) nominal in diameter.

Exception: Schedule 40 PVC pipe may be used if the installation complies with all of the following:

- a. The duct shall be installed under a concrete slab poured on grade and arranged to drain to the building exterior.
- b. The underfloor trench in which the duct is installed shall be completely

backfilled with sand or gravel.

- c. The PVC duct shall extend not greater than one inch above the indoor concrete floor surface.
- d. The PVC duct shall extend not greater than one inch above grade outside of the building.
- e. The PVC ducts shall be solvent cemented.

- (50) G2404.7 (301.11) Flood hazard [Amended]. For structures located in flood hazard areas, the appliance, equipment and system installations regulated by this code shall be located at or above the elevation required by section R322 for utilities and attendant equipment.

Exception: The appliance, equipment and system installations regulated by this code may be located below the elevation required in section R322 with the issuance of a floodplain permit by the City Floodplain Committee.

- (51) G2408.2 (305.3) Elevation of ignition source [Amended]. Equipment and appliances having an ignition source shall be elevated such that the source of ignition is not less than 18 inches (457 mm) above the floor surface on which the equipment or appliance rest in hazardous locations and public garages, private garages, repair garages, motor fuel-dispensing facilities and parking garages. For the purpose of this section, rooms or spaces that are not part of the living space of a dwelling unit and that communicate directly with a private garage through openings shall be considered to be part of the private garage.

Exception: Elevation of the ignition source is not required for appliances that are listed as flammable-vapor-ignition resistant.

- (52) P2503.4 Building sewer testing [Amended]. The building sewer shall be tested by insertion of a test plug at the point of connection with the building clean out, filling the building sewer with water and pressurizing the sewer to not less than five-foot (1,524 mm) head of water. The test pressure shall not decrease during a period of not less than 15 minutes. The building sewer shall be watertight at all points.

A forced sewer test shall consist of pressuring the piping to a pressure of not less than five psi (34.5 kPa) greater than the pump rating and maintaining such pressure for not less than 15 minutes. The forced sewer shall be watertight at all points.

- (53) P2804.6.1 Requirements for discharge pipe [Amended]. The discharge piping serving a pressure-relief valve, temperature-relief valve or combination valve shall:
- a. Not be directly connected to the drainage system.
 - b. Discharge through an air gap located in the same room as the water heater.
 - c. Not be smaller than the diameter of the outlet of the valve served and shall discharge full size to the air gap.
 - d. Serve a single relief device and shall not connect to piping serving any other relief device or equipment.
 - e. Discharge to an approved waste receptor or to the outdoors.

(The remainder of the items shall remain unchanged.)

- (54) E3406.2 Conductor material [Amended]. Conductors normally used to carry current shall be of copper unless otherwise provided in chapters 34 through 43. Where the conductor material is not specified, the material and the sizes given

in these chapters shall apply to copper conductors. Where other materials are used, the size shall be changed accordingly. The use of aluminum conductors shall be prohibited except for exterior uses and for underground service feeder for manufactured homes. [110.5]

- (55) E3601.6.2 Service disconnect location [Amended]. The service disconnecting means shall be installed at a readily accessible location either outside of a building or structure or inside nearest the point of entrance of the service conductors. Service disconnecting means shall not be installed in bathrooms. Each occupant shall have access to the disconnect serving the dwelling unit in which they reside. The distance from the point of entrance of a building or structure to the service disconnecting equipment enclosure shall not exceed 24 inches measured horizontally or 60 inches measured vertically. [230.70(A)(1), 230.72(C)]
- (56) E3702.3 Fifteen- and 20-ampere branch circuits [Amended]. A 15- or 20-ampere branch circuit shall be permitted to supply lighting units, or other utilization equipment, or a combination of both. The rating of any one cord-and-plug-connected utilization equipment not fastened in place shall not exceed 80 percent of the branch-circuit ampere rating. The total rating of utilization equipment fastened in place, other than luminaires, shall not exceed 50 percent of the branch-circuit ampere rating where lighting units, cord-and-plug-connected utilization equipment not fastened in place, or both, are also supplied. 20-ampere general purpose branch circuits shall supply a maximum of ten outlets. 15-ampere general purpose branch circuits shall supply a maximum of eight outlets. Kitchen receptacle outlets installed in accordance with E3901.3.2 and E3901.4 shall not exceed five. [210.23(A)(1), (2) and (3)]
- (57) E3907.10 Mounting height [Added]. Enclosures for switches or overcurrent devices shall be installed so the bottom of the enclosure is not less than 600 mm (two feet) above finish grade or working platform unless specifically listed or approved for an alternate mounting height. [312.5]
- (58) E4206.5.1 Servicing [Amended]. All wet-niche luminaires shall be removable from the water for inspection, relamping, or other maintenance; unless otherwise approved, the maximum distance from the deck surface to the bottom of the luminaire face shall not exceed 24 inches (610 mm). The forming shell location and length of cord in the forming shell shall permit personnel to place the removed luminaire on the deck or other dry location for such maintenance. The luminaire maintenance location shall be accessible without entering or going into the pool water. [680.23(B)(6)]
- (59) Chapter 44 Referenced Standards [Amended]. IRC chapter 44 is hereby amended to include the following additions: FEMA.
 - a. [Added] "FEMA P320-14 Taking Shelter from the Storm: Building a Safe Room for Your Home or Small Business R323.1, R323.2, R323."
 - b. [Added] "FEMA P361-14 Safe Rooms for Tornadoes and Hurricanes: Guidance for Community and Residential Safe Rooms R323.1, R323.2, R323."
- (60) Chapter 44 Referenced Standards [Amended]. IRC chapter 44 is hereby amended to include the following substitution:
 - a. [Substitute] "IECC-15" with "IECC-09."
 - b. [Substitute] "NFPA 13-13" with "NFPA 13-16."
 - c. [Substitute] "NFPA 13D-13" with "NFPA 13D-16."
 - d. [Substitute] "NFPA 13R-13" with "NFPA 13R-16."

e. [Substitute] "NFPA 72-13" with "NFPA 72-16."

(61) Appendix Q Tiny Houses [Added]. IRC appendix Q is hereby added to read as follows:

a. AQ101. General[Added].

AQ101.1 Scope [Added]. This appendix shall be applicable to tiny houses used as single dwelling units. Tiny houses shall comply with this code except as otherwise stated in this appendix.

b. AQ102. Definitions[Added].

AQ102.1 General [Added]. The following words and terms shall, for the purposes of this appendix, have the meanings shown herein. Refer to chapter 2 of this code for general definitions.

Egress roof access window means a skylight or roof window designed and installed to satisfy the emergency escape and rescue opening requirements of section R310.2.

Landing platform means a landing provided as the top step of a stairway accessing a loft.

Loft means a floor level located more than 30 inches (762 mm) above the main floor, open to the main floor on one or more sides with a ceiling height of less than six feet eight inches (2,032 mm) and used as a living or sleeping space.

Tiny house means a dwelling that is 400 square feet (37 m²) or less in floor area excluding lofts.

c. AQ103. Ceiling height [Added].

AQ103.1 Minimum ceiling height [Added]. Habitable space and hallways in tiny houses shall have a ceiling height of not less than six feet eight inches (2,032 mm). Bathrooms, toilet rooms and kitchens shall have a ceiling height of not less than six feet four inches (1,930 mm). Obstructions, including, but not limited to, beams, girders, ducts and lighting, shall not extend below these minimum ceiling heights.

Exception: Ceiling heights in lofts are permitted to be less than six feet eight inches (2,032 mm).

d. AQ104. Lofts [Added].

1. AQ104.1 Minimum loft area and dimensions [Added]. Lofts used as a sleeping or living space shall meet the minimum area and dimension requirements of sections AQ104.1.1 through AQ104.1.3.

i. AQ104.1.1 Minimum area [Added]. Lofts shall have a floor area of not less than 35 square feet (3.25 m²).

i. AQ104.1.2 Minimum dimensions [Added]. Lofts shall be not less than five feet (1,524 mm) in any horizontal dimension.

i. AQ104.1.3 Height effect on loft area [Added].

Portions of a loft with a sloped ceiling measuring less than three feet (914 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft.

Exception: Under gable roofs with a minimum slope of six units vertical in 12 units horizontal (50-percent slope), portions of a loft with a sloped ceiling measuring less than 16 inches (406 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft.

2. AQ104.2 Loft access [Added]. The access to and primary egress from lofts shall be of any type described in sections AQ104.2.1 through AQ104.2.4.
 - i. AQ104.2.1 Stairways [Added]. Stairways accessing lofts shall comply with this code or with sections AQ104.2.1.1 through AQ104.2.1.5.
 - (a) AQ104.2.1.1 Width [Added]. Stairways accessing a loft shall not be less than 17 inches (432 mm) in clear width at or above the handrail. The width below the handrail shall be not less than 20 inches (508 mm).
 - (b) AQ104.2.1.2 Headroom [Added]. The headroom in stairways accessing a loft shall be not less than six feet two inches (1,880 mm), as measured vertically, from a sloped line connecting the tread or landing platform nosings in the middle of their width.
 - (c) AQ104.2.1.3 Treads and risers [Added]. Risers for stairs accessing a loft shall be not less than seven inches (178 mm) and not more than 12 inches (305 mm) in height. Tread depth and riser height shall be calculated in accordance with one of the following formulas:
 - (a) The tread depth shall be 20 inches (508 mm) minus four-thirds of the riser height.
 - (b) The riser height shall be 15 inches (381 mm) minus three-fourths of the tread depth.
 - (d) AQ104.2.1.4 Landing platforms [Added]. The top tread and riser of stairways accessing lofts shall be constructed as a landing platform where the loft ceiling height is less than six feet two inches (1,880 mm) where the stairway meets the loft. The landing platform shall be 18 inches to 22 inches (457 to 559 mm) in depth measured from the nosing of the landing platform to the edge of the loft, and 16 to 18 inches (406 to 457 mm) in height measured from the landing platform to the loft

floor.

- (e) AQ104.2.1.5 Handrails [Added]. Handrails shall comply with section R311.7.8.
 - (f) AQ104.2.1.6 Stairway guards [Added]. Guards at open sides of stairways shall comply with section R312.1.
 - i. AQ104.2.2 Ladders [Added]. Ladders accessing lofts shall comply with sections AQ104.2.1 and AQ104.2.2.
 - (a) AQ104.2.2.1 Size and capacity [Added]. Ladders accessing lofts shall have a rung width of not less than 12 inches (305 mm), and ten-inch (254 mm) to 14-inch (356 mm) spacing between rungs. Ladders shall be capable of supporting a 200-pound (75 kg) load on any rung. Rung spacing shall be uniform within three-eighths inch (9.5 mm).
 - (b) AQ104.2.2.2 Incline [Added]. Ladders shall be installed at 70 to 80 degrees from horizontal.
 - i. AQ104.2.3 Alternating tread devices [Added]. Alternating tread devices accessing lofts shall comply with sections R311.7.11.1 and R311.7.11.2. The clear width at and below the handrails shall be not less than 20 inches (508mm).
 - iv. AQ104.2.4 Ships ladders [Added]. Ships ladders accessing lofts shall comply with sections R311.7.12.1 and R311.7.12.2. The clear width at and below handrails shall be not less than 20 inches (508 mm).
 - v. AQ104.2.5 Loft Guards [Added]. Loft guards shall be located along the open side of lofts. Loft guards shall be not less than 36 inches (914 mm) in height or one-half of the clear height to the ceiling, whichever is less.
- e. AQ105 Emergency escape and rescue openings [Added].

AQ105.1 General [Added]. Tiny houses shall meet the requirements of section R310 for emergency escape and rescue openings.

Exception: Egress roof access windows in lofts used as sleeping rooms shall be deemed to meet the requirements of section R310 where installed such that the bottom of the opening is not more than 44 inches (1,118 mm) above the loft floor, provided the egress roof access window complies with the minimum opening area requirements of section R310.2.1.

(Code 1976, § 5-208; Ord. No. O-1718-16, § 2; Ord. No. O-1718-42, § 1)

AFTER AMENDMENT

6-209 Adoption Of The Residential Code

- (a) Pursuant to 59 O.S. § 1000.23, the International Residential Code for One- and Two-Family Dwellings, 2018~~15~~-edition, including appendix E, ~~and K and Q~~ and Q, as published by the International Code Council, Inc., including modifications by the Oklahoma Uniform Building Code Commission as set forth in title 748, ~~ch. 20, subch. 5~~ of the Oklahoma Administrative Code, ~~more specifically sections 3, 5.1, 6, 7, 8, 9, 10, 11, 11.1, 11.2, 12, 13, 13.1, 13.2, 14, 15, 16, 17, 19, 20, 22, 22.1, and 24, effective September 15, 2017;~~ hereinafter referred to as "IRC," is hereby adopted as the residential code of the City for regulating construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal, and demolition; of detached one- and two-family dwellings, townhouses, manufactured homes, or accessory structures; not more than three stories in height with separate means of egress with the same force and effect as if fully set out in this section with amendments thereto as prescribed in this section.
- (b) ~~In addition, any construction, alteration, repair, or installation of automatic fire systems in one- and two-family dwellings that complies with appendix V created in title 748, chapter 20, subchapter 5, section 25 of the Oklahoma Administrative Code shall be permitted; however, compliance with appendix V is not mandatory. Any permanent certificate for energy efficiency in one- and two-family dwellings that complies with appendix W created in title 748, chapter 20, subchapter 5, section 26 of the Oklahoma Administrative Code shall be permitted; however, compliance with appendix W is not mandatory. Any construction, alteration, repair, or installation of swimming pools, spas or hot tubs that complies with appendix X created in title 748, chapter 20, subchapter 5, section 27 of the Oklahoma Administrative Code shall be permitted; however, compliance with appendix X is not mandatory. Any new construction with enhanced tornado provision in one- and two-family dwellings that complies with appendix Y created in title 748, chapter 20, subchapter 5, section 28 of the Oklahoma Administrative Code shall be permitted; however, compliance with appendix Y is not mandatory.~~
- (c) The residential code shall not become effective until at least three copies, including modifications prescribed in this section, have been filed in the office of the City Clerk.
- (d) The following sections of the IRC are hereby amended, added, deleted, or substituted as noted:
- (1) R101.1 Title [Amended]. These regulations shall be known as the residential code for one- and two-family dwellings of the City, hereinafter referred to as "this code."
 - (2) R102.5 Appendices [Amended]. The provisions in appendices E, K and Q are hereby adopted and are considered a part of this Code. All other appendices are not adopted and shall not apply.
 - (3) ~~R102.7 Existing structures [Amended]. The legal occupancy of any structure existing on the date of adoption of this Code shall be permitted to continue without change, except as is specifically covered in this Code, the International Property Maintenance Code, the International Fire Code or NFPA 1, or as is deemed necessary by the Building Official for the general safety and welfare of the occupants and the public.~~
 - (4) Section R103 Development Services Division [Substitute].
 - (5) R103.1 Creation of enforcement agency [Amended]. The Development Services Division is hereby created and the official in charge thereof shall be known as the Building Official.
 - (6) R104.10.1 Flood hazard areas [Amended]. The Building Official shall not grant modifications to any provisions required in flood hazard areas as established by Table R301.2(1) without the prior issuance of a floodplain permit by the City Floodplain Permit Committee.
 - (7) R105.2 Work exempt from permit [Amended]. Exemption from permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

- a. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the following: the floor area is not greater than ~~108~~120

square feet (~~40.03~~ 11.15 m²); such building is not constructed on or attached to a concrete slab, foundation, or permanent base; and such building has no electric, plumbing or gas service connection.

- b. Fences not over ~~eight~~ ten feet (~~2,438~~ 3,048 mm) high.
- c. Retaining walls shall be permitted and built per the City Engineering Standards, as amended.
- d. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
- e. [Deleted]. This item is hereby deleted without substitution.
- f. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
- g. Prefabricated swimming pools that are less than 24 inches deep. Seasonal swimming pools that are erected for less than 180 consecutive days.

(The remainder of the section shall remain unchanged.)

- (8) R105.3.1.1 Determination of substantially improved or substantially damaged existing buildings in flood hazard areas [Deleted]. IRC section R105.3.1.1 is hereby deleted in favor of the provisions of NCC 36-533.
- (9) R105.7 Placement of permit [Amended]. For additions and alterations only, the building permit or a copy shall be kept on the site of the work until the completion of the project.
- (10) R106.1.4 Information for construction in flood hazard areas [Deleted]. IRC section R106.1.4 is hereby deleted in favor of the provisions of NCC 36-533.
- (11) R106.5 Retention of construction documents [Amended]. The floor and site plan shall be retained by the Building Official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws.
- (12) R109.1.3 Floodplain inspections [Deleted]. IRC section R109.1.3 is hereby deleted in favor of the provisions of NCC 36-533.
- (13) R109.1.4 Frame inspection [Amended]. Inspection of framing construction shall be made after the roof, framing, firestopping, draftstopping and bracing are in place and after the plumbing, mechanical and electrical rough inspections are approved.
- (14) R109.1.5.2 Insulation inspection [Added]. Insulation inspections shall be made after framing, mechanical, electrical, and plumbing rough-in inspections are approved and before the installation of wallboard materials. Wallboard materials include, but are not limited to, lath, plaster, gypsum wallboard, wood paneling, sheet metal and the like.
- (15) R109.1.6.1 Elevation documentation [Amended]. If located in a flood hazard area, the documentation of elevations required in NCC 36-533 shall be submitted to the Floodplain Administrator prior to the final inspection.
- (16) R109.3 Inspection requests [Amended]. It shall be the duty of the permit holder or their agent to notify the Building Official that such work is ready for inspection. It shall be the duty of the person requesting any inspections required by this Code to provide safe access to and means for inspection of such work.
- (17) R110.1 Use and occupancy [Amended]. A building or structure shall not be used or occupied, and a change in the existing use or occupancy classification of a building or structure or portion thereof shall not be made, until the Building Official has issued a certificate of occupancy therefor, as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this Code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this Code or other ordinances of the jurisdiction shall not be valid.

Exception: Certificates of occupancy are not required for work exempt from permits under section R105.2.

- (18) Section R112 Board of Appeals [Deleted]. IRC section R112 is hereby deleted in favor of the provisions of NCC 2-314.

- (19) **Chapter 2 Definitions [Amended].** IRC section R202 is adopted as published, provided that the following definition is hereby amended to read as follows:

Fire Separation Distance [Amended]. The distance measured from the building face to one of the following:

- To the closest interior lot line.
- To the center line of a street, an alley or public way.
- To an imaginary line between two buildings on the lot.
- To the limits of an easement on an adjacent property which restricts construction within said easement and has been recorded and filed with the Cleveland County Clerk, if approved by the Building Official.

The distance shall be measured at a right angle from the face of the wall.

- (20) **Table R301.2(1) Climatic and Geographic Design Criteria [Amended]**

<u>Ground snow load</u>	<u>Wind Design</u>				<u>Seismic design category^f</u>
	<u>Speed^d (mph)</u>	<u>Topographic effects^k</u>	<u>Special wind region^l</u>	<u>Wind-borne debris zone^m</u>	
<u>10 lbs/ft²</u>	<u>115</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>C</u>

<u>Subject to damage from</u>			<u>Winter design temp^e</u>
<u>Weathering^a</u>	<u>Frost line depth^b</u>	<u>Termite^c</u>	
<u>Moderate</u>	<u>18"</u>	<u>Moderate to heavy</u>	<u>13° F</u>

<u>Ice barrier underlayment required^h</u>	<u>Flood hazards^g</u>	<u>Air freezing index^j</u>	<u>Mean annual tempⁱ</u>
<u>NO</u>	<u>Section 22-429.1/ the City of?</u>	<u>300</u>	<u>61.3° F</u>

<u>Ground Snow Load</u>	<u>Wind Design</u>				<u>SEISMIC DESIGN CATEGORY^a</u>	<u>SUBJECT TO DAMAGE FROM</u>			<u>WINTER DESIGN TEMP^a</u>	<u>ICE BARRIER UNDERLAYMENT REQUIRED^b</u>	<u>Flood Hazards^d</u>	<u>Air Freezing Indexⁱ</u>	<u>Mean Annual Temp^j</u>
	<u>Speed^d (mph)</u>	<u>Topographic Effects^f</u>	<u>Special wind Region^l</u>	<u>Wind-borne debris zone^m</u>		<u>Weathering^a</u>	<u>Frost line depth^b</u>	<u>Termite^c</u>					
<u>10 lbs/ft²</u>	<u>115</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>C</u>	<u>Moderate</u>	<u>18"</u>	<u>Moderate to heavy</u>	<u>13° F</u>	<u>NO</u>	<u>AICC 36-533(d)</u>	<u>300</u>	<u>61.3° F</u>

<u>MANUAL J DESIGN CRITERIAⁿ</u>									
<u>Elevation</u>	<u>Latitude</u>	<u>Winter Heating</u>	<u>Summer Cooling</u>	<u>Altitude Correction Factor</u>	<u>Indoor Design Temperature</u>	<u>Design Temperature Cooling</u>	<u>Heating Temperature Difference</u>	<u>Cooling Temperature Difference</u>	<u>Wind Velocity Heating</u>
<u>451 ft – 3,266 ft.</u>	<u>33.909N – 36.605N</u>	<u>11.8° – 25° F</u>	<u>95° – 101.8° F</u>	<u>.99 – .78</u>	<u>68° – 70° F</u>	<u>72° – 75° F</u>	<u>58.2 F – 45 F</u>		<u>15 mph</u>
<u>Cooling Temperature Difference</u>	<u>Wind Velocity Heating</u>	<u>Wind Velocity Cooling</u>	<u>Coincident Wet Bulb</u>	<u>Dr</u>	<u>Winter Humidity</u>	<u>Summer Humidity</u>			
<u>23° F – 26.8° F</u>	<u>15 mph</u>	<u>7.5 mph</u>	<u>67.5° – 77.4° F</u>		<u>30%</u>	<u>50% – 65%</u>			

(The footnotes shall remain unchanged except for footnote n.)Footnote n. The jurisdiction shall fill in these sections of the table to establish the design criteria using Table 1A or 1b from ACCA Manual J or established criteria determined by the jurisdiction. The recommendation is to use the range of values noted in the table above for Oklahoma Residential Manual J® 8th Edition calculations. Residential Manual J® 8th Edition written in 2002 utilized 17 weather data points in Oklahoma. ASHRAE 2021 utilized 41 weather data points in Oklahoma. Interesting note: MJ8 winter heating (DB) in 2002 was 9° in Ponca City. In 2021 ASHRAE winter heating DB for data (1994-2019) is 15.7°. Summer cooling max Manual J® 8th Edition 2002 was 100° in Altus AFB. In 2021 ASHRAE cooling maximum (period 1994-1999) is 101.8. Data shows Oklahoma increasing in temperature design values for winter and summer. This chart should be updated every 3 years for accurate values. 1. Poteau, OK Lowest Goodwell 2 E., OK Highest (Panhandle) 2. Latitude is used to adjust fenestration Heat Transfer Multipliers values for both generic glass with and without internal shades. McCurtain County AP, OK (S. Border) Lowest Grove, OK Highest 3. Values are 99% Dry Bulb (DB) Goodwell 2 E. OK Lowest Ardmore, OK Highest 4. Values are 1% Dry Bulb Claremore, OK Lowest Altus AFB Highest 5. The altitude correction factor is used to adjust sensible/latent/total heat transfer equations value range. From 1.0 - .63 6. Manual J® 8th Edition – Heating 70° with no humidification Cooling 75°F and 50% RH ASHRAE 2021 – Heating 68°F and 30% RH Cooling 75°F and 65% RH 72° cooling typical in Oklahoma Heating/cooling difference = indoor design temp minus Winter/Summer design temperatures 7. Values used for infiltration driving force Manual J® 8th Edition/ASHRAE - SAME Heating 15 mph Cooling 7.5 mph 8. Manual J® 8th Edition - 73° - 76° (Oklahoma) Wet bulb values are used to determine the design grains value ASHRAE – 67.5 Guymon, OK (Oklahoma specific) 77.4 Poteau, OK 9. Daily range is equal to average difference between hottest daily high and low. Dry Bulb temperatures at a specific location used to estimate cooling load factor. Manual J® 8th Edition – Medium for Oklahoma ASHRAE – Specific average values – per month per location

(21) ~~Tble R301.5 Minimum Uniformly Distributed Live Loads [Amended].~~

~~(The table shall remain unchanged.)~~

~~Footnotes:~~

- ~~a. Elevated garage floors shall be capable of supporting a 2,000-pound load applied over a 20-square-inch area.~~
- ~~b. [Amended]. Uninhabitable attics without storage are those where the clear height between joists and rafters is not more than 42 inches, or where there are not two or more adjacent trusses with web configurations capable of accommodating an assumed rectangle 42 inches in height by 24 inches in width, or greater, within the plane of the trusses, or the space is more than ten feet from the point of entry to the attic space and no provision for attic storage is installed. This live load need not be assumed to act concurrently with any other live load requirements.~~

~~(The remainder of the footnotes shall remain unchanged.)~~

- (22) R302.1 Exterior walls [Amended]. Construction, projections, openings and penetrations of exterior walls of dwellings and accessory buildings shall comply with Table R302.1(1); or dwellings equipped throughout with an automatic sprinkler system installed in accordance with section P2904 shall comply with Table R302.1(2).

Exceptions:

- a. Walls, projections, openings or penetrations in walls perpendicular to the line used to determine the fire separation distance.
- b. Walls of dwellings and accessory structures located on the same lot.

- c. Detached tool sheds and storage sheds, playhouses and similar structures exempted from permits are not required to provide wall protection based on location on the lot. Projections beyond the exterior wall shall not extend over the lot line.
- d. Detached garages accessory to a dwelling located within two feet (610 mm) of a lot line are permitted to have roof eave projections not exceeding four inches (102 mm).
- e. Foundation vents installed in compliance with this Code are permitted.
- f. Open metal carport structures may be constructed within zero feet of the property line without fire-resistive or opening protection when the location of such is approved as required by other adopted codes.

- (23) ~~R303.3 Bathrooms [Amended]. Bathrooms, water closet compartments and other similar rooms shall be provided with aggregate glazing area in windows of not less than three square feet (0.3 m²), one half of which must be openable. Separate window or artificial light and mechanical ventilation system provided through exception shall be required for enclosed/segregated toilet, bath or shower spaces.~~

~~Exception: The glazed areas shall not be required where artificial light and a local exhaust system are provided. The minimum local exhaust rates shall be determined in accordance with section M1507. Exhaust air from the space shall be exhausted directly to the outdoors and may not terminate in an attic space.~~

- (24) ~~R304.1 Minimum area [Amended]. Every dwelling unit shall have at least one habitable room that shall have not less than 120 square feet (11 m²) of gross floor area.~~
- (25) ~~R304.1.1 Other rooms [Added]. Other habitable rooms shall have a floor area of not less than 70 square feet (6.5 m²).~~
- ~~Exception: Kitchens.~~

- (26) R309.3 Flood hazard areas [Amended]. For buildings located in flood hazard areas as established by Table R301.2(1), garage floors shall be determined in accordance with NCC 36-533.
- (27) ~~R311.7.5.3 Nosings [Amended]. Nosings shall have a curvature or bevel of not less than 1/16 inch (1.6 mm) but not more than 9/16 inch (14.3 mm) from the foremost projection of the tread. Nosings shall project not more than 1 1/4 inches (32 mm) beyond the tread below. The greatest nosing projection shall not exceed the smallest nosing projection by more than three eighths inch (9.5 mm) between two stories, including the nosing at the level of floors and landings. Beveling of nosings shall not exceed one half inch (12.7 mm).~~
- (28) R322.1 General [Amended]. Buildings and structures constructed in whole or in part in flood hazard areas, as established in table R301.2(1), and substantial improvement and restoration of substantial damage of buildings and structures in flood hazard areas, shall be designed and constructed in accordance with the provisions contained in this section and NCC 36-533.
- (29) R322.1.1 Alternative provisions [Deleted]. IRC section R322.1.1 is hereby deleted in favor of the provisions of NCC 36-533.
- (30) R322.1.4 Establishing the design flood elevation [Amended]. The design flood elevation shall be determined as prescribed in NCC 36-533.
- (31) R322.1.4.1 Determination of design flood elevations [Deleted]. IRC section R322.1.4.1 is hereby deleted in favor of the provisions of NCC 36-533.
- (32) R322.1.4.2 Determination of impacts [Deleted]. IRC section R322.1.4.2 is hereby deleted in favor of the provisions of NCC 36-533.
- (33) R322.1.5 Lowest floor [Amended]. The lowest floor shall be the lowest floor of the lowest enclosed area, including basement, or as determined in NCC 36-533.
- (34) R322.1.6 Protection of mechanical, plumbing and electrical systems [Amended]. Electrical systems, equipment and components; heating, ventilating, air conditioning; plumbing appliances and plumbing fixtures; duct systems; and other service equipment shall be located at or above the elevation required in section R322.2.

Exception: Locating electrical systems, equipment and components; heating, ventilating, air conditioning; plumbing appliances and plumbing fixtures; duct systems; and other service equipment is permitted below the elevation required in section R322.2 with the issuance of a floodplain permit by the City Floodplain Permit Committee.

- (35) R322.1.7 Protection of water supply and sanitary sewage systems [Deleted]. IRC section R322.1.7 is hereby deleted in favor of the provisions of NCC 36-533.
- (36) R322.1.9 Manufactured homes [Deleted]. IRC section R322.1.9 is hereby deleted in favor of the provisions of NCC 36-533.
- (37) R322.1.10 As-built elevation documentation [Deleted]. IRC section R322.1.10 is hereby deleted in favor of the provisions of NCC 36-533.
- (38) R322.2 Flood hazard areas (including A Zones) [Amended]. Areas that have been determined to be prone to flooding shall be designated as flood hazard areas as shown on the City special flood hazard area map. Buildings and structures constructed in whole or in part in flood hazard areas shall be designed and constructed in accordance with sections R322.2.1, through R322.2.3, and NCC 36-533.
- (39) R322.2.1 Elevation requirements [Amended]. Buildings and structures in flood hazard areas shall have the lowest floors elevated as prescribed in NCC 36-533.
- (40) R322.2.2 Enclosed area below design flood elevation [Deleted]. IRC section R322.2.2 is hereby deleted in favor of the provisions of NCC 36-533.
- (41) R322.2.2.1 Installation of openings [Deleted]. IRC section R322.2.2.1 is hereby deleted in favor of the provisions of NCC 36-533.
- (42) R322.2.4 Tanks [Deleted]. IRC section R322.2.4 is hereby deleted in favor of the provisions of NCC 36-533.
- (43) ~~Sections R322.3 through R322.3.7 [Deleted]. IRC sections R322.3 through R322.3.7 are hereby deleted without substitution.~~
- (44) Section R328~~7~~ Landscape Requirements [Added].
- (45) ~~R327.1~~R328.1 Tree requirements [Added]. As of May 12, 2008, within all urban residential plats, when a building permit for a new residence is issued, the following shall apply:
 - a. At least one tree must be planted for each lot designated for single-family or two-family use before a certificate of occupancy for the building permit is issued. In no case will more than two trees be required per lot.
 - b. For lots larger than 10,000 square feet, two trees must be planted for the lot.
 - c. For corner lots, one tree must be planted per street frontage.
 - d. Trees should be planted adjacent to street frontage and shall not be planted in utility easements, or the intersection sight triangle as defined in section 4005.2 of the City Engineering Design Criteria and Drawing No. ST-36 of the City Standard Specifications and Construction Drawings.
 - e. Trees must be selected from the plant list in section B of appendix D for the City and be at least two-inch caliper (diameter measured six inches above ground level). Species identification tags shall remain on the trees until the certificate of occupancy for the building permit is issued.
 - f. If planting conditions or weather would adversely affect the health of the trees, a paid receipt from the installer indicating the type of trees purchased and projected planting date shall be provided to the City and a certificate of occupancy for the building permit can be issued.
 - g. Dead or diseased trees in poor condition should be replaced. Tree maintenance is the responsibility of the property owner. Or, when trees are located in the right-of-way, maintenance is the responsibility of the property owner which abuts the right-of-way or the homeowner's/property owners' association granted maintenance responsibility by the appropriate covenants which are filed of record in the office of the County Clerk of Cleveland County, Oklahoma.
- (46) R403.1 General [Amended]. All exterior walls shall be supported on continuous solid or fully

grouted masonry or concrete footings, crushed stone footings, wood foundations, or other approved structural systems which shall be of sufficient design to accommodate all loads according to section R301 and to transmit the resulting loads to the soil within the limitations as determined from the character of the soil. Footings shall be supported on undisturbed natural soils or engineered fill. Concrete footing shall be designed and constructed in accordance with the provisions of section R403 or in accordance with ACI 332. Concrete footings shall meet the following requirements:

- a. Add two (2) number four (4) rebar to all footings.
- b. All cold joints between footings and foundation walls (stem walls) shall be tied together by a number four (4) rebar at every corner not to exceed 6 feet (1828 mm) o.c. with embedment of 12 inches (304 mm) into each footing and wall.

Exception: Temporary structures and unoccupied structures not exceeding one story in height and ~~400~~600 square feet (~~37.16 m²~~) in area shall be exempt from the requirements of this section. Occupied structures and Tiny Houses less than 400 square feet shall be exempt from the requirements of this section. In all cases, structures should be secured to the earth or a foundation/slab element in a minimum of four locations.

- (47) R404.4 Retaining walls [Deleted]. IRC section R404.4 is hereby deleted without substitution.
- (48) R408.7 Flood resistance [Amended]. IRC section R408.7 is hereby deleted in favor of the provisions of NCC 36-533.
- (49) ~~M1502.4.1 Material and size [Amended]. Exhaust ducts shall have a smooth interior finish and be constructed of metal having a minimum thickness of 0.0157 inches (0.3950 mm) (No. 28-gauge). The duct shall be four inches (102 mm) nominal in diameter. Exception: Schedule 40 PVC pipe may be used if the installation complies with all of the following:
The duct shall be installed under a concrete slab poured on grade and arranged to drain to the building exterior. The underfloor trench in which the duct is installed shall be completely backfilled with sand or gravel. The PVC duct shall extend not greater than one inch above the indoor concrete floor surface. The PVC duct shall extend not greater than one inch above grade outside of the building. The PVC ducts shall be solvent cemented.~~
- (50) G2404.7 (301.11) Flood hazard [Amended]. For structures located in flood hazard areas, the appliance, equipment and system installations regulated by this code shall be located at or above the elevation required by section R322 for utilities and attendant equipment.

Exception: The appliance, equipment and system installations regulated by this code may be located below the elevation required in section R322 with the issuance of a floodplain permit by the City Floodplain Permit Committee.

- (51) ~~G2408.2 (305.3) Elevation of ignition source [Amended]. Equipment and appliances having an ignition source shall be elevated such that the source of ignition is not less than 18 inches (457 mm) above the floor surface on which the equipment or appliance rest in hazardous locations and public garages, private garages, repair garages, motor fuel dispensing facilities and parking garages. For the purpose of this section, rooms or spaces that are not part of the living space of a dwelling unit and that communicate directly with a private garage through openings shall be considered to be part of the private garage.~~

~~Exception: Elevation of the ignition source is not required for appliances that are listed as flammable vapor ignition resistant.~~

- (52) P2503.4 Building sewer testing [Amended]. The building sewer shall be tested by insertion of a test plug at the point of connection with the building clean out, filling the building sewer with water and pressurizing the sewer to not less than five-foot (1,524 mm) head of water. The test

pressure shall not decrease during a period of not less than 15 minutes. The building sewer shall be watertight at all points.

A forced sewer test shall consist of pressuring the piping to a pressure of not less than five psi (34.5 kPa) greater than the pump rating and maintaining such pressure for not less than 15 minutes. The forced sewer shall be watertight at all points.

- (53) ~~P2804.6.1 Requirements for discharge pipe [Amended]. The discharge piping serving a pressure-relief valve, temperature-relief valve or combination valve shall:~~
- a. ~~Not be directly connected to the drainage system.~~
 - b. ~~Discharge through an air gap located in the same room as the water heater.~~
 - c. ~~Not be smaller than the diameter of the outlet of the valve served and shall discharge full size to the air gap.~~
 - d. ~~Serve a single relief device and shall not connect to piping serving any other relief device or equipment.~~
 - e. ~~Discharge to an approved waste receptor or to the outdoors.~~
(The remainder of the items shall remain unchanged.)
- (54) E3406.2 Conductor material [Amended]. Conductors normally used to carry current shall be of copper unless otherwise provided in chapters 34 through 43. Where the conductor material is not specified, the material and the sizes given in these chapters shall apply to copper conductors. Where other materials are used, the size shall be changed accordingly. The use of aluminum conductors shall be prohibited except for exterior uses and for underground service feeder for manufactured homes. [110.5]
- (55) E3601.6.2 Service disconnect location [Amended]. The service disconnecting means shall be installed at a readily accessible location either outside of a building or structure or inside nearest the point of entrance of the service conductors. Service disconnecting means shall not be installed in bathrooms. Each occupant shall have access to the disconnect serving the dwelling unit in which they reside. The distance from the point of entrance of a building or structure to the service disconnecting equipment enclosure shall not exceed 24 inches measured horizontally or 60 inches measured vertically. [230.70(A)(1), 230.72(C)]
- (56) ~~E3702.3 Fifteen- and 20-ampere branch circuits [Amended]. A 15- or 20-ampere branch circuit shall be permitted to supply lighting units, or other utilization equipment, or a combination of both. The rating of any one cord-and-plug-connected utilization equipment not fastened in place shall not exceed 80 percent of the branch-circuit ampere rating. The total rating of utilization equipment fastened in place, other than luminaires, shall not exceed 50 percent of the branch-circuit ampere rating where lighting units, cord-and-plug-connected utilization equipment not fastened in place, or both, are also supplied. 20-ampere general-purpose branch circuits shall supply a maximum of ten outlets. 15-ampere general-purpose branch circuits shall supply a maximum of eight outlets. Kitchen receptacle outlets installed in accordance with E3901.3.2 and E3901.4 shall not exceed five. [210.23(A)(1), (2) and (3)]~~
- (57) E3907.10 Mounting height [Added]. Enclosures for switches or overcurrent devices shall be installed so the bottom of the enclosure is not less than 600 mm (two feet) above finish grade or working platform unless specifically listed or approved for an alternate mounting height. [312.5]
- (58) E4206.5.1 Servicing [Amended]. All wet-niche luminaires shall be removable from the water for inspection, relamping, or other maintenance; unless otherwise approved, the maximum distance from the deck surface to the bottom of the luminaire face shall not exceed 24 inches (610 mm). The forming shell location and length of cord in the forming shell shall permit personnel to place the removed luminaire on the deck or other dry location for such maintenance. The luminaire maintenance location shall be accessible without entering or going into the pool water. [680.23(B)(6)]

(59) Chapter 44 Referenced Standards [Amended]. IRC chapter 44 is hereby amended to include the following additions:FEMA.

- a. [Added] "FEMA P320-14 Taking Shelter from the Storm: Building a Safe Room for Your Home or Small Business R323.1, R323.2, R323."
- b. [Added] "FEMA P361-14 Safe Rooms for Tornadoes and Hurricanes: Guidance for Community and Residential Safe Rooms R323.1, R323.2, R323."

(60) ~~hapter 44 Referenced Standards [Amended]. IRC chapter 44 is hereby amended to include the following~~ ~~substitution:AQ101.~~ ~~General~~ [Added].

~~AQ101.1 Scope [Added]. This appendix shall be applicable to tiny houses used as single-dwelling units. Tiny houses shall comply with this code except as otherwise stated in this appendix.~~~~AQ102.~~ ~~Definitions~~ [Added].

~~AQ102.1 General [Added]. The following words and terms shall, for the purposes of this appendix, have the meanings shown herein. Refer to chapter 2 of this code for general definitions.~~

~~Egress roof access window means a skylight or roof window designed and installed to satisfy the emergency escape and rescue opening requirements of section R310.2.~~

~~Landing platform means a landing provided as the top step of a stairway accessing a loft.~~

~~Loft means a floor level located more than 30 inches (762 mm) above the main floor, open to the main floor on one or more sides with a ceiling height of less than six feet eight inches (2,032 mm) and used as a living or sleeping space.~~

~~Tiny house means a dwelling that is 400 square feet (37 m²) or less in floor area excluding lofts.~~~~AQ103.~~ ~~Ceiling~~ ~~height~~ [Added].

~~AQ103.1 Minimum ceiling height [Added]. Habitable space and hallways in tiny houses shall have a ceiling height of not less than six feet eight inches (2,032 mm). Bathrooms, toilet rooms and kitchens shall have a ceiling height of not less than six feet four inches (1,930 mm).~~

~~Obstructions, including, but not limited to, beams, girders, ducts and lighting, shall not extend below these minimum ceiling heights.~~

~~Exception: Ceiling heights in lofts are permitted to be less than six feet eight inches (2,032 mm).~~~~AQ104. Lofts [Added].~~[Substitute] "IECC 15" with "IECC 09." [Substitute] "NFPA 13-13" with "NFPA 13-16." [Substitute] "NFPA 13D-13" with "NFPA 13D-16." [Substitute] "NFPA 13R-13" with "NFPA 13R-16." [Substitute] "NFPA 72-13" with "NFPA 72-

~~16."~~~~AQ104.1 Minimum loft area and dimensions [Added]. Lofts used as a sleeping or living space shall meet the minimum area and dimension requirements of sections AQ104.1.1 through AQ104.1.3.~~~~Exception: Under gable roofs with a minimum slope of six units vertical in 12 units horizontal (50 percent slope), portions of a loft with a sloped ceiling measuring less than 16 inches (406 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft.~~~~AQ104.2 Loft access [Added]. The access to and primary egress from lofts shall be of any type described in sections AQ104.2.1 through AQ104.2.4.~~~~AQ104.1.1 Minimum area [Added]. Lofts shall have a floor area of not less~~

~~than 35 square feet (3.25 m²).~~~~AQ104.1.2 Minimum dimensions [Added]. Lofts shall be not less than five feet (1,524 mm) in any horizontal dimension.~~~~AQ104.1.3 Height effect on loft area~~

~~[Added]. Portions of a loft with a sloped ceiling measuring less than three feet (914 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft.~~~~AQ104.2.1 Stairways [Added]. Stairways accessing lofts shall comply with this code or with sections AQ104.2.1.1 through AQ104.2.1.5.~~~~AQ104.2.2 Ladders~~

~~[Added]. Ladders accessing lofts shall comply with sections AQ104.2.1 and AQ104.2.2.~~~~AQ104.2.3 Alternating tread devices [Added]. Alternating tread devices accessing lofts shall comply with sections R311.7.11.1 and R311.7.11.2. The clear width at and below the handrails shall be not less than 20 inches (508 mm).~~~~AQ104.2.4 Ships ladders [Added]. Ships ladders accessing lofts shall comply with sections R311.7.12.1 and R311.7.12.2. The clear width at and below handrails shall be not less than 20 inches (508 mm).~~~~AQ104.2.5 Loft Guards~~

~~[Added]. Loft guards shall be located along the open side of lofts. Loft guards shall be not less than 36 inches (914 mm) in height or one half of the clear height to the ceiling, whichever is less. AQ104.2.1.1 Width [Added]. Stairways accessing a loft shall not be less than 17 inches (432 mm) in clear width at or above the handrail. The width below the handrail shall be not less than 20 inches (508 mm). AQ104.2.1.2 Headroom [Added]. The headroom in stairways accessing a loft shall be not less than six feet two inches (1,880 mm), as measured vertically, from a sloped line connecting the tread or landing platform nosings in the middle of their width. AQ104.2.1.3 Treads and risers [Added]. Risers for stairs accessing a loft shall be not less than seven inches (178 mm) and not more than 12 inches (305 mm) in height. Tread depth and riser height shall be calculated in accordance with one of the following formulas: AQ104.2.1.4 Landing platforms [Added]. The top tread and riser of stairways accessing lofts shall be constructed as a landing platform where the loft ceiling height is less than six feet two inches (1,880 mm) where the stairway meets the loft. The landing platform shall be 18 inches to 22 inches (457 to 559 mm) in depth measured from the nosing of the landing platform to the edge of the loft, and 16 to 18 inches (406 to 457 mm) in height measured from the landing platform to the loft floor. AQ104.2.1.5 Handrails [Added]. Handrails shall comply with section R311.7.8. AQ104.2.1.6 Stairway guards [Added]. Guards at open sides of stairways shall comply with section R312.1. AQ104.2.2.1 Size and capacity [Added]. Ladders accessing lofts shall have a rung width of not less than 12 inches (305 mm), and ten inch (254 mm) to 14 inch (356 mm) spacing between rungs. Ladders shall be capable of supporting a 200 pound (75 kg) load on any rung. Rung spacing shall be uniform within three eighths inch (9.5 mm). AQ104.2.2.2 Incline [Added]. Ladders shall be installed at 70 to 80 degrees from horizontal. The tread depth shall be 20 inches (508 mm) minus four thirds of the riser height. The riser height shall be 15 inches (381 mm) minus three fourths of the tread depth. AQ105- Emergency escape and rescue openings [Added]. AQ105.1 General [Added]. Tiny houses shall meet the requirements of section R310 for emergency escape and rescue openings. Exception: Egress roof access windows in lofts used as sleeping rooms shall be deemed to meet the requirements of section R310 where installed such that the bottom of the opening is not more than 44 inches (1,118 mm) above the loft floor, provided the egress roof access window complies with the minimum opening area requirements of section R310.2.1.~~

(61) ~~Appendix Q Tiny Houses [Added]. IRC appendix Q is hereby added to read as follows:~~

(Code 1976, § 5-208; Ord. No. O-1718-16, § 2; Ord. No. O-1718-42, § 1)

SECTION 16: AMENDMENT “6-401 Definitions” of the City of Norman
Municipal Code is hereby *amended* as follows:

B E F O R E A M E N D M E N T

6-401 Definitions

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Carport means all structures, whether attached to an existing structure or freestanding, which are construction for the purpose of providing a roof-type cover only, for the protection from the sun, rain, snow, sleet or hail of passenger vehicles. .

Fallout shelter means any structure designed to protect the occupants from the effects of residual radiation resulting from a nuclear detonation.

Tornado shelter means any underground structure designed to protect the occupants from the effects of wind and debris resulting from a tornado.

(Code 1976, § 5-401; Ord. No. O-8081-17; Ord. No. O-8485-78)

A F T E R A M E N D M E N T

6-401 Definitions

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Carport means all structures, whether attached to an existing structure or freestanding, which are construction for the purpose of providing a roof-type cover only, for the protection from the sun, rain, snow, sleet or hail of passenger vehicles.

~~*Fallout shelter* means any structure designed to protect the occupants from the effects of residual radiation resulting from a nuclear detonation.~~

~~*Tornado shelter* means any underground structure designed to protect the occupants from the effects of wind and debris resulting from a tornado.~~

(Code 1976, § 5-401; Ord. No. O-8081-17; Ord. No. O-8485-78)

SECTION 17: AMENDMENT “6-404 Fallout And Tornado Shelters, Construction” of the City of Norman Municipal Code is hereby *amended* as follows:

B E F O R E A M E N D M E N T

6-404 Fallout And Tornado Shelters, Construction

- (a) All fallout shelters shall have a protection factor which is obtained by not less than 12 inches of solid concrete or not less than 18 inches of compact earth, or any equivalent combination thereof. All fallout shelters shall contain a minimum of 50 square feet of floor area with an inside height of not less than six feet, three inches.
- (b) No pre-shaped shelter, such as metal, plastic, wood, plexiglass, etc., shall be approved unless the design is sufficient to prevent flotation when the shelter is empty. Flotation force is considered to be 100 percent. Weight of earthen fill will not be considered in reducing this flotation factor.
- (c) All in-ground shelters constructed in front yards shall be set back at least ten feet from the front property line and at least five feet from the side property line. The in-ground shelter is allowed one air intake pipe and hood, and one exhaust pipe and hood, and an entranceway, provided with a metal or metal-clad door, all of which may extend up to four feet above established grade.
- (d) All underground shelters constructed in front yards shall be provided with a locking device.
- (e) No underground shelter constructed in front yards shall be used for any type of occupancy other than as an underground fallout and tornado shelter.
- (f) All underground fallout shelters shall be provided with a baffle wall affording at least

one right angle turn into the living area.

- (g) All underground fallout shelters shall be constructed of sufficient mass for their designed category rating.
- (h) All underground fallout shelters shall be equipped with a ventilation system producing not less than five cubic feet of fresh air per minute, per person.
- (i) All concrete used in shelter construction of underground fallout and tornado shelters shall have a compressive strength of not less than 3,500 pounds per square inch.
- (j) All shelters shall be adequately waterproofed to prevent seepage.

(Code 1976, § 5-405; Ord. No. O-8081-17; Ord. No. O-1314-14, § 3)

A F T E R A M E N D M E N T

6-404 ~~Fallout And~~ Tornado Shelters, Construction

- (a) ~~All fallout shelters shall have a protection factor which is obtained by not less than 12 inches of solid concrete or not less than 18 inches of compact earth, or any equivalent combination thereof. All fallout shelters shall contain a minimum of 50 square feet of floor area with an inside height of not less than six feet, three inches.~~
- (b) ~~No pre-shaped shelter, such as metal, plastic, wood, plexiglass, etc., shall be approved unless the design is sufficient to prevent flotation when the shelter is empty. Flotation force is considered to be 100 percent. Weight of earthen fill will not be considered in reducing this flotation factor.~~
- (c) All in-ground shelters constructed in front yards shall be set back at least ten feet from the front property line and at least five feet from the side property line. The in-ground shelter is allowed one air intake pipe and hood, and one exhaust pipe and hood, and an entranceway, provided with a metal or metal-clad door, all of which may extend up to four feet above established grade.
- (d) ~~All underground shelters constructed in front yards shall be provided with a locking device.~~ All shelters and safe rooms must be constructed in accordance with the provision of this code and adopted Building Codes.
- (e) ~~No underground shelter constructed in front yards shall be used for any type of occupancy other than as an underground fallout and tornado shelter.~~
- (f) ~~All underground fallout shelters shall be provided with a baffle wall affording at least one right angle turn into the living area. All underground fallout shelters shall be constructed of sufficient mass for their designed category rating. All underground fallout shelters shall be equipped with a ventilation system producing not less than five cubic feet of fresh air per minute, per person. All concrete used in shelter construction of underground fallout and tornado shelters shall have a compressive strength of not less than 3,500 pounds per square inch. All shelters shall be adequately waterproofed to prevent seepage.~~

(Code 1976, § 5-405; Ord. No. O-8081-17; Ord. No. O-1314-14, § 3)

SECTION 18: **AMENDMENT** “6-403 Carports, Construction” of the City of Norman Municipal Code is hereby *amended* as follows:

B E F O R E A M E N D M E N T

6-403 Carports, Construction

1. Applicability: Carports are allowed in any zoning district so long as they are constructed to the standards set forth herein.

2. General Provisions:

- (a) Carports shall not be used for the outside storage of materials, equipment or goods or the parking and/or storage of inoperable vehicles.
- (b) In residential zoning districts no more than one carport shall be permitted for each residential dwelling unit.
- (c) A building permit shall be required prior to construction and the structure shall comply with all applicable building, zoning and development codes except as provided herein.
- (d) The carport shall open on all sides except where attached to a structure.
- (e) All carports shall be kept in good repair and safe and sanitary condition.
- (f) All carports open on all sides except where attached to a structure, existing as of the date of adoption of this section shall be considered a legal nonconforming use for purposes of the Zoning Ordinance subject to the restrictions concerning nonconforming uses as set forth in Section **419** of the Zoning Ordinance.
- (g) The area of the carport, combined with all other structures on the lot shall not exceed the maximum lot coverage established for the zoning district in which it is located.

3. Carport Construction: Carports shall be constructed in compliance with the following:

- (a) All carports shall be located over a paved hard-surfaced drive. Provided however, a gravel driveway may be used to satisfy the requirement if the property owner can demonstrate that the gravel driveway existed in accordance with Section **431.7(t)(2)** and was continually maintained.
- (b) Carports may be constructed past the front set back or applicable build line, as set forth in the applicable underlying Zoning District, except that no carport shall be constructed nearer than seven (7) feet to the front property line nor with any sight triangle or intersecting streets.
- (c) Carports may be constructed with one (1) foot of the side property line so long as the structure is open on the side adjacent to the property line.
- (d) In residential zoning districts, the construction and maintenance of carports shall only be permitted on premises where a dwelling structure is also present and maintained.
- (e) Carports shall not be constructed of cloth or fabric of any kind. Tarps, canvas or similar materials shall not be used to enclose the carport.
- (f) The roofing material for the carport must be a minimum of twenty-nine (29) gauge metal.
- (g) The structure must be designed to meet Building Codes and Local Amendments applicable at the time of construction.
- (h) In residential zoning districts, a carport shall not exceed the height of the principal dwelling structure.
- (i) Guttering shall be installed and maintained in a manner to prohibit any increase of water run-off onto the adjacent property.

4. Carports on Corner Lots: Carports located on corner lots shall be permitted as follows:

- (a) The carport must comply with all regulations in Section 3 and 4.

(b) No part of the carport canopy or appurtenance may extend into the front yard setback more than seven (7) feet and into the exterior side yard setback more than four (4) feet.

(c) In no case shall the installation of the carport interfere with the existing sidewalks, sight triangle or fire hydrants.

(d) All carports which extend into the required front yard setback must abut the principal dwelling structure and shall be permanently open on all sides.

(Code 1976, § 5-403; Ord. No. O-8081-17; Ord. No. O-2223-20)

AFTER AMENDMENT

6-403 Carports, Construction

1. Applicability: Carports are allowed in any zoning district so long as they are constructed to the standards set forth herein.

2. General Provisions:

- (a) Carports shall not be used for the outside storage of materials, equipment or goods or the parking and/or storage of inoperable vehicles.
- (b) In residential zoning districts no more than one carport shall be permitted for each residential dwelling unit.
- (c) A building permit shall be required prior to construction and the structure shall comply with all applicable building, zoning and development codes except as provided herein.
- (d) The carport shall open on all sides except where attached to a structure.
- (e) All carports shall be kept in good repair and safe and sanitary condition.
- (f) All carports open on all sides except where attached to a structure, existing as of the date of adoption of this section shall be considered a legal nonconforming use for purposes of the Zoning Ordinance subject to the restrictions concerning nonconforming uses as set forth in Section **419** of the Zoning Ordinance.
- (g) The area of the carport, combined with all other structures on the lot shall not exceed the maximum lot coverage established for the zoning district in which it is located.

3. Carport Construction: Carports shall be constructed in compliance with the following:

- (a) All carports shall be located over a paved hard-surfaced drive. Provided however, a gravel driveway may be used to satisfy the requirement if the property owner can demonstrate that the gravel driveway existed in accordance with Section **431.7(t)(2)** and was continually maintained.
- (b) Carports may be constructed past the front set back or applicable build line, as set forth in the applicable underlying Zoning District, except that no carport shall be constructed nearer than seven (7) feet to the front property line nor with any sight triangle or intersecting streets. A roof may overhang this front setback by no more than two (2) feet.
- (c) Carports may be constructed with ~~one (1) foot~~ zero (0) feet of the side property line so long as the structure is open on the side adjacent to the property line and no part of the carport overhangs the side property line.
- (d) In residential zoning districts, the construction and maintenance of carports shall only be permitted on premises where a dwelling structure is also present and maintained.

- (e) Carports shall not be constructed of cloth or fabric of any kind. Tarps, canvas or similar materials shall not be used to enclose the carport.
- (f) The roofing material for the carport must be a minimum of twenty-nine (29) gauge metal.
- (g) The structure must be designed to meet Building Codes and Local Amendments applicable at the time of construction.
- (h) In residential zoning districts, a carport shall not exceed the height of the principal dwelling structure.
- (i) Guttering shall be installed and maintained in a manner to prohibit any increase of water run-off onto the adjacent property.

4. Carports on Corner Lots: Carports located on corner lots shall be permitted as follows:

- (a) The carport must comply with all regulations in Section 3 and 4.
- (b) No part of the carport canopy or appurtenance may extend into the front yard setback more than seven (7) feet and into the exterior side yard setback more than four (4) feet.
- (c) In no case shall the installation of the carport interfere with the existing sidewalks, sight triangle or fire hydrants.
- (d) All carports which extend into the required front yard setback must abut the principal dwelling structure and shall be permanently open on all sides.

(Code 1976, § 5-403; Ord. No. O-8081-17; Ord. No. O-2223-20)

SECTION 19: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

PASSED AND ADOPTED BY THE CITY OF NORMAN CITY COUNCIL

_____	_____	_____	_____
AYE	NAY	ABSENT	ABSTAIN
_____	_____	_____	_____
Presiding Officer		Attest	

Larry Heikkila, Mayor, City of Norman

Brenda Hall, City Clerk, City of Norman

UPDATING THE 2018 BUILDING CODES



City of Norman
Business and Community Affairs
12/01/2022

STATUS OF CODES IN OKLAHOMA

- The Oklahoma Uniform Building Code Commission (OUBCC) adopts the minimum code for all jurisdictions in Oklahoma.
- Municipalities are required by statute to adopt these minimums and enforce them in a timely manner.
- September 14th 2021, the OUBCC adopted the 2018 I-Codes and 2017 NEC as the minimum standard for all commercial buildings.
- Effective September 14th 2022, the OUBCC informed the municipalities that the minimum standards for One and Two Family Dwellings/Townhouses will be the 2018 International Residential Code with modifications provided in their updated rules. Additionally the 2020 NEC was adopted as the minimum standard for Electrical Work.

UPDATING THE CODES IN NORMAN

- To stay in compliance with the state statute the City of Norman will need to update our codes to the 2018 I-Codes with modifications by the OUBCC.
- The base 2018 Code can be found on the ICC website [here](#).
- The rule changes by the OUBCC can be found on their website [here](#).
- An unofficial compilation of the state changes and base code can be found on UpCodes website [here](#).

UPDATING THE CODES IN NORMAN(CONT.)

Staff has been on a continual outreach campaign over the past year to inform the Building Community and Public about the pending Code Changes. The following are some of those highlights.

- Staff hosted a code review/change meeting on 7/28/22 to discuss significant changes to the code and seek input from the building community and public.
- A second code review/change meeting was held on 8/16/22 to complete discussions about significant changes to the code.
- Provided to meeting attendee's and on our website is a "Code change request form" if anyone desired to submit a change to the code for consideration.
- Staff Recorded a Webinar and linked it at the front of the Development Services Website with the significant changes to the code so that anyone interested could see an overview of the coming code changes.
- Staff provided by email outreach to Builders, Designers, Trade Contractors and others who pulled permits in the prior calendar year detailed list of the significant changes to the various codes as well as the code change request form.
- Inspection and Office Staff continually educated Builders/Designers that the Codes would be updating to the 2018 building codes and when interested offered resources to these individuals.

NOTABLE CHANGES (FEES)

Update to the Base and Reinspection Fee.

- Currently the Base/Re-inspection Fee is \$25.00.
- This fee hasn't been updated since 2006.
- Proposing making the base/reinspect fee \$35.00. (keeps the fee in-line with inflation)
- In Calendar Year 2021 we resulted over 27,000 Inspections.
- 3,200 of these inspections were inspections with a Re-Inspect Fee.
- In 2021 Staff issued over 4900 Trade Permits of these over 2100 had the Base Fee. These are typically stand alone permits such as Miscellaneous Electrical Work, Changing out of Plumbing items (water/sewer lines, water heaters), Heat and Air Work like Duct Replacements, Irrigation Sprinkler Systems.

Establish an after hours Inspection Fee.

- Proposing \$200 minimum fee for two hours of inspection time and \$75.00 for each hour thereafter.

Updating the Code to include the State mandated \$4.00 permit fee obligated by the OUBCC with a .50 administration fee. In the past it was determined this did not have to be in the City's fee schedule but better practice is include it.

NOTABLE CHANGES (FEES CONT.)

	Reinspect Fee	Base Fee
Edmond	\$50 for 1 st reinspection, \$100 subsequent reinspection	\$30 min. but they have qualifiers for added fixtures/appliances etc.
Oklahoma City	\$38.50 min. but this can be more for trades i.e. plumbing reinspection \$42.00	\$28.00 but they have qualifiers for added fixtures/appliances etc.
Moore	\$30.00	\$30.00 But they have qualifiers for added appliances/fixtures.
Yukon	\$30.00 for the 2 reinspection, then \$60.00 per reinspection	\$35.00 Base fee. Their fee structure closely resembles the City of Norman's.

NOTABLE CHANGES(CONT.) IFC CODE FULLY ADOPTED.

In past code cycles Fire Prevention has adopted the National Fire Protection Association I , Fire Code for existing buildings for annual inspections and separately adopted the International Fire Code for new construction. This was not needed as the IFC adequately address's the topics in the NFPA I and at times create conflicts where a newly build building could be in opposition to another city code.

By having one code for Permitting and Annual Inspections this helps in having the Review Staff and Inspectors on the same page.



NOTABLE CHANGES (CONT.) UNIVERSAL CHANGING STATIONS

Proposing adding to the 2018 IBC (Commercial Code) adding language that requires a universal changing station for projects that require a Family Assisted Bathroom. This would only impact some Assembly and Mercantile Occupants. Examples where it would be required.

- Restaurants with over 450 Occupants
- Church with over 675 Occupants
- Retail with over 3000 Occupants
- Theater or similar with over 570 Occupants

For record this requirement is a part of the 2021 IBC.



NOTABLE CHANGES (CONT.) MANUAL J AND S FOR MECHANICAL SYSTEMS TABLE R301.2(1), N1103.7, M1401.3

While the code has always obligated heat and air systems to be designed per Manual J and S it was never a requirement that this submittal be obligated by the AHJ. The code has been updated to require the AHJ to publish the climate conditions in Table R301.2(1). The OUBCC went further and requires the AHJ to require documentation demonstrating compliance that the system is being designed in accordance with Manual J and S before issuing a mechanical permit for NEW residential permits. This will be an impactful change to our permitting process and for the mechanical contractors.

N1103.7 (R403.7) Equipment sizing and efficiency rating (Mandatory). Heating and cooling equipment shall be sized in accordance with ACCA Manual S based on building loads calculated in accordance with ACCA Manual J or other approved heating and cooling calculation methodologies. New or replacement heating and cooling equipment shall have an efficiency rating equal to or greater than the minimum required by federal law for the geographic location where the equipment is installed. Documentation demonstrating compliance with this section is to be provided at the authority having jurisdiction at the time a Mechanical Permit is required on new one-and two-family dwellings and townhouses.

M1401.3 Equipment and appliance sizing. Heating and cooling equipment and appliances shall be sized in accordance with ACCA Manual S or other approved sizing methodologies based on building loads calculated in accordance with ACCA Manual J or other approved heating and cooling methodologies. Documentation demonstrating compliance with this section is to be provided at the authority having jurisdiction at the time a Mechanical Permit is required on new one-and two-family dwellings and townhouses.

MANUAL J DESIGN CRITERIA ^a							
Elevation	Latitude	Winter heating	Summer cooling	Altitude correction factor	Indoor design temperature	Design temperature cooling	Heating temperature difference
—	—	—	—	—	—	—	—
Cooling temperature difference	Wind velocity heating	Wind velocity cooling	Coincident wetbulb	Daily range	Winter humidity	Summer humidity	—
—	—	—	—	—	—	—	—

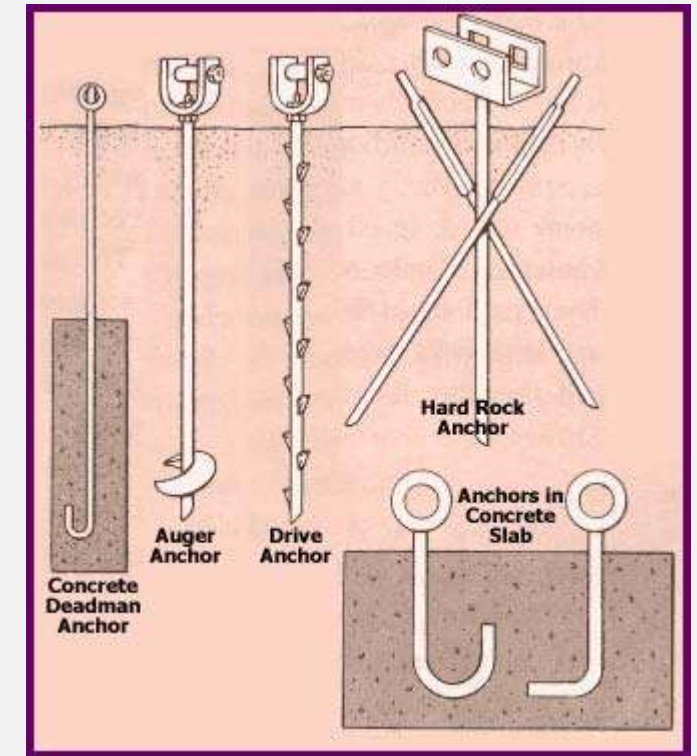
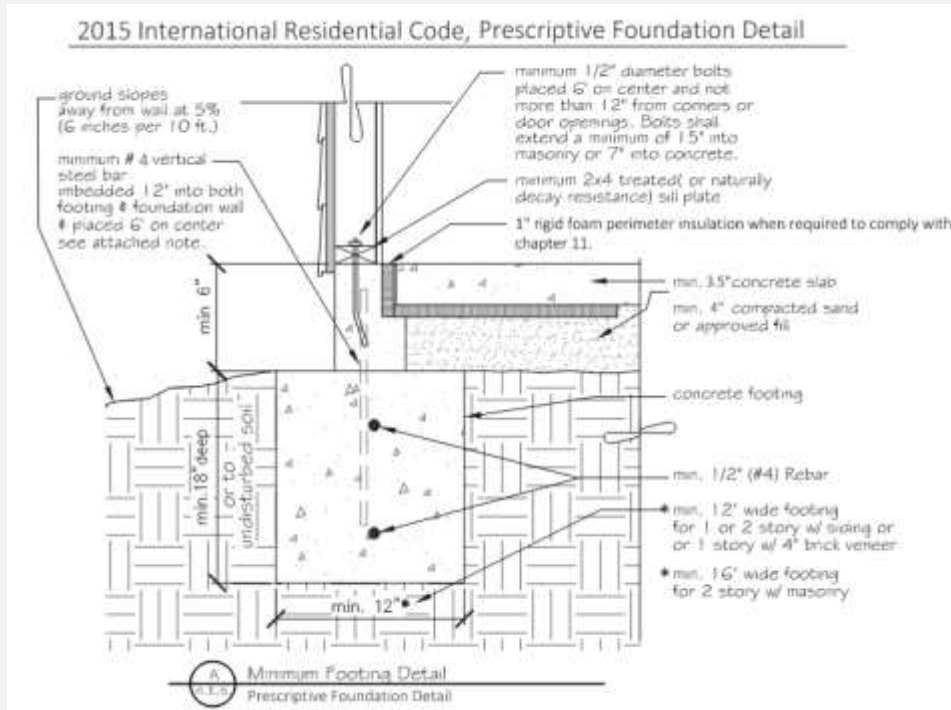
NOTABLE CHANGES (CONT.) FOUNDATION EXCEPTIONS.

Prior adoptions of the Residential Code allowed for exemption of unoccupied accessory buildings to be exempt from the foundation requirements in the code. But were silent regarding small occupied structures. The language has been cleared up to reflect that small unoccupied structures less than 600 square feet and occupied structures less than 400 square feet are exempt from the foundation requirements of the residential code. But still must have some connection methods to the ground or footing/slab.

The clarification allows for economically feasible small accessory type storage buildings and limited small occupancies like a small workshop or tiny home to be built without a prescriptive footing or engineering.



NOTABLE CHANGES (CONT.) FOUNDATION EXCEPTIONS.



Prescriptive Code Foundation minimums.

Fastening solutions but really only allowed by code with engineering or design work.

NOTABLE CHANGES (CONT.)

CHAPTER II ENERGY CODES

The OUBCC updated the State wide minimum ERI to a 64. Recently the City of Norman updated our score benchmark for the Energy Efficient Credit program to a benchmark of 57.

Table N1106.4 (R406.4) Maximum Energy Rating Index

CLIMATE ZONE	ENERGY RATING INDEX *
1	57
2	57
3	57 64
4	62
5	61
6	61
7	58
8	58

Supporting information: This updates the ERI for the performance path to be more in line with prescriptive amendments proposed to the OUBCC

OUBCC Current ERI

City of Norman's Energy Efficient Credit
HERS/ERI Program with a 57

47 or less	Builder pays no permit fees
48	Pays 05% of permit fees
49	Pays 10% of permit fees
50	Pays 15% of permit fees
51	Pays 20% of permit fees
52	Pays 25% of permit fees
53	Pays 30% of permit fees
54	Pays 35% of permit fees
55	Pays 40% of permit fees
56	Pays 45% of permit fees
57	Pays 50% of permit fees

PROPOSED COMMENT FORM ICE BARRIER AT EAVES OF HOMES

We had an individual submit a Code Change request form. Asking to modify the code to require Ice Barrier on the Eave (soffit) of homes for roofs that were being re-roofed but not new construction.

See code section and narrative as provided.

R908.3.1 Ice barriers. Roof replacement shall include ice barriers to be installed for asphalt shingles, metal roof shingles, mineral surfaced roll roofing, wood shingles and wood shakes. The ice barrier shall consist of not fewer than two layers of underlayment cemented together, or a self-adhering polymer-modified bitumen sheet shall be used in place of normal underlayment and shall extend from the lowest edges of all roof surfaces to a point not less than 24 inches (610 mm) inside the warm wall of the building. On roofs with slope equal to or greater than 8 units vertical in 12 units horizontal, the ice barrier shall also be applied not less than 36 inches (914 mm) measured along the roof slope from the eave edge of the building.

Exception: Detached accessory structures not containing conditioned floor area

Supporting Information

The entire State of Oklahoma has seen a history of periodic ice damming that causes water penetration to roofing shingles and extensive water damage inside walls and ceilings of residential homes. The Oklahoma Roofing Contractors Association and other Oklahoma professional roofing contractors believe that the installation of the ice barrier when reroofing residential houses will prevent ice dam leaks and avoid the interior damages caused by water penetration from ice damming.

PROPOSED COMMENT FORM (CONT.)

ICE BARRIER TABLE 301.2(I) AND 905.1.2

Roofing

- The OUBCC has determined that ice barrier's are not required in the State of Oklahoma at the eaves.
- The OUBCC added into the code to add a 36" ice barrier centered on all valleys.
- The OUBCC added into the code a 36" ice barrier at pitch changes. This should be centered at the pitch change.
- These OUBCC determinations were made after a Technical committee of roofers/builders met for months and further considered by the State Commission that recommends adoption of the code.
- Oklahoma City recently had a two part discussion about this very topic as well and ultimately determined not to require the Ice Barrier at the eave of homes.
- While I obviously cannot say Ice Damming could never occur most existing and new construction do not have ice barrier's installed at the eave and the reporting of cases with these issues are minimal.



QUESTIONS/COMMENTS/DIRECTION?

Any questions?

Comments?

Staff Direction?



File Attachments for Item:

15. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF ORDINANCE O-2223-43 ON FIRST READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, FIXING THE COMPENSATION OF THE CITY ATTORNEY CONSISTENT WITH REQUIREMENTS FOR THE CITY MANAGER'S COMPENSATION IN ARTICLE XVII, SECTION 1, OF THE CHARTER OF THE CITY OF NORMAN; AND PROVIDING FOR THE SEVERABILITY THEREOF.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/09/2023

REQUESTER: City Council

PRESENTER:

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF ORDINANCE O-2223-43 ON FIRST READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, FIXING THE COMPENSATION OF THE CITY ATTORNEY CONSISTENT WITH REQUIREMENTS FOR THE CITY MANAGER'S COMPENSATION IN ARTICLE XVII, SECTION 1, OF THE CHARTER OF THE CITY OF NORMAN; AND PROVIDING FOR THE SEVERABILITY THEREOF.

BACKGROUND:

Since the adoption of the City of Norman Charter, the City Attorney has been hired, supervised and managed by the City Manager in a protected "for-cause" capacity like other City employees. In August 2022, the voters of Norman approved a Charter amendment that makes the City Attorney an employee of the City Council, serving in an at-will capacity, and hired, supervised, and managed by the City Council. Council discussed hiring the current City Attorney, Kathryn Walker, to serve as the City Attorney under the revised structure set forth in the Charter during its Executive Session on October 11, 2022. The Council was advised by Margaret McMorrow-Love during this session rather than Ms. Walker or an employee in the Legal department to avoid any conflicts of interest. At the conclusion of the Executive Session, Council directed that the proposed contract with Ms. Walker be brought forward to Council, along with the ordinance setting compensation, once Governor Stitt approved the Charter changes. The City Clerk received notification on April 17, 2023 that Governor Stitt had approved the Charter changes.

DISCUSSION:

The compensation set forth in Ordinance O-2223-43 is consistent with the contract presented to Council during its Executive Session in October. The contract will be submitted as a companion item with adoption of this ordinance on Second and Final Reading on the May 23, 2023 meeting agenda.

RECOMMENDATION:

Ordinance O-2223-43 is submitted for Council's consideration.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, FIXING THE COMPENSATION OF THE CITY ATTORNEY CONSISTENT WITH REQUIREMENTS FOR THE CITY MANAGER'S COMPENSATION IN ARTICLE XVII, SECTION 1, OF THE CHARTER OF THE CITY OF NORMAN; AND PROVIDING FOR THE SEVERABILITY THEREOF.

- §1. WHEREAS, Section 1 of Article XVII of the Charter of the City of Norman, Oklahoma, does provide that the City Council shall fix, by Ordinance, the compensation of the City Manager; and
- §2. WHEREAS, Norman voters approved amendments to its Charter in August 2022, changing, among other things, the City Attorney from a for-cause employee of the City Manager, to an at-will employee of the City Council; and
- § 3. WHEREAS, City Council discussed the terms of proposed Contract K-2223-157 which would formerly employ Kathryn Walker, the current City Attorney, as the City Attorney under the new Charter provisions, during an executive session on October 11, 2023; and
- § 4. WHEREAS, direction was given to the City Manager and Margaret McMorow-Love, legal counsel hired by the City to represent Council in its negotiations with Ms. Walker, to bring the contract and compensation ordinance forward for Council consideration once the Governor approved the adopted Charter amendments as required by State law; and
- § 5. WHEREAS, Governor Stitt's office notified the City Clerk that it had approved the adopted Charter amendments on April 17, 2023 and
- § 6. WHEREAS, Council will consider Contract K-2223-157 during the same meeting it will consider this Ordinance O-2223-43 on Second and Final Reading.

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

- § 7. That the salary and compensation of the City Attorney shall be and are hereby fixed at: an annual base salary of \$188,740 plus any other non-merit based salary adjustments that may be given to other non-union employees; a contribution to a qualified deferred compensation account in an amount equal to the annual elective deferral limit set by the Internal Revenue Service; a City-provided cell phone with monthly service and fees paid for by the City; a City-provided laptop computer for City business with necessary software; standard employee health & dental benefits, term life insurance in an amount equal to two times the annual base salary, as may be increased from time to time; premium payments for short-term and long-term disability coverage; and a City contribution to a qualified retirement account in an amount that is equivalent to that

provided for other non-union City employees; all pursuant to the terms and conditions of Contract No. K-2223-157.

§ 8. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ADOPTED this _____ day of
_____, 2023.

NOT ADOPTED this _____ day of
_____, 2023.

Mayor

Mayor

ATTEST:

City Clerk

File Attachments for Item:

16. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE SUBMISSION OF THE NORMAN FORWARD IMPLEMENTATION PLAN REVISED MARCH, 2023.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/09/2023

REQUESTER: Anthony Francisco, Director of Finance

PRESENTER: Anthony Francisco, Director of Finance

ITEM TITLE: CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE SUBMISSION OF THE NORMAN FORWARD IMPLEMENTATION PLAN REVISED MARCH, 2023.



Reaves Park Baseball/Softball Complex



James Garner Avenue Overpass of Robinson Street



Adult Wellness Center Groundbreaking



Young Family Athletic Center Natatorium

NORMAN FORWARD Implementation Plan

May 2016

Revised 3/2023

NORMAN FORWARD

Implementation Plan

I. Executive Summary

NORMAN FORWARD is designed to improve the quality of life in Norman through renovating, expanding, constructing, and funding projects including multiple recreational facilities, libraries, parks, athletic venues, public art, trails, and swim complexes. NORMAN FORWARD also includes traffic improvements and an extension of the existing James Garner Avenue. A citizen-initiated proposal, NORMAN FORWARD will enhance the Norman community for generations to come.

Funded through a 15-year earmarked sales tax, NORMAN FORWARD includes 12 projects spanning the entire city at an estimated cost of \$148 million. It also includes other program expenses at an estimated cost of \$55.4 million. Sales tax collections began on January 1, 2016 and will continue for 15 years.

The NORMAN FORWARD program includes:

- Canadian River Park
- Central Branch Library
- East Branch Library
- Griffin Land Acquisition
- Indoor Aquatic Center
- Indoor Multi-Sport Facility
- James Garner Avenue Extension
- Parks Projects
 - Westwood Tennis Center
 - Saxon Park
 - Ruby Grant Park
 - Andrews Park
 - Existing Neighborhood Park Renovations
 - New Neighborhood Park Development
 - New Trail Development
- Senior Citizens Center
- Sports Complex Projects
 - Reaves Park
 - Softball & Football Complex
 - Griffin Park Soccer Complex
- Traffic Improvements
- Westwood Family Aquatic Center

The City is moving forward with the projects and the Implementation Plan is guiding the process. The Implementation Plan is a document to be reviewed and recommended by the NORMAN FORWARD Citizen Financial Oversight Board and adopted by the City Council, which outlines the scopes of work, conceptual budgets, and the order in which the projects or phases of projects will commence. The Implementation Plan is a living document which will be reviewed, re-evaluated, and re-adopted from time to time as projects progress and plans become realities.

As of this writing, seven of the major NORMAN FORWARD projects have been completed, or are nearing completion:

- The East Branch Library
- The Central Branch Library
- The Westwood Family Aquatic Center
- The Westwood Tennis Center
- The Ruby Grant Park (Phase I)
- The Andrews Park Redevelopment
- Reaves Park

Several other NORMAN FORWARD projects are partially completed (progressing in stages) or nearing construction phases. Neighborhood park renovation projects have been completed at Oakhurst, Sonoma, Prairie Creek, Rotary, Sequoyah Trail, Vineyard and Cherry Creek parks. Several other renovations have begun at Earl Sneed, Sutton Place, William Morgan, Tull's, Eastridge and Royal Oaks parks. New park construction at Songbird Park has been completed; and we have started construction at the new park in the Summit Valley/Bellatona neighborhood (officially to be named "Bentley Park"). The NORMAN FORWARD program is already transforming the quality of life in Norman.

In February 2016, ADG, P.C. was hired as the program manager for the NORMAN FORWARD program. Since that time, ADG has attended meetings, conducted research, and analyzed data to prepare the Implementation Plan. The information in the Implementation Plan is based on currently available information as well as certain assumptions made based on anticipated requirements.

II. Background

The History of NORMAN FORWARD

The NORMAN FORWARD initiative came to City Council from community groups, stakeholders, and residents, who prepared an initial program scope using analysis and information from master plans for the libraries and parks, recreational planning professionals, traffic professionals, and research firms.

Beginning in the spring of 2015, Norman City Council began a series of Council conferences and additional public meetings to refine the program scope, financing, and funding opportunities for NORMAN FORWARD. Priority projects are included from the 2014 *Library Master Plan Update*, the 2009 *Norman Parks & Recreation Master Plan*, and additional projects designed to provide recreational and educational opportunities for Norman residents.

The program is intended to improve the quality of life for all Norman residents and visitors by providing public projects and programming that contribute to better health, more active lifestyles, intellectual and arts pursuits, and improved traffic safety. The program is funded by a 15-year, one-half percent earmarked sales tax.

On August 11, 2015, City Council voted unanimously to approve NORMAN FORWARD Ordinance O-1516-5 and Resolution R-1516-14 that called for an election to take place on October 13, 2015, to ask Norman voters to consider a temporary sales tax increase to provide funding for the projects.

The temporary one-half percent (1/2%) sales tax was approved by 72% of Norman voters. The authorized sales tax increase began on January 1, 2016.

Public Involvement

The NORMAN FORWARD Citizen Financial Oversight Board (CFOB) was created by Council resolution (R-1516-75) on December 22, 2015 to review the finances of the NORMAN FORWARD program. Their tasks include:

- Review actual and projected NORMAN FORWARD Sales Tax (NFST) revenues;
- Recommend mix of project financing including pay as you go ("paygo") and debt financing;
- Review pace and sequencing of construction of projects;
- Review Council actions related to expenditures of NFST monies;
- Recommend strategies for long term operations and maintenance of facilities;
- Report to Council from time to time as warranted and to provide an annual report to City Council;
- Perform such other duties related to NORMAN FORWARD as the City Council directs by motion or resolution;
- Assign one CFOB member to serve with and act as a liaison to certain advisory committees that Council may form from time to time regarding specific NORMAN FORWARD projects.

The Oversight Board consists of nine members, appointed by the Mayor and confirmed by City Council. Members are from various wards and have

backgrounds and experience in accounting, banking, construction, auditing, advertising, operations, and law. Two ex-officio members are part of the Board, including the Mayor (or designee) and City Manager (or designee).

Ad hoc advisory groups were appointed by the Mayor to provide additional citizen input specific to each major NORMAN FORWARD project and to City Council. One member of the Oversight Board serves on each ad hoc advisory group. Ad hoc groups have five to eleven members each. Ex-officio members include the City Manager (or designee), a CFOB member, a Park Board Member, and may include a member, or members, of specific stakeholder groups.

All Oversight Board and ad hoc advisory group meetings are open to the public and shall comply with the Oklahoma Open Meetings Act. The public is invited to attend meetings and provide input and comments to the ad hoc advisory groups and Oversight Board.

Process

The NORMAN FORWARD Implementation Plan sets the overall guidelines for program scope, project scheduling, and individual construction budgets. Site selection and land acquisition, if applicable, will be required prior to the start of design for most projects.

Certain sites may require demolition, site clearing, or other preparatory steps. Environmental testing will also be performed, as needed, prior to building design, and if necessary, environmental remediation will be completed.

The City will solicit Requests for Qualifications (RFQ) from consultants, such as architects and engineers. Responses to RFQs will be reviewed using the City's consultant selection process.

Documents produced by each consultant will undergo peer reviews conducted by the City staff and Program Manager. The purpose of these reviews is to monitor consultant plans and specifications for conformance with the design intent and the allocated budget. At selected phases of the design process, the ad hoc advisory groups and the Citizens Financial Oversight Board may receive presentations from consultants in order to review the designs.

Once the final design of a project has been approved, the City will utilize its standard competitive bidding process to solicit and award construction contracts. "Construction Manager at Risk" processes may be used, combining several of the design, bidding and construction phases, for certain projects. The architects and/or engineers will review construction progress, and the Program

Manager will provide additional field observation for conformance with construction documents.

Throughout the process, the City staff and Program Manager will provide outreach to citizens through communication on the status of each project.

Communication

As with any large, capital improvement program, communication with the public is critical for the success of NORMAN FORWARD. In addition to the high level of citizen participation through the Citizens Financial Oversight Board and the ad hoc advisory groups, ongoing communication and information will be made available to the public through various avenues and outlets.

Communication methods include but are not limited to:

- A quarterly electronic newsletter to stakeholders (see <https://conta.cc/43NiHMB>)
- Promotion and updates via print media, television, social media outlets including Facebook and Twitter
- Updates and promotion in partnership with the Norman Chamber of Commerce via the Chamber's newsletter and website
- Routine press releases about public meetings, surveys, and other updates sent to various outlets including the *Norman Transcript* and Norman News
- Updates in the City Manager's weekly report to City Council, which is also sent to the *Norman Transcript*, posted to the City Manager's webpage, and promoted on Facebook
- Updates in the City Manager's report at City Council meetings; videos from these updates are posted to the City Manager's webpage, promoted on Facebook, and uploaded to YouTube
- Routine updates to the NORMAN FORWARD website
- Branded NORMAN FORWARD construction signs
- Public construction groundbreakings and ribbon-cuttings
- Open houses, videos, and tours of projects in-progress
- Meetings posted on government access television
- Inclusion in the City of Norman Annual Report

Implementation Plan Development

The information in the Implementation Plan and Project Timeline is based on currently available information as well as certain assumptions made based on anticipated requirements. The Project Timeline, scope of work, and budgets are subject to change, as directed by Council, as the planning process progresses and more information becomes available.

Project budgets may include: conceptual estimates of consulting, architectural, and engineering services; other pre-construction costs such as environmental investigation, remediation, and geotechnical and construction testing, where required; infrastructure; land acquisition; and construction and project contingency.

The construction budgets are based on information from a number of sources including local and national cost estimating firms, industry consultants, and data from the City of Norman. Construction budgets are conceptual and are derived from anticipated scopes of work needed for complete projects. Actual project costs may vary from initial cost estimates depending on final work scopes, the bidding climate at the time of bid, inflation and other factors impacting the economy.

Debt vs. Pay-As-You-Go Financing

The Council and the citizen's Financial Oversight Board have adopted an anticipated mix of projects to be financed on the pay-as-you-go basis, versus projects to be financed through the issuance of debt to enable the projects to proceed in advance of the actual revenues being collected to pay for the projects. Generally speaking, the following major projects are anticipated to be paid for through up-front debt financing:

Central and East Branch Libraries
 Westwood Family Aquatic Center and Tennis Center Improvements
 Griffin Park Soccer Complex
 Reaves Park Baseball/Softball Complex
 Indoor Aquatic Facilities (Young Family Athletic Center)
 Indoor Multi-Sport Facility (Young Family Athletic Center)
 Adult Football/Softball Complex

In order to coincide with the construction schedules of the projects, it is anticipated that there will be three separate NORMAN FORWARD debt issuances. These issuances have been made:

- Norman Municipal Authority Sales Tax Revenue Note, Series 2015B (dated December, 17, 2015) - \$43,600,000
- Norman Municipal Authority Sales Tax Revenue Note, Series 2017 (dated June 27, 2017) - \$30,950,000
- Norman Municipal Authority Sales Tax Revenue Note, Series 2020 (dated December 17, 2020) - \$22,250,000

The bonds (notes) will be repaid from Norman Forward Sales and Use Tax revenue. An additional pledge of the City's Capital Sales Tax was made to provide additional security for bond holders, but it is not envisioned that Capital Sales Tax will actually be used to repay the Norman Forward debt.

The amount of debt that was actually issued was significantly below the originally anticipated amount, resulting in over \$20 million in projected interest savings to the Norman Forward program:

NORMAN FORWARD Debt Issuances Projected vs. Actual

ANTICIPATED Issue Date	ACTUAL Issue Date	TITLE of ISSUANCE	ANTICIPATED Face Amount	ACTUAL Face Amount	ANTICIPATED Prin. & Interest	ACTUAL Prin. & Interest
12/2015	12/2015	NMA 2015B Tax Notes	\$ 43,160,000	\$ 43,160,000	\$ 54,753,718	\$ 53,266,208
5/2017	6/2017	NMA 2017 Tax Notes	\$ 30,950,000	\$ 30,950,000	\$ 37,619,453	\$ 36,333,458
12/2017	12/2020	NMA 2020 Tax Notes	<u>\$ 34,200,000</u>	<u>\$ 22,250,000</u>	<u>\$ 46,157,750</u>	<u>\$ 25,927,517</u>
		TOTAL	\$108,310,000	\$ 98,360,000	\$138,530,921	\$115,527,183

The other NORMAN FORWARD projects and related operational costs are anticipated to be paid for on a pay-as-you-go basis, with the projects timed to meet cash flow availability schedules over the tenure of the NORMAN FORWARD sales tax collections.

III. The Projects

The projects, their respective published budgets, and current estimates are:

Project	Original Norman Forward Budget	Revised Budget	Current Estimate
Canadian River Park	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000
Central Branch Library	\$ 39,000,000	\$ 39,000,000	\$ 35,010,261 *
East Branch Library	\$ 5,100,000	\$ 5,100,000	\$ 4,794,304 *
Griffin Land Acquisition	\$ 10,000,000	\$ 2,400,000	\$ 2,400,000
Young Family Athletic Center	\$ 22,500,000	\$ 45,573,207	\$ 45,573,207
Indoor Aquatic Center	\$ 14,000,000	\$ 15,250,270	\$ 15,250,270
Indoor Multi Sport Facility	\$ 8,500,000	\$ 12,082,670	\$ 12,082,670
James Garner Avenue Extension	\$ 6,000,000	\$ 11,472,905	\$ 11,472,905
Parks Projects	\$ 25,500,000	\$ 25,251,278	\$ 24,694,277
Westwood Tennis Center	\$ 1,000,000	\$ 1,801,278	\$ 1,801,277 *
Saxon Park	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000
Ruby Grant Park	\$ 6,000,000	\$ 6,150,000	\$ 6,146,426 *
Andrews Park	\$ 2,000,000	\$ 2,000,000	\$ 1,463,667 *
Existing Neighborhood Park Renovations	\$ 6,500,000	\$ 6,500,000	\$ 6,500,000
New Neighborhood Park Development	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000
New Trail Development	\$ 6,000,000	\$ 4,800,000	\$ 4,800,000
Senior Citizens Center	\$ -	\$ 14,023,277	\$ 14,023,277
Sports Complex Projects	\$ 23,500,000	\$ 25,692,262	\$ 25,692,262
Reaves Park	\$ 10,000,000	\$ 10,000,000	\$ 10,000,000
Softball & Football Complex	\$ 2,500,000	\$ 2,500,000	\$ 2,500,000
Griffin Park Soccer Complex	\$ 11,000,000	\$ 13,192,262	\$ 13,192,262
Traffic Improvements	\$ 2,700,000	\$ 2,700,000	\$ 2,700,000
Westwood Family Aquatic Center	\$ 12,000,000	\$ 12,000,000	\$ 11,763,800
Total	\$ 148,300,000	\$ 166,972,662	\$ 161,884,026

* Final Cost

Components of each project budget may include: consulting, architectural, and engineering services; other pre-construction costs such as environmental investigation, remediation, and geotechnical and construction testing, where required; infrastructure; land acquisition; and construction and project contingency. Supplemental revenue from some projects are discussed in project discussions, which follow.

Potential impacts to project budgets include, but are not limited to:

- Fluctuation in sales tax revenue
- Changes in project scopes of work
- Inflation or other uncontrollable increases in cost of construction materials
- Unforeseen circumstances
- Supplemental revenue

Canadian River Park

Description

There is potential for a park area south of Lindsey Street and west of I-35 along the Canadian River. Possibilities for development include wildlife and plant life refuges, trail facilities, and other enhancements.

Scope

If land can be reasonably acquired, a park area would be developed south of Lindsey Street, west of I-35.

Published Budget \$2,000,000

Preliminary Estimated Budget

Land Acquisition / Site Prep / Infrastructure	\$205,000
A&E / Design / Testing	\$175,000
Construction & FFE	\$1,480,000
Project Contingency	\$140,000
Total Project Budget	\$2,000,000

Timing

Architecture, engineering, and site preparation are contingent upon resolution of land transfer legalities. The ability of the City to acquire land originally contemplated for this project involves resolution of legal complexities related to current ownership and transfer rights. This project is contemplated to move forward in the last half of the program.

Central Branch Library

Description

The November 2014 *Library Master Plan Update* recommended construction of library branches as part of the Pioneer Library System (PLS). PLS is a multi-county library system serving Cleveland, McClain, and Pottawatomie counties in central Oklahoma. Each library in PLS's service area is a partnership between the library system and the city where it is located; the city provides and maintains the facility and PLS provides library staff, collections, and programming.

The new Norman Central Branch Library includes public meeting rooms, learning space, a local history collection, free wireless internet, access to technology, and programming for all ages.

Scope

The new Norman Central Branch Library relocated the existing library to a more spacious and modern facility. This branch is the main branch of both Norman and the Pioneer Library System and is approximately 82,000 square feet. The location is north of Andrews Park on City-owned land, primarily the site of the former Rhodes granary.

Published Budget \$39,000,000

Final Expenditures \$35,010,261

Timing

The Central Branch Library opened in November, 2019 and is providing services.



East Branch Library

Description

As the population in Norman has expanded east and west, so has the demand for library services on the east and west sides of the city. The Norman West branch opened in late 2013 and the East Branch Library expands library services to residents on the east side of the city.

The new East Branch Library opened in 2018 and includes public meeting space, free wireless internet, access to technology, and programming for all ages.

Scope

The Norman East Branch Library is approximately 12,500 square feet and located adjacent to Fire Station 9 at the intersection of Alameda and Ridge Lake Boulevard.

Published Budget \$5,100,000

Final Expenditures \$4,794,304

Timing

The East Branch Library opened in July, 2018 and is providing services.



Griffin Land Acquisition

Description

2014 Oklahoma legislation authorizes the Oklahoma Department of Mental Health and Substance Abuse Services (ODMHSAS) to sell or dispose of the Griffin property, including the current Sutton Wilderness Park, Griffin Park and Frances Cate Park. The property was proposed to be acquired by the City using NORMAN FORWARD funds, to permanently house the Griffin Park Soccer Complex and Sutton Wilderness.

Project Activities

In negotiations with the ODMHSAS, it was determined to be mutually beneficial for the City to enter into long-term leases with the ODMHSAS for the Griffin Soccer Complex land, and to maintain an existing lease for the Sutton Wilderness land. The lease agreement (Contract K-1718-136, approved on November 27, 2018) gives the City control of the property for up to a 30-year period, at which time the City has a purchase option for the land. Rental payments of \$80,000 per year, to be paid with Norman Forward funds, will apply to the ultimate purchase of the land, if so desired by the City and ODMHSAS. The Frances Cate Park land was not included in the negotiated lease for the Griffin Soccer Complex site.

The allocation of Norman Forward funds to the Griffin Land Acquisition project was reduced by the City Council from \$10,000,000 to \$2,400,000 (30 payments of \$80,000) by Resolution R-1819-110 (approved May 14, 2019) and the remaining \$7,600,000 budget was re-allocated to a Norman Forward Senior Citizen's project.

<i>Published Budget</i>	\$10,000,000
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Scope

The identified properties to be acquired are:

- | | |
|------------------------------------|------------------|
| ▪ Griffin Park & Sutton Wilderness | 322.2 acres |
| ▪ Francis Cate Park | up to 14.5 acres |

Total Anticipated Land Acquisition	336.7 acres
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Budget

Land Acquisition	\$10,000,000
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<i>Updated Cost Estimate</i>	\$ 2,400,000
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Timing

Based on the negotiated lease, rental payments to the ODMHSAS will be made annually and phased construction of the soccer complex facilities are underway. At the end of the first 15-year Norman Forward period, consideration will be made as to the purchase of the land or the continuation of the lease.

Indoor Multi-Sport and Aquatic Center (Young Family Athletic Center)

Description

The combined Indoor Multi-Sport and Aquatic Center will be named the “Young Family Athletic Center” after Norman native, NBA All-Star and University of Oklahoma alumnus Trae Young. The aquatic portion of the building will feature two pools: an 8-lane 25-meter competition pool with spectator seating and a 4-lane 25-meter pool used as a warm up pool during swim competitions. The Multi-Sport portion will each house 8 basketball courts with 12 volleyball courts. Norman Regional Health System is developing the “NMotion” space which will serve as a sports and human performance center and physician clinic. Other Young Family Athletic Center amenities include concessions, a small retail space, administrative offices, tournament and team breakout rooms, public restrooms, and other standard support areas.

Scope

The site for the NORMAN FORWARD Young Family Athletic Center in the University North Park development has been acquired, southeast of the intersection of Rock Creek Road and 24th Avenue N.W. This site will locate the Young Family Athletic Center adjacent to a major retail and hotel lodging district, attracting regional tournaments and meets which will draw participants and their families from throughout the state of Oklahoma and the central U.S. The operating structure is dependent upon successful operating agreements between the City of Norman, Norman Public Schools, Norman Regional Health System, the Sooner Swim Club, and the chosen third-party operator, Santa Fe Family Life.

Supplemental funds have been allocated from: Norman Forward project savings; Norman Municipal Authority Revenue Bonds secured by Norman Room Tax revenue; University North Park Tax Increment Finance moneys; and a donation from the Trae Young Family Foundation, believed to be the largest private donation in Norman's history. Norman Regional Health System will pay for the portion of the project cost attributable to the “NMotion” facility.



YFAC Funding Sources

Norman Forward	\$25,032,733
James Garner Transfer	\$ 1,500,000
Room Tax Bond	\$ 3,801,683
Norman Forward Trails Project	\$ 1,200,000
NF Road Improvements	\$ 338,000
UNP TIF Fund	\$ 2,734,791
Trae Young Family Foundation	\$ 4,000,000
Norman Regional Health System	\$ 6,966,000
<i>Total Budget</i>	<i>\$45,573,207</i>

Preliminary Estimated Budget

Land Acquisition / Site Prep / Infrastructure	\$ 163,000
A&E / Design / Testing	\$ 2,425,475
Construction & FFE	\$ 42,560,915
Project Contingency	\$ 423,817
<i>Total Project Budget</i>	<i>\$45,573,207</i>

Timing

This project broke ground in July of 2021, and construction is underway with a scheduled completion of Fall 2023.

James Garner Avenue Extension*Description*

The James Garner Avenue Extension will provide a north/south roadway to more efficiently carry motorists between downtown Norman and north Norman/south Oklahoma City metropolitan area. The extension will effectively create an updated entrance to the City from the north.

Scope

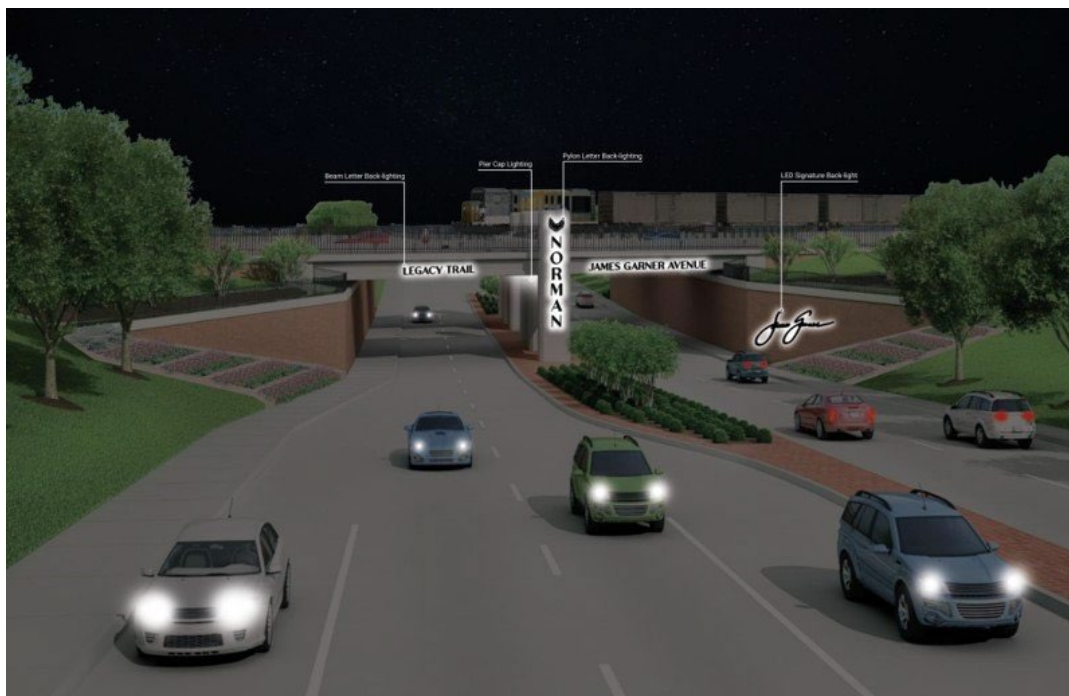
The extension project will extend James Garner Avenue northward from the intersection at Acres Street, over the Robinson Street underpass, connecting to Flood Avenue. The project will include public art enhancements in commemoration of Norman native, multiple EMMY Award winning, Hall of Fame actor James Garner. The James Garner Avenue Extension will intersect with Flood Avenue with a modern roundabout north of Robinson Street.

<i>Published Budget</i>	\$6,000,000
<i>Railroad Quiet Zone Funds</i>	\$500,000
<i>Norman Utilities Authority</i>	\$43,617
<i>Additional Norman Forward Fund Balance</i>	\$151,281
<i>FHWA Funds</i>	\$4,825,733

<i>Estimated Budget</i>	
<i>"Phase I" Actual Cost</i>	\$1,947,283
<i>"Phase II" Land Acquisition / Site Prep / Infrastructure</i>	\$102,934
<i>"Phase II" A&E / Design / Testing</i>	\$1,402,140
<i>"Phase II" Construction & FFE</i>	\$7,820,546
<i>"Phase II" Public Art</i>	\$200,000
Total Project Budget	\$11,472,905

Timing

The James Garner Extension project has been broken into "phases", to accommodate the first phase to be completed in conjunction with the opening of the new Central Branch Library. The first phase, from just south of Acres Street in the City Municipal Complex to the Central Library parking lot, has been completed. The second Phase, extending north of Robinson Street and connected to Flood Avenue, is planned to proceed in spring of 2023. City Staff has secured \$4.8 million of Federal funds for this project. The project is estimated to complete construction in spring 2024.



Parks Projects

Description

Parks all across Norman will be enhanced by NORMAN FORWARD. Additionally, new parks and trails will be developed. Plans from the Parks Master Plan will be reviewed to make sure they are still relevant to neighborhood needs.

Scope

The identified parks projects are:

- Westwood Tennis Center: conversion of two existing outdoor courts to indoor and construction of two new outdoor courts with lighting. This project has been completed (Budget: \$1,801,277; Final Cost: \$1,801,277).
- Saxon Park: develop Phase II of the Saxon Park Master Plan to include additional parking, fencing, furnishings, play area, restrooms, and event shelter (Budget: \$2,000,000).
- Ruby Grant Park: develop Phase I of the Ruby Grant Park Master Plan with utility infrastructure improvements, signage, parking, trails, practice fields, pavilion, and pedestrian lighting. This project has been completed. (Budget: \$6,000,000; Final Cost: \$6,146,426) (\$150,000 appropriated from Community Park Land Fund balance).
- Andrews Park: skate park expansion, amphitheater seating shade, landscaping, and splash pad enhancement. This project has been completed. (Budget: \$2,000,000; Final Cost: \$1,463,667).
- Existing Neighborhood Park Renovations: as per revisited 2009 Parks Master Plan recommendations. Renovations have been completed at seven parks, and two more are planned to be undertaken throughout the Norman Forward life (Budget: \$6,500,000).
- New Neighborhood Park Development – the first new neighborhood park, “Songbird Park” is complete and the new “Bentley Park” is currently underway in the Summit Valley/Bellatona neighborhood. Three more will be undertaken throughout the Norman Forward life at Southlake, Links, and Redlands. (Budget: \$2,000,000).
- New Trail Development: complete initial loop routing of Legacy Trail (Budget: \$4,800,000).

Published Budget

\$25,500,000

Preliminary Estimated Budget

Land Acquisition / Site Prep / Infrastructure	\$ 1,440,000
A&E / Design / Testing	\$ 1,240,000
Construction & FFE	\$21,080,000
Project Contingency	\$ 1,740,000
Total Project Budget	\$25,500,000

Timing

Individual park and trail improvement projects will be undertaken on a yearly basis throughout the life of NORMAN FORWARD.

Adult Wellness and Education (Senior Citizens) Center*Description*

The NORMAN FORWARD Ordinance included the following language:

To construct and to equip a Senior Center through renovation of an existing facility or construction of a new free standing facility at a location to be determined by Council, after consideration of the desires of Norman citizens who would likely use the facility, functionality of proposed facility, and feasibility including how to accomplish other voter authorized municipal complex improvements:

To be funded from proceeds that can be generated from the sale of General Obligation Bonds authorized by voters in 2008, or from revenues generated from the Norman Forward Quality of Life Projects Sales Tax of 2015, to be located in the vicinity of Andrews Park or another site shown to be reasonably available for this purpose.

The City Council began working on the Senior Citizens Center location issue early in 2016 and adopted Resolution R-1516-77, narrowing the Senior Citizens Center location options to the Existing Library site, a site in Andrews Park, and a site adjacent to the new Central Branch Library site.

After further consideration and considering the endorsement of the NORMAN FORWARD Senior Center Ad Hoc Committee, the Reaves Park Ad Hoc Committee, the Norman Senior Association, and representatives of the Medieval Fair, the Council adopted Resolution R-1819-110, which formally selected Reaves Park as the site for the Senior Center. Resolution R-1819-110 also re-programmed \$7,600,000 in funds from the Griffin Park Land Acquisition project to the Senior Citizens Center project.

In August 2021, Council approved a memorandum of understanding with the Norman Regional Health System to move the location of the Senior Center to

Norman Regional's Porter Campus. The scope of the project was also expanded from a recreational center to a wellness center. The newly renamed "Senior Wellness Center" will be a part of Norman Regional's planned Porter Health Village.

The proposed 30,000 square foot center is set to include an indoor walking track and multiple fitness areas with locker rooms; multipurpose and art specific classrooms as well as lounge areas; a full kitchen for events and programming; outdoor pickleball courts; and a lap pool. Non-profit third party operator Healthy Living & Fitness will operate the facility.

<i>Published Norman Forward Budget</i>	<i>\$0; Amended to \$7,600,000</i>
<i>CARES Act Funding</i>	<i>\$4,800,000</i>
<i>Norman Regional Land Swap Proceeds</i>	<i>\$426,000</i>
<i>Sale of 718 N Porter*</i>	<i>\$1,197,277</i>

**temporarily transferred from the General Fund due to the pending status of the sale of 718 N Porter.*

<i>Preliminary Estimated Budget</i>	
<i>Land Acquisition/Site Prep/Infrastructure</i>	<i>\$427,551</i>
<i>A&E / Design / Testing</i>	<i>\$832,000</i>
<i>Construction & FFE</i>	<i>\$12,283,002</i>
<i>Project Contingency</i>	<i>\$480,996</i>
<i>Total Project Budget</i>	<i>\$14,023,277</i>

Timing

The project officially broke ground in November 2021 and has an estimated completion date in Summer of 2023.



Sports Complex Projects

Description

Renovations and new construction are planned for sports complexes in multiple locations. These facilities will allow expanded space for youth soccer, youth and adult softball, adult flag football and youth football.

Scope

Due to financial reasons, the adult softball and youth football programs will no longer be a standalone complex. The expanded adult softball programs will be at Reaves Park and youth football will be at Ruby Grant Park. The identified sports complex projects are:

- Reaves Park: additional youth baseball/softball fields with lighting, restrooms, concessions, and additional parking (Budget: \$10,000,000; + \$1,250,000 for adult softball).
- Ruby Grant Park: multi-field football complex with lighting, restrooms, concessions, and parking (Budget \$1,250,000).
- Griffin Park: new outdoor soccer fields with lighting and parking. (\$13,192,262).

Published Budget \$23,500,000

Preliminary Estimated Budget

Land Acquisition / Site Prep / Infrastructure	\$1,800,000
A&E / Design / Testing	\$1,880,000
Construction & FFE	\$20,602,262
Project Contingency	\$1,410,000
Total Project Budget	\$25,692,262

Timing

Final master plans and engineering designs have been completed for the Reaves Park and Griffin Park Sports Complexes. Reconstruction of the 22 soccer fields at the Griffin Park Soccer Complex is nearing completion, and more facilities will be completed over the next few months with an estimated completion in the Fall of 2023. Access to the Complex is also being improved through separate traffic projects.

The new Parks Maintenance Facility has been completed and is relocated from Reaves Park to the City Maintenance Complex ("North Base"). Relocation of the Parks Maintenance Facility made land available for the expansion of baseball and softball fields at Reaves Park which has recently been completed.

Relocated youth football (Ruby Grant) and adult softball (Reaves) facilities, originally planned at a new stand-alone site, are complete.



Traffic Improvements

Description

NORMAN FORWARD includes infrastructure improvements for the city that will improve traffic flow and safety at various locations related to NORMAN FORWARD projects.

Scope

Planned projects include traffic analysis, street and storm water improvements, and traffic signals at various locations. Related NORMAN FORWARD projects are access to the Young Family Athletic Center (Trae Young Way), Griffin Park, and Reaves Park. Traffic ingress and egress improvements at Griffin Park are under construction.

Published Budget \$2,700,000

Preliminary Estimated Budget

Land Acquisition / Site Prep / Infrastructure	\$270,000
A&E / Design / Testing	\$216,000
Construction & FFE	\$2,025,000
Project Contingency	\$189,000
Total Project Budget	\$2,700,000

Timing

Architecture, engineering, land acquisition, and site preparation are scheduled to begin throughout the program based on specified sites. This project is scheduled to be completed as needed for individual project sites during construction phases. Access improvements for the Griffin Soccer Complex on

Robinson Street and 12th Avenue are underway. Access improvements to the YFAC, including construction of "Trae Young Drive" are also underway.

Westwood Family Aquatic Center

Description

The Westwood Family Aquatic Center project has constructed an updated, modern outdoor aquatic center. Features include a lazy river, slides, water sprays, a 50-meter lap pool, shaded shallow areas, a new bathhouse, concession areas, and additional parking. The new outdoor Aquatic Center opened in the summer of 2018 and has been enjoyed by thousands of visitors.

Scope

Based on the current budget, the pool will have approximately 18,000 square feet of water surface area and include a variety of features that have been determined through public input are also part of this project.

<i>Published Budget</i>	<i>\$12,000,000</i>
<i>Final Cost</i>	<i>\$11,763,800</i>



Other Projected Program Expenses

▪ Public Art	\$1,200,000
▪ Park Maintenance Staff	\$3,009,925
▪ Senior Center Staff	\$0
▪ Facility Maintenance Staff	\$1,562,753
▪ Capital Equipment	\$425,000
▪ Aquatic Center Operating Subsidy	\$0
▪ Project Oversight	\$3,312,000
▪ Westwood Pool/Tennis Replacement	\$455,000
▪ Facility Maintenance Contract	\$210,000
▪ Interest and Debt Service Cost	\$20,962,256
Total Other Program Expenses Budget	\$31,136,934

Projects identified for Public Art include:

- Central Branch Library
- East Branch Library
- Westwood Family Aquatic Center
- Indoor Multi-Sport Facility
- Indoor Aquatic Center
- Sports Complex Projects: Reaves Park, Griffin Park
- Park Projects: Westwood Tennis Center, Ruby Grant, Saxon & Andrews
- James Garner Avenue Extension
- Adult Wellness and Education Center

IV. Project Timeline

As part of the Implementation Plan, steps were taken to determine the order in which the projects, or phases of projects, would take place in the program. To complete this task, the Program Manager attended Citizens Financial Oversight Board meetings, ad hoc advisory group meetings, and worked with City Staff. City Staff provided budget information critical to project sequencing. The goal is to create a logical project progress schedule within the constraints of the funding structure. Individual project's schedules are updated in their discussions above.

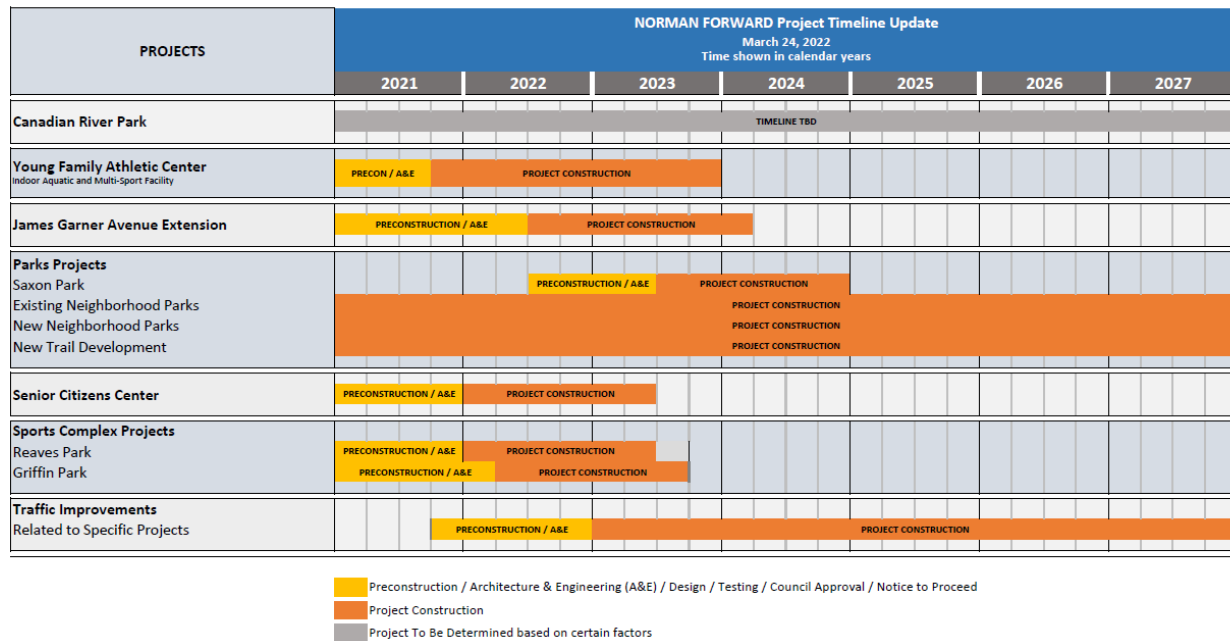
Potential impacts to the overall NORMAN FORWARD project timeline include, but are not limited to:

- Fluctuation in sales tax revenue
- Changes in project scopes of work

- Inflation or other increases in cost of project construction
- Other unforeseen circumstances

The chart below is updated to reflect changing time schedules for the various projects as the overall Norman Forward program moves forward.

Project Timeline



V. Conclusion

This Implementation Plan includes an introduction and history of the NORMAN FORWARD program, project descriptions, scopes of work, budgets, project phasing, and the Project Timeline. The original Implementation Plan was adopted by the City Council on June 28, 2016 (Resolution R-1516-130) and minor updates have been approved periodically by the Citizen's Financial Oversight Board (CFOB). At various points in time as significant projects are completed or changes are made, amended Implementation Plan documents will be re-submitted for Council consideration. On the recommendation of the CFOB, the Implementation Plan was formally amended on October 8, 2019 by Resolution R-1920-44 and again on April 12, 2022 by Resolution R-2122-110.

Upon the recommendation of the Citizens Financial Oversight Board and final approval by City Council, City Staff will implement and administer the 15-year plan. The Program Manager will assist City staff with programming, cost estimating, design review, and construction observation on projects outlined by their contract with the City.

This document is based on currently available information as well as certain assumptions made based on anticipated requirements. It may be further amended by City Council as new information arises or other changes occur over the 15-year life of the quality-of-life program.

Additional Information

NORMAN FORWARD, City of Norman

<https://www.normanok.gov/your-government/projects-initiatives/norman-forward>

“Norman Voters Approve Sales Tax Increase”

<http://journalrecord.com/2015/10/14/voters-approve-sales-tax-increase/>

2009 Parks and Recreation Master Plan, City of Norman

<https://www.normanok.gov/sites/default/files/documents/2020-05/ParksMasterPlan1.pdf>

Young Family Athletic Center

<https://www.normanok.gov/residents-visitors/parks-recreation/young-family-athletic-center>

Senior Wellness Center

<https://www.normanok.gov/residents-visitors/parks-recreation/senior-wellness-center>

Norman Forward CFOB Annual Report

For the period October 1, 2020 – December 31, 2021

File Attachments for Item:

17. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF EASEMENT E-2223-27: A PERMANENT PUBLIC UTILITY EASEMENT DONATED BY UNIVERSITY TOWN CENTER, L.L.C., TO SERVE UNIVERSITY NORTH PARK ADDITION, SECTION XX. (LOCATED EAST OF 24TH AVENUE N.W. BETWEEN ROBINSON STREET AND ROCK CREEK ROAD.)



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/09/2023

REQUESTER: Jack Burdett, Subdivision Development Coordinator

PRESENTER: Shawn O'Leary, Director of Public Works

TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF EASEMENT E-2223-27: A PERMANENT PUBLIC UTILITY EASEMENT DONATED BY UNIVERSITY TOWN CENTER, L.L.C., TO SERVE UNIVERSITY NORTH PARK ADDITION, SECTION XX. (LOCATED EAST OF 24TH AVENUE N.W. BETWEEN ROBINSON STREET AND ROCK CREEK ROAD.)

BACKGROUND:

The final plat for University North Park Section XX, a Planned Unit Development, was approved by City Council on January 10, 2023. The property is located east of 24th Ave. N.W. between Robinson Street and Rock Creek Road.

The owner of the property, University Town Center, LLC, has submitted off-site easements for utilities and drainage in connection with the adjacent filed platted addition.

DISCUSSION:

These utility and drainage easements will continue to serve the platted properties in this addition. Easements are planned to be incorporated into future University North Park Additions. The City Attorney and Public Works Staff have reviewed the easements as to form.

Copies of easements and location map are included in the Agenda Book.

RECOMMENDATION:

Based upon the fact the easements have been donated to the City of Norman for locating the off-site utilities in place; Staff recommends acceptance of Easements E-2223-27, E-2223-28, E-2223-29, E-2223-30, and E-2223-31; to be filed of record with the Cleveland County Clerk.

UTILITY EASEMENT
E-2223-27

Know all men by these presents:

That University Town Center, LLC, in consideration of the sum of One Dollar (\$1.00), receipt of which is hereby acknowledged, and for other good and valuable considerations, do hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a public utility easement and right-of-way over, across, and under the following described premises situated in the City of Norman, Cleveland County, Oklahoma, shown on **Attachment "A" ("Subject Property")** for the use of **Grantees** with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating the described easement shown on **Attachment "A"**.

UTILITY EASEMENT

To have and to hold the same unto the said city, its successors, and assigns forever.

Signed and delivered this 24th day of March, 2023

UNIVERSITY TOWN CENTER, LLC by:

Robert C. Collett Manager
Title

REPRESENTATIVE ACKNOWLEDGEMENT

STATE OF NORTH CAROLINA, COUNTY OF BURKE, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 24th day of March, 2023, personally appeared Robert C. Collett, to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that he executed the same as Manager free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal the day and year last above written.

My Commission Expires: 06-16-2026 Notary Public: Shasta Rose Monro

Approved as to form and legality this _____ day of _____, 20____.

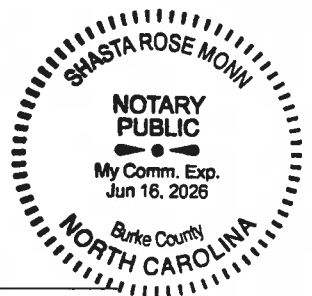
City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 20____.

Mayor

ATTEST:

City Clerk
SEAL:



UTILITY EASEMENT DESCRIPTION

A strip tract of land lying in the Northeast Quarter and the Southeast Quarter of Section 23, Township 9 North, Range 3 West of the Indian Meridian, City of Norman, Cleveland County, Oklahoma being more particularly described as follows:

COMMENCING at southeast corner of Lot 1, Block 1, UNIVERSITY NORTH PARK XVIII recorded in Book 25 of Plats, Page 167, said point also being the northeast corner of Lot 4 of the plat of UNIVERSITY NORTH PARK SECTION XX recorded in Book 26 of Plats, Page 6;

THENCE South $17^{\circ}23'52''$ West, along the east line of said Lot 4, a distance of 7.23 feet to the northwest corner of the Common Area A of said plat;

THENCE South $72^{\circ}36'08''$ East, along the north line of said Common Area A, a distance of 50.00 feet to the POINT OF BEGINNING;

THENCE North $64^{\circ}24'07''$ East a distance of 4.24 feet to a point on a curve;

THENCE Southeasterly along a non tangent curve to the left having a radius of 5,008.29 feet (said curve subtended by a chord which bears South $67^{\circ}00'40''$ East a distance of 6.93 feet) for an arc distance of 6.93 feet to a point on a curve;

THENCE Southerly along a non tangent curve to the left having a radius of 7,480.60 feet (said curve subtended by a chord which bears South $17^{\circ}24'48''$ West a distance of 28.78 feet) for an arc distance of 28.78 feet;

THENCE South $17^{\circ}23'52''$ West a distance of 253.62 feet to a point of curvature;

THENCE Southerly along a curve to the right having a radius of 535.00 feet (said curve subtended by a chord which bears South $21^{\circ}38'35''$ West a distance of 79.21 feet) for an arc distance of 79.28 feet;

THENCE South $25^{\circ}53'18''$ West a distance of 21.72 feet to a point of curvature;

THENCE Southerly along a curve to the left having a radius of 465.00 feet (said curve subtended by a chord which bears South $19^{\circ}38'50''$ West a distance of 101.10 feet) for an arc distance of 101.30 feet;

THENCE South $13^{\circ}24'21''$ West a distance of 173.83 feet;

THENCE North $78^{\circ}33'01''$ West a distance of 10.01 feet to the southeast corner of Legacy Drive per the plat of said UNIVERSITY NORTH PARK SECTION XX;

THENCE along the east line of said plat the following six (6) courses;

1. North 13°24'21" East a distance of 174.17 feet to a point of curvature;
2. Northerly along a curve to the right having a radius of 475.00 feet (said curve subtended by a chord which bears North 19°38'50" East a distance of 103.28 feet) for an arc distance of 103.48 feet;
3. North 25°53'18" East a distance of 21.72 feet to a point of curvature;
4. Northerly along a curve to the left having a radius of 525.00 feet (said curve subtended by a chord which bears North 21°38'35" East a distance of 77.73 feet) for an arc distance of 77.80 feet;
5. North 17°23'52" East a distance of 253.61 feet to a point of curvature;
6. Northerly along a non tangent curve to the right having a radius of 7,490.60 feet (said curve subtended by a chord which bears North 17°24'17" East a distance of 26.57 feet) for an arc distance of 26.57 feet to the POINT OF BEGINNING.

Said described strip of land contains an area of 6,590 square feet or 0.1513 acres, more or less.

The basis of bearings for this legal description was South 17°23'52" West as the east line of Lot 4 of the plat of UNIVERSITY NORTH PARK SECTION XX recorded in Book 26 of Plats, Page 6.

Prepared by:

Randall A. Mansfield, Professional Land Surveyor No. 1613

Cowan Group Engineering

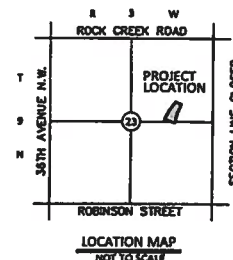
7100 N. Classen, Suite 500- OKC, OK 73116

March 20, 2023



LOT 1
BLOCK 1
UNIVERSITY NORTH PARK XVIII
BOOK 25 OF PLATS, PAGE 167

LOT 1, BLOCK 1
UNIVERSITY NORTH PARK
SECTION VII
BOOK 22 of PLATS
PAGE 211



Line Table		
Line #	Direction	Length
L1	S 17°23'52" W	7.23
L2	S 72°36'08" E	50.00
L3	N 64°24'07" E	4.24
L4	S 17°23'52" W	253.62
L5	S 25°53'18" W	21.72
L6	S 13°24'21" W	173.83
L7	N 78°33'01" W	10.01
L8	N 13°24'21" E	174.17
L9	N 25°53'18" E	21.72
L10	N 17°23'52" E	253.61

Curve Table						
Curve #	Radius	Length	Delta	Tangent	Chord Bearing	Chord Length
C1	5008.29'	6.93'	00°04'46"	3.47'	S 67°00'40" E	6.93'
C2	7480.60'	28.78'	00°13'14"	14.39'	S 17°24'48" W	28.78'
C3	535.00'	79.28'	08°29'26"	39.71'	S 21°38'35" W	79.21'
C4	465.00'	101.30'	12°28'57"	50.85'	S 19°38'50" W	101.10'
C5	475.00'	103.48'	12°28'57"	51.95'	N 19°38'50" E	103.28'
C6	525.00'	77.80'	08°29'26"	38.97'	N 21°38'35" E	77.73'
C7	7490.60'	26.57'	00°12'12"	13.29'	N 17°24'17" E	26.57'



COWAN GROUP ENGINEERING

7100 N. CLASSEN, SUITE 500 - OKLAHOMA CITY, OK 73116
405-463-3369 (OFFICE) - 405-463-3381 (FAX)
WWW.COWANGROUP.CO

WWW.COWANGROUP.CO

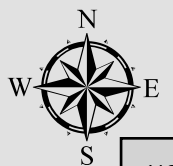
ENGINEERING - SURVEYING

CERTIFICATE OF AUTHORIZATION NO: 6414
EXPIRES JUNE 30, 2024

NOT TO SCALE



University North Park Sec. XX Off-Site Easements



1 inch = 300'

FINAL PLAT

UNIVERSITY NORTH PARK SECTION XX

A PLANNED UNIT DEVELOPMENT

A PART OF THE N.E. 1/4 AND S.E. 1/4 OF SECTION 23, T. 9 N., R. 3 W., I.M.

NORMAN, CLEVELAND COUNTY, OKLAHOMA

#2
STATE OF OKLAHOMA
COUNTY OF CLEVELAND
FILED FOR RECORD
January 19, 2023 11:09:55am
Book 163 Page 163
By Tammy Beilinson County Clerk
By Bob Stearns Deputy

Doc # P2023-2 BT: P B: 26 P: 6 PL
01/19/2023 11:09:25 AM Pages: 3
Cleveland County Clerk, OK - Tammy Beilinson
File: 8-25-03
b6
b7c

OWNER'S CERTIFICATE AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That University Town Center, LLC, an Oklahoma limited liability company hereby certifies it is the owner of, and the only person, firm, corporation, or entity having any ownership rights, title or interest in and to the land shown on the annexed plat of UNIVERSITY NORTH PARK XX, a planned unit development to Norman, Cleveland County, Oklahoma, and has caused the same to be platted into lots, blocks, streets, and easements as shown on said annexed plat.

University Town Center, LLC hereby dedicates all rights of way and easements as shown on said annexed plat to the public for streets, fire protection, utility and drainage easements, for itself, its successors and assigns forever and has caused the same to be released from all rights, easements and encumbrances except as noted on the Bonded Abstractor's Certificate.

Covenants, Conditions and Restrictions for the annexed plat may subsequently be filed under separate instrument.

In witness whereof the undersigned having caused this instrument to be executed this _____ day of _____, 2022.

University Town Center, LLC
an Oklahoma limited liability company

Bob Stearns
Bob Stearns, Manager

STATE OF OKLAHOMA SS:
COUNTY OF OKLAHOMA

Before me, a Notary Public in and for said State, on the above stated date, personally appeared Bob Stearns, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for said corporation for the uses and purposes therein set forth.

Ryan Leslie Noble
Notary Public

My Commission Expires: 09/16/23

My Commission Number: 11008471

CITY CLERK'S CERTIFICATE

I, Brenda Hall, City Clerk of the City of Norman, hereby certify that I have examined the records of said City and find that all deferred payments on unmatured installments upon special assessments have been paid in full and that there are no special assessment procedures now pending against the land shown on the annexed plat.

Signed by the City Clerk this 10th day of January, 2023

Brenda Hall
City Clerk

CERTIFICATE OF CITY OF NORMAN DEVELOPMENT COMMITTEE

I, Shawn O'Leary, Chairman of the City of Norman Development Committee certify that the public improvement plans and annexed plat of UNIVERSITY NORTH PARK XX, a Planned Unit Development, comply with the standards and specifications of the City of Norman on this 22nd day of November, 2022.

Shawn O'Leary
Development Committee Chairman

COUNTY TREASURER'S CERTIFICATE

I, Jim Reynolds, hereby certify that I am the duly qualified and acting County Treasurer of Cleveland County, Oklahoma, that the tax records of said county show that all taxes for the year 2022, and prior years are paid on the property outline on the annexed plat and the required statutory security has been deposited in the offices of the Oklahoma County Treasurer guaranteeing the payment of the current year's taxes.

In witness whereof, said County Treasurer has caused this instrument to be executed this 12 day of January, 2022 2023

Jim Reynolds by Amber Ballentine Deputy
County Treasurer

ACCEPTANCE OF DEDICATION BY CITY COUNCIL

Be it resolved by the City Council of the City of Norman, Oklahoma, the dedications shown on the annexed plat are hereby accepted.

Adopted by the Council of the City of Norman, this 10th day of January, 2023

Brenda Hall City Clerk Andrew Mayor

BONDED ABSTRACTOR'S CERTIFICATE

The undersigned, a duly qualified and lawfully bonded abstractor of titles in and for Cleveland County and State of Oklahoma, hereby certifies the records of said county show that title to the land shown on the annexed plat is vested in University Town Center, LLC on this 8th day of December, 2022, and there are no actions pending or judgments of any nature in any court or on file with the clerk of any court in said county and state against said land or owners thereof, and the taxes are paid for the year of 2022, and prior years, and there are no outstanding tax sales certificates against said land, and no tax deeds are issued to any person, and there are no liens, or other encumbrances of any kind against the land included in the annexed plat, except, mortgages, rights of way, easements, and mineral conveyances of record.

In witness whereof, said Bonded Abstractor has caused this instrument to be executed this 15th day of December, 2022.

Charles Francis
By: Vice-President
Chicago Title Oklahoma, Co.

LICENSED PROFESSIONAL LAND SURVEYOR'S CERTIFICATE

I, Randall A. Mansfield, a Licensed Professional Land Surveyor in the State of Oklahoma, certify the annexed plat consisting of two (2) sheets, represents a survey made under my supervision on the 14th day of December, 2022, and the monuments shown thereon exist and their positions are correctly shown, and this survey meets the Oklahoma Minimum Standards for the Practice of Land Surveyors as adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors and the original media of said annexed plat complies with the requirements of Title 11 Section 41-108 of the Oklahoma State Statutes.

Randall A. Mansfield
Randall A. Mansfield, PLS No. 1613

STATE OF OKLAHOMA SS:
COUNTY OF OKLAHOMA

This instrument was acknowledged before me on the 14th day of December, 2022, by Randall A. Mansfield.

Christa Handberg
Notary Public

My Commission Expires: 10/10/2023

Commission Number: 19010230

LEGAL DESCRIPTION

A tract of land lying in the Northeast Quarter and the Southeast Quarter of Section 23, Township 9 North, Range 3 West of the Indian Meridian, City of Norman, Cleveland County, Oklahoma being more particularly described as follows:

COMMENCING at southeast corner of the Southeast Quarter of said Section 23;

THENCE South 89°24'39" West, along the south line of said Southeast Quarter, a distance of 1,114.88 feet to a point of intersection with the centerline of 24th Avenue NW as established by UNIVERSITY NORTH PARK SECTION I recorded in Book 21 of Plats, Page 7 and HIGHWAY EASEMENT recorded in Book 2552, Page 472;

THENCE along said centerline, the following Four (4) courses:

1. North 00°35'21" West a distance of 596.46 feet to a point of curvature;
2. Northerly along a curve to the left having a radius of 860.21 feet (said curve subtended by a chord which bears North 16°50'48" West a distance of 481.64 feet) for an arc distance of 488.16 feet;
3. North 33°06'14" West a distance of 200.00 feet to a point of curvature;
4. Northerly along a curve to the right having a radius of 2,002.19 feet (said curve subtended by a chord which bears North 10°38'08" West a distance of 1,530.37 feet) for an arc distance of 1570.30 feet;

THENCE South 78°33'01" East a distance of 60.00 feet to a point on a curve being on the easterly right of way line of said 24th Avenue NW and the POINT OF BEGINNING;

THENCE Northeasterly along said easterly right of way line on a non-tangent curve to the right having a radius of 1,942.19 feet (said curve subtended by a chord which bears North 23°23'56" East a distance of 778.03 feet) for an arc distance of 783.33 feet to the southwest corner of Lot 1, Block 1, UNIVERSITY NORTH PARK XVIII recorded in Book 25 of Plats, page 167;

THENCE South 58°00'19" East, along the south line of said Lot 1, a distance of 274.41 feet to the southeast corner of said Lot 1, also being a point on the west line of Common Area A of said plat;

THENCE South 17°23'52" West, along the west line of said Common Area A, a distance of 7.23 feet to the southwest corner of said Common Area A;

THENCE South 72°38'08" East, along the southerly line of said Common Area A, a distance of 50.00 feet to the southeast corner of said Common Area A and being a point on a curve;

THENCE Southerly along a non tangent curve to the left having a radius of 7,490.60 feet (said curve subtended by a chord which bears South 17°24'17" West a distance of 26.57 feet) for an arc distance of 26.57 feet;

THENCE South 17°23'52" West a distance of 253.61 feet to a point of curvature;

THENCE Southerly along a curve to the right having a radius of 525.00 feet (said curve subtended by a chord which bears South 21°38'35" West a distance of 77.73 feet) for an arc distance of 77.80 feet;

THENCE South 25°53'18" West a distance of 21.72 feet to a point of curvature;

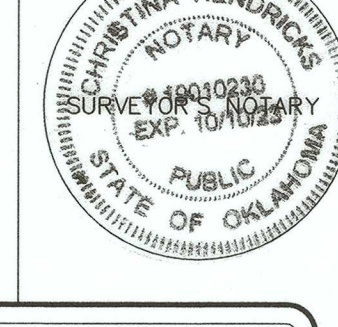
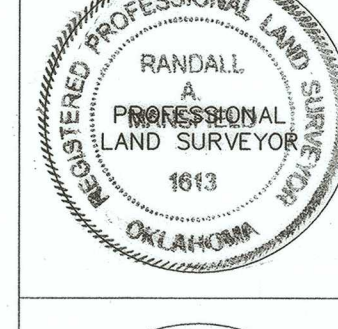
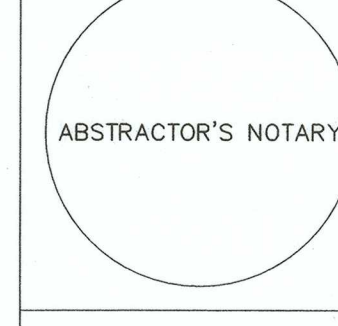
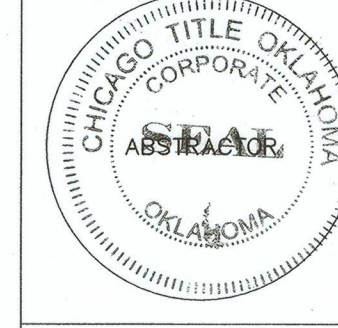
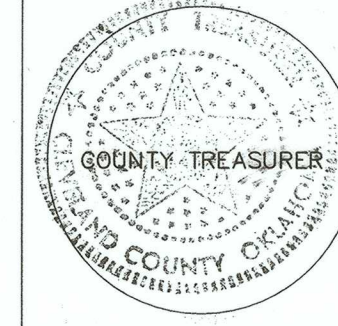
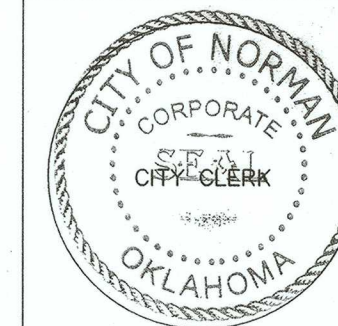
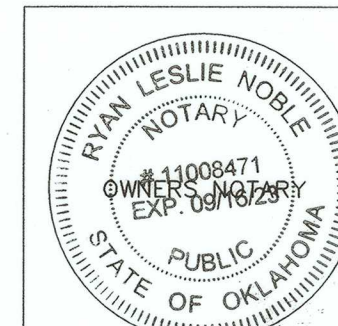
THENCE Southerly along a curve to the left having a radius of 475.00 feet (said curve subtended by a chord which bears South 19°38'50" West a distance of 103.28 feet) for an arc distance of 103.48 feet;

THENCE South 13°24'21" West a distance of 174.17 feet;

THENCE North 78°33'01" West a distance of 398.15 feet to the POINT OF BEGINNING.

Said described tract of land contains an area of 272,037 square feet or 6.2451 acres, more or less.

The basis of bearings for this legal description was South 89°24'39" West as the south line of the Southeast Quarter of Section 23, Township 9 North, Range 3 West of the Indian Meridian as shown on UNIVERSITY NORTH PARK REPLAT OF SECTION IV recorded in Book 22 of Plats, Page 82.



 **DODSON - THOMPSON - MANSFIELD, PLLC**
20 NE 38th Street Phone: 405-601-7402 email: randym@dtm-ok.com
Oklahoma City, OK 73105 Fax: 405-601-7421
Surveying - Engineering - Earthwork
CERTIFICATE OF AUTHORIZATION NO: 6391 EXPIRES JUNE 30, 2024

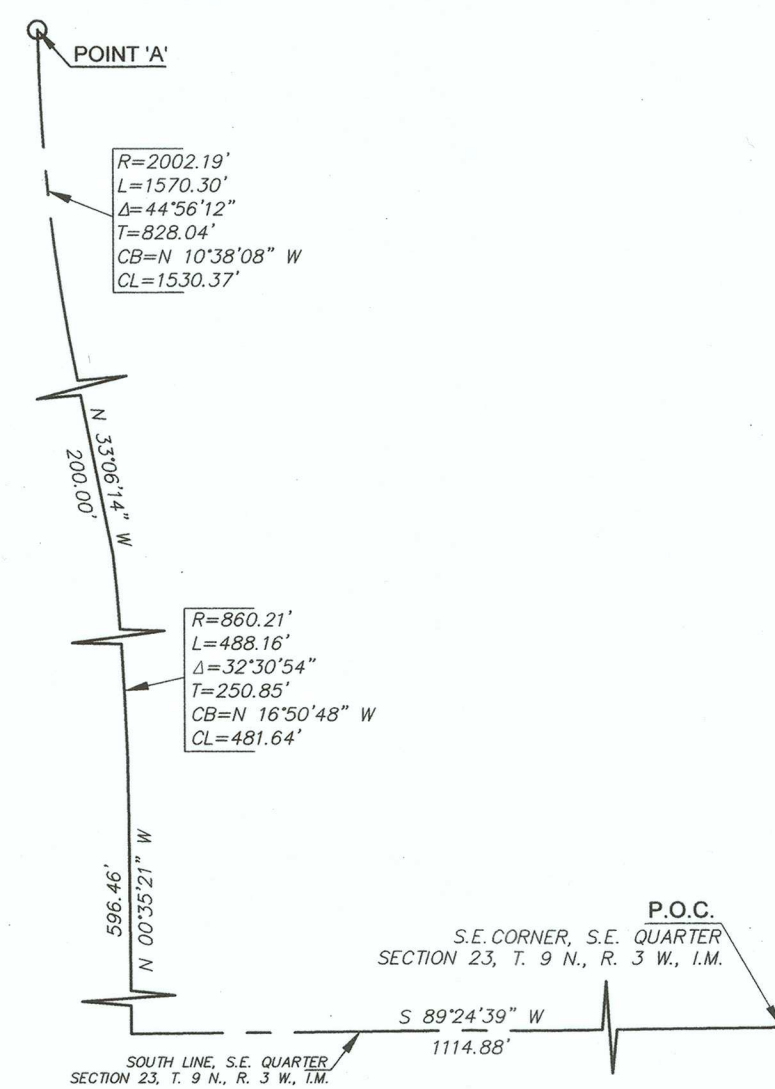
FINAL PLAT UNIVERSITY NORTH PARK SECTION XX

A PLANNED UNIT DEVELOPMENT
A PART OF THE N.E. 1/4 AND S.E. 1/4 OF SECTION 23, T. 9 N., R. 3 W., I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA

Doc # P2023-2 BT: P B: 26 P: 6 PL
01/19/2023 11:09:25 AM Pages: 3
Cleveland County Clerk, OK - Tammy Bellinson
Fee: \$ 55.00



#2
STATE OF OKLAHOMA
COUNTY OF CLEVELAND
FILED FOR RECORD
January 19, 2023 at 11:09:25am
Book 22 Page 167
By: [Signature] Deputy



LEGACY PARK DRIVE

R.O.W. PER
UNP SECTION IX
BK. 23 PG. 55

R.O.W. PER
UNP SECTION I
BK. 21 PG. 7

POINT 'A'

POINT 'A'

LEGACY PARK DRIVE
(THIS AREA DEDICATED
AS PUBLIC RIGHT OF WAY
BY THIS PLAT)

BENCHMARK - BM
ELEVATION 1183.56
MONUMENT CUT "X" ON NOSE OF ISLAND
LOCATION N: 694439.05
E: 2123561.15
NAD 83

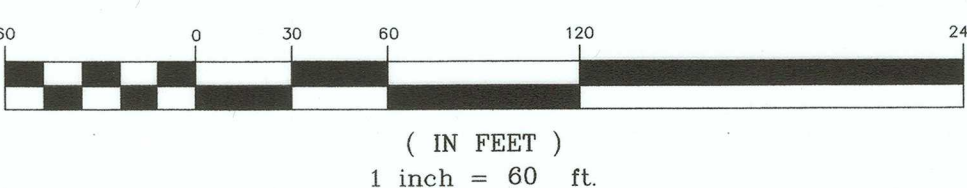
BM DATUM
HORIZONTAL
OKLAHOMA STATE PLANE
COORDINATE SYSTEM (SOUTH ZONE)
NAVD 83
VERTICAL
NAVD 88
SOURCE
CITY OF NORMAN
GPS CONTROL MONUMENT 372

Line #	Direction	Length
L1	S 71°00'57" E	50.07
L2	N 71°00'57" W	50.10
L3	S 71°00'57" E	50.16
L4	S 58°00'45" E	24.02
L5	N 71°00'57" W	24.03
L6	N 71°00'57" W	25.16
L7	S 73°15'20" E	175.81
L8	S 16°44'40" W	15.00
L9	N 73°15'20" W	178.18
L10	N 25°53'18" E	8.39
L11	N 58°00'45" W	69.59

Line #	Direction	Length
L12	N 31°59'08" E	15.00
L13	N 31°59'08" E	15.00
L14	S 58°00'45" E	71.15
L15	N 67°59'34" W	15.26
L16	N 22°00'26" E	14.37
L17	S 67°59'34" E	14.10
L18	N 78°33'01" W	15.00
L19	N 12°45'34" E	35.28
L20	S 78°33'01" E	15.00
L21	S 12°45'34" W	35.28

Curve #	Radius	Length	Delta	Tangent	Chord Bearing	Chord Length
C1	1942.19'	10.03'	00°17'45"	5.01'	S 15°41'01" W	10.03'
C2	1892.19'	25.04'	00°45'30"	12.52'	S 22°21'18" W	25.04'
C3	1942.19'	30.08'	00°53'14"	15.04'	S 23°04'52" W	30.08'
C4	1892.19'	361.02'	10°55'54"	181.06'	S 29°06'39" W	360.47'
C5	1868.19'	410.70'	12°35'44"	206.18'	S 28°18'44" W	409.87'
C6	550.00'	0.61'	00°03'49"	0.31'	S 25°12'44" W	0.61'
C7	550.00'	6.18'	00°38'39"	3.09'	S 25°33'58" W	6.18'
C8	1942.19'	15.03'	00°26'36"	7.51'	N 34°43'54" E	15.03'
C9	1942.19'	15.01'	00°26'34"	7.51'	N 35°10'29" E	15.01'

GRAPHIC SCALE



LEGAL DESCRIPTION

A tract of land lying in the Northeast Quarter and the Southeast Quarter of Section 23, Township 9 North, Range 3 West of the Indian Meridian, City of Norman, Cleveland County, Oklahoma being more particularly described as follows:

COMMENCING at southeast corner of the Southeast Quarter of said Section 23;

THENCE South 89°24'39" West, along the south line of said Southeast Quarter, a distance of 1,114.88 feet to a point of intersection with the centerline of 24th Avenue NW as established by UNIVERSITY NORTH PARK SECTION I recorded in Book 21 of Plats, Page 7 and HIGHWAY EASEMENT recorded in Book 2552, Page 472;

THENCE along said centerline, the following Four (4) courses:

1. North 00°35'21" West a distance of 596.46 feet to a point of curvature;
2. Northerly along a curve to the left having a radius of 860.21 feet (said curve subtended by a chord which bears North 16°50'48" West a distance of 481.64 feet) for an arc distance of 488.16 feet;
3. North 33°06'14" West a distance of 200.00 feet to a point of curvature;
4. Northerly along a curve to the right having a radius of 2,002.19 feet (said curve subtended by a chord which bears North 10°38'08" West a distance of 1,530.37 feet) for an arc distance of 1570.30 feet;

THENCE South 78°33'01" East a distance of 60.00 feet to a point on a curve being on the easterly right of way line of said 24th Avenue NW and the POINT OF BEGINNING;

THENCE Northeasterly along said easterly right of way line on a non-tangent curve to the right having a radius of 1,942.19 feet (said curve subtended by a chord which bears North 23°23'56" East a distance of 778.03 feet) for an arc distance of 783.33 feet to the southwest corner of Lot 1, Block 1, UNIVERSITY NORTH PARK XVIII recorded in Book 25 of Plats, page 167;

THENCE South 58°00'19" East, along the south line of said Lot 1, a distance of 274.41 feet to the southeast corner of said Lot 1, also being a point on the west line of Common Area A of said plat;

THENCE South 17°23'52" West, along the west line of said Common Area A, a distance of 7.23 feet to the southwest corner of said Common Area A;

THENCE South 72°36'08" East, along the southerly line of said Common Area A, a distance of 50.00 feet to the southeast corner of said Common Area A and being a point on a curve;

THENCE Southerly along a non tangent curve to the left having a radius of 7,490.60 feet (said curve subtended by a chord which bears South 17°24'17" West a distance of 26.57 feet) for an arc distance of 26.57 feet;

THENCE South 17°23'52" West a distance of 253.61 feet to a point of curvature;

THENCE Southerly along a curve to the right having a radius of 525.00 feet (said curve subtended by a chord which bears South 21°38'35" West a distance of 77.73 feet) for an arc distance of 77.80 feet;

THENCE South 25°53'18" West a distance of 21.72 feet to a point of curvature;

THENCE Southerly along a curve to the left having a radius of 475.00 feet (said curve subtended by a chord which bears South 19°38'50" West a distance of 103.28 feet) for an arc distance of 103.48 feet;

THENCE South 13°24'21" West a distance of 174.17 feet;

THENCE North 78°33'01" West a distance of 398.15 feet to the POINT OF BEGINNING.

Said described tract of land contains an area of 272.037 square feet or 6.2451 acres, more or less.

The basis of bearings for this legal description was South 89°24'39" West as the south line of the Southeast Quarter of Section 23, Township 9 North, Range 3 West of the Indian Meridian as shown on UNIVERSITY NORTH PARK REPLAT OF SECTION IV recorded in Book 22 of Plats, Page 62.

STORM DRAINAGE DETENTION FACILITY EASEMENT

DRAINAGE DETENTION FACILITY EASEMENTS ARE HEREBY ESTABLISHED AS SHOWN TO PROVIDE FOR DETENTION OF STORM SURFACE WATER AND CONSTRUCTED AS APPROVED BY THE CITY ENGINEER. ALL MAINTENANCE WITHIN THE DRAINAGE DETENTION FACILITY EASEMENT SHALL BE THE RIGHT, DUTY AND RESPONSIBILITY OF THE PROPERTY OWNERS ASSOCIATION IN THE PLAT OF UNIVERSITY NORTH PARK XX. HOWEVER, IF MAINTENANCE IS NEGLECTED OR SUBJECT TO OTHER UNUSUAL CIRCUMSTANCES AND IS DETERMINED TO BE A HAZARD OR THREAT TO PUBLIC SAFETY BY THE CITY, CORRECTIVE MAINTENANCE MAY BE PERFORMED BY THE GOVERNING JURISDICTION WITH COSTS ASSESSED TO AND BORN UPON SAID PROPERTY OWNERS ASSOCIATION. OFFICIALS REPRESENTING THE PUBLIC WORKS DEPARTMENT, SHALL HAVE THE RIGHT TO ENTER UPON THE EASEMENT FOR PURPOSES OF PERIODIC INSPECTION AND/OR CORRECTIVE MAINTENANCE OF THE FACILITY. UPON RECEIVING WRITTEN APPROVAL FROM THE PUBLIC WORKS DEPARTMENT, PROPERTY OWNERS ASSOCIATION MAY CONSTRUCT IMPROVEMENTS WITHIN THE EASEMENT, PROVIDED THE IMPROVEMENT DOES NOT INTERFERE WITH THE FUNCTION OF THE DETENTION FACILITY.

Curve #	Radius	Length	Delta	Tangent	Chord Bearing	Chord Length
C1	1942.19'	125.12'	03°41'28"	62.58'	N 13°41'25" E	125.10'
C2	1942.19'	215.69'	06°21'47"	107.96'	N 18°43'02" E	215.58'
C3	1942.19'	167.73'	04°56'54"	83.92'	N 24°22'22" E	167.68'
C4	1942.19'	274.79'	08°06'23"	137.62'	N 30°54'00" E	274.56'
C5	5886.23'	26.61'	00°15'33"	13.31'	S 17°24'17" W	26.61'
C6	475.00'	70.39'	08°29'26"	35.26'	S 21°38'35" W	70.32'
C7	525.00'	3.16'	00°20'41"	1.58'	S 25°42'57" W	3.16'
C8	525.00'	111.22'	12°08'15"	55.82'	S 19°28'29" W	111.01'



DODSON - THOMPSON - MANSFIELD, PLLC
20 NE 38th Street
Oklahoma City, OK 73105
Phone: 405-601-7402
Fax: 405-601-7421
email: randym@dtm-ok.com

Surveying - Engineering - Earthwork

CERTIFICATE OF AUTHORIZATION NO: 6391 EXPIRES JUNE 30, 2024

Sheet: 2 of 2


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IMAGES
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  SITE DEVELOPMENT PLAN ] SDP-1 SITE DEVELOPMENT PLAN ]
  DOWNG PATH
  LOGGING NAME

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File Attachments for Item:

18. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF EASEMENT E-2223-28: A PERMANENT ACCESS AND PUBLIC UTILITY EASEMENT DONATED BY UNIVERSITY TOWN CENTER, L.L.C., TO SERVE UNIVERSITY NORTH PARK ADDITION, SECTION XX. (LOCATED EAST OF 24TH AVENUE N.W. BETWEEN ROBINSON STREET AND ROCK CREEK ROAD.)



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/09/2023

REQUESTER: Jack Burdett, Subdivision Development Coordinator

PRESENTER: Shawn O'Leary, Director of Public Works

TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF EASEMENT E-2223-28: A PERMANENT ACCESS AND PUBLIC UTILITY EASEMENT DONATED BY UNIVERSITY TOWN CENTER, L.L.C., TO SERVE UNIVERSITY NORTH PARK ADDITION, SECTION XX. (LOCATED EAST OF 24TH AVENUE N.W. BETWEEN ROBINSON STREET AND ROCK CREEK ROAD.)

BACKGROUND:

The final plat for University North Park Section XX, a Planned Unit Development, was approved by City Council on January 10, 2023. The property is located east of 24th Ave. N.W. between Robinson Street and Rock Creek Road.

The owner of the property, University Town Center, LLC, has submitted off-site easements for utilities and drainage in connection with the adjacent filed platted addition.

DISCUSSION:

These utility and drainage easements will continue to serve the platted properties in this addition. Easements are planned to be incorporated into future University North Park Additions. The City Attorney and Public Works Staff have reviewed the easements as to form.

Copies of easements and location map are included in the Agenda Book.

RECOMMENDATION:

Based upon the fact the easements have been donated to the City of Norman for locating the off-site utilities in place; Staff recommends acceptance of Easements E-2223-27, E-2223-28, E-2223-29, E-2223-30, and E-2223-31 to be filed of record with the Cleveland County Clerk.

UTILITY EASEMENT
E-2223-28

Know all men by these presents:

That University Town Center, LLC, in consideration of the sum of One Dollar (\$1.00), receipt of which is hereby acknowledged, and for other good and valuable considerations, do hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a public utility easement and right-of-way over, across, and under the following described premises situated in the City of Norman, Cleveland County, Oklahoma, shown on **Attachment "A" ("Subject Property")** for the use of **Grantees** with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating the described easement shown on **Attachment "A"**.

UTILITY EASEMENT

To have and to hold the same unto the said city, its successors, and assigns forever.

Signed and delivered this 24th day of March, 2023

UNIVERSITY TOWN CENTER, LLC by:

Robert C. Gillett Manager
Title

REPRESENTATIVE ACKNOWLEDGEMENT

STATE OF NORTH CAROLINA, COUNTY OF BURKE, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 24th day of March, 2023 personally appeared Robert C. Gillett, to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that he executed the same as Manager free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal the day and year last above written.

My Commission Expires: 06-16-2026 Notary Public: Shasta Rose Monn



Approved as to form and legality this _____ day of _____, 20____.

City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 20____.

Mayor

ATTEST:

City Clerk
SEAL:

ACCESS AND UTILITY EASEMENT DESCRIPTION

A strip of land being a part of Northeast Quarter of Section 23. Township 9 North, Range 3 West of the Indian Meridian, Cleveland County, Oklahoma, being more particularly described as follows:

BEGINNING at the southwest corner of Lot 1, Block 1, UNIVERSITY NORTH PARK SECTION VII, recorded in Book 22 of Plats, Page 211 and a point on a curve;

THENCE Easterly along the south line of said Lot 1 and along a curve to the left having a radius of 4933.29 feet (said curve being subtended by a chord which bears South 69°11'50" East a distance of 419.27 feet) and an arc length of 419.40 feet to the southeast corner of aforesaid Lot 1;

THENCE North 18°22'03" East, along the east line of said Lot 1, a distance of 240.00 feet to the northeast corner of said Lot 1 and a point on the southerly line of Conference Drive as established by the plat of UNIVERSITY NORTH PARK SECTION II recorded in Book 21 of Plats, Page 131 and a point on a curve;

THENCE Southerly along the southerly line of Conference Drive and a non tangent curve to the left having a radius of 4693.29 feet (said curve being subtended by a chord which bears South 71°56'14" East a distance of 49.99 feet) and an arc length of 49.99 feet to the northwest corner of Lot 1, Block 1, AMENDED FINAL PLAT UNIVERSITY NORTH PARK SECTION XIII recorded in Book 24 of Plats, Page 265;

THENCE South 18°22'03" West, along the west line of said Lot 1 and said line extended, a distance of 290.04 feet to a point on a curve.

THENCE Westerly along a non tangent curve to the right having a radius of 4983.29 feet (said curve being subtended by a chord which bears North 69°42'59" West a distance of 433.20) and an arc length of 433.33 feet;

THENCE North 67°03'58" West a distance of 27.65 feet;

THENCE North 09°01'28" East a distance of 51.56 feet to the POINT OF BEGINNING.

Said described strip of land contains an area of 35,257 square feet or 0.8094 acres, more or less.

Randall A. Mansfield, PLS 1613
Dodson Thompson Mansfield, PLLC
20 NE 38th Street - OKC, OK
June 14, 2021

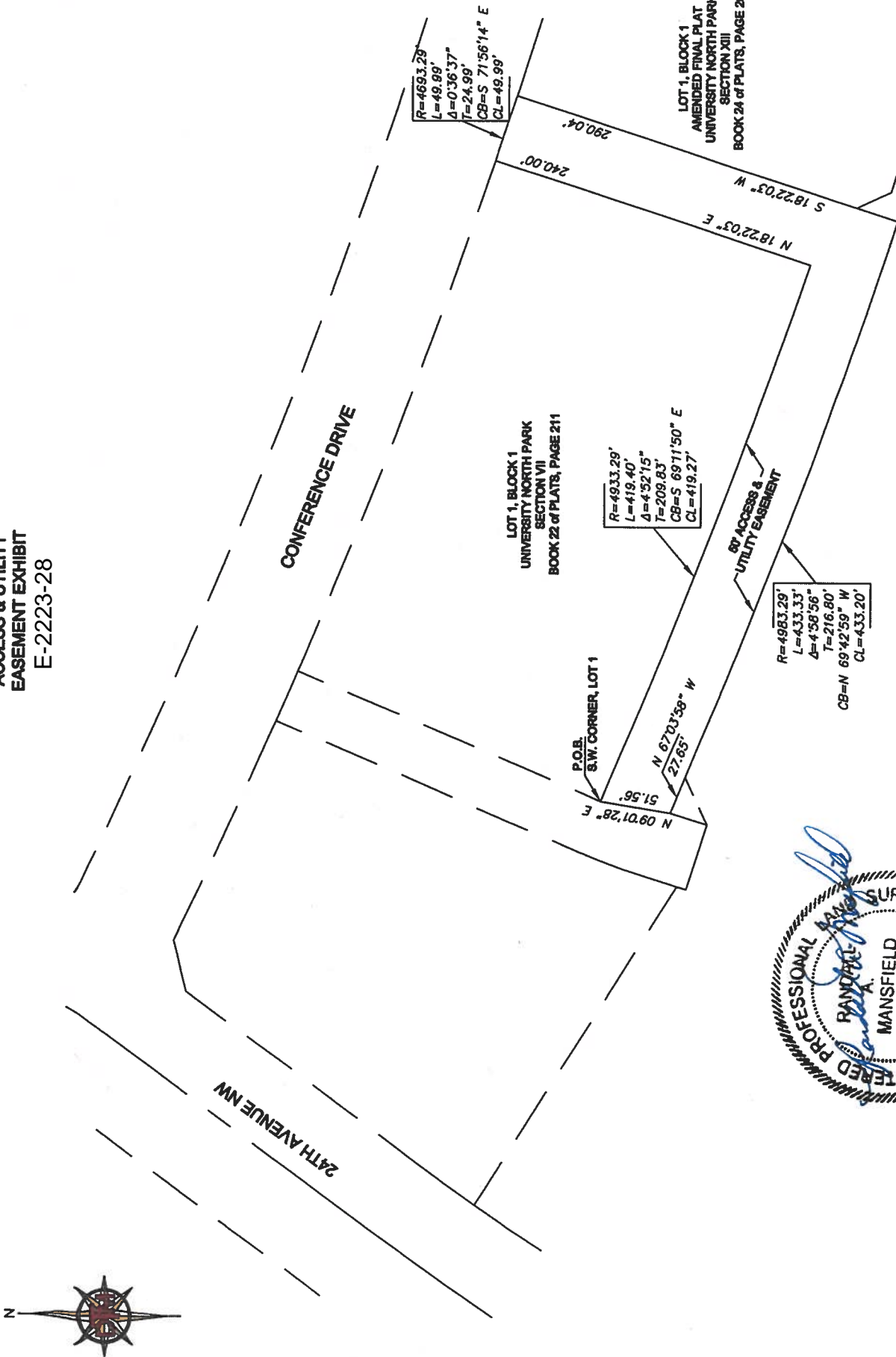


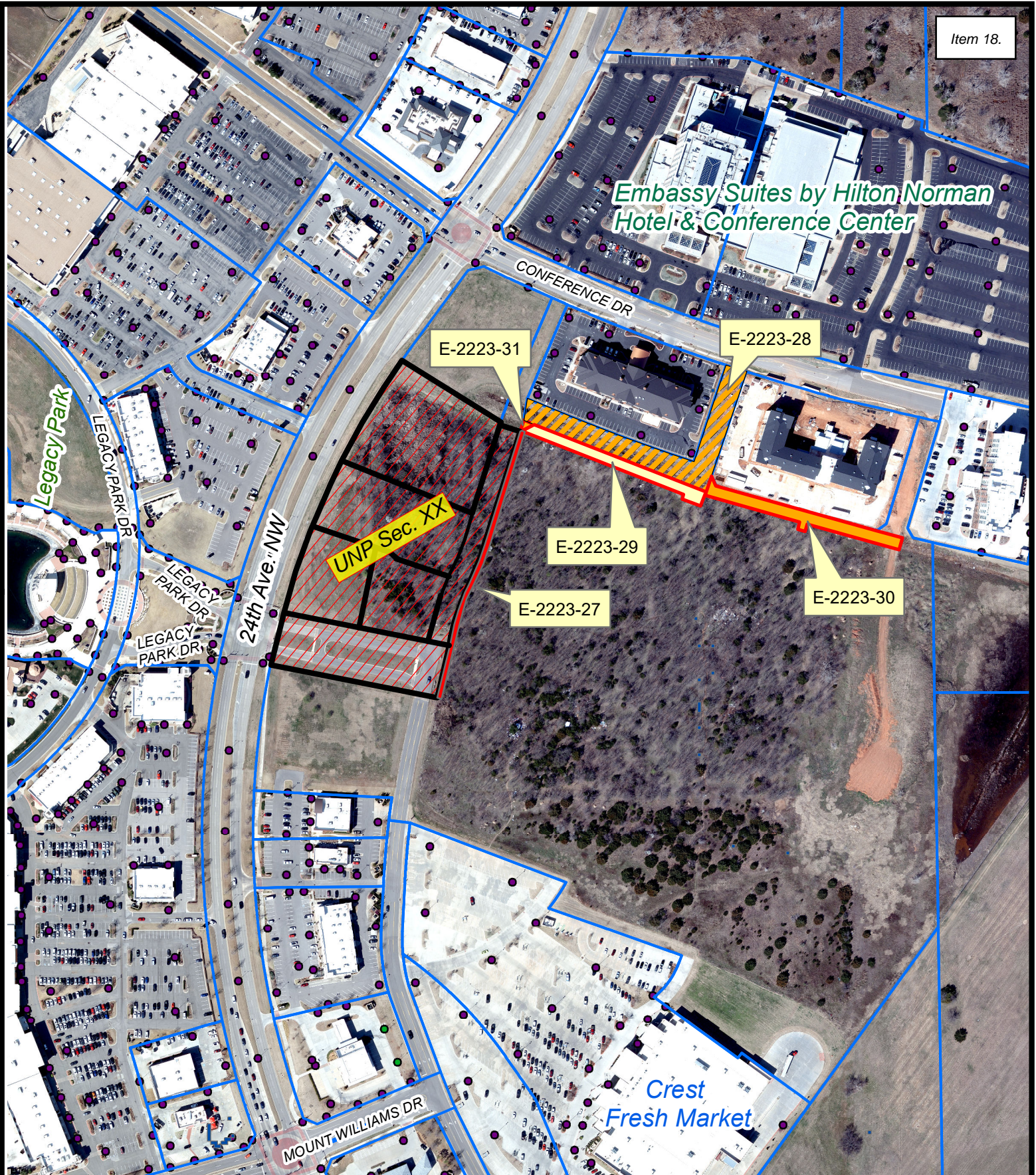
Surveying - Engineering - Earthwork

CERTIFICATE OF AUTHORIZATION NO: 6391 EXPIRES JUNE 30, 2022

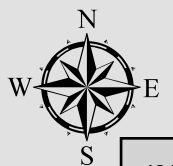
DODSON - THOMPSON - MANSFIELD, PLLC

20 NE 38th Street
Oklahoma City, OK 73105





University North Park Sec. XX Off-Site Easements



1 inch = 300'

FINAL PLAT

UNIVERSITY NORTH PARK SECTION XX

A PLANNED UNIT DEVELOPMENT

A PART OF THE N.E. 1/4 AND S.E. 1/4 OF SECTION 23, T. 9 N., R. 3 W., I.M.

NORMAN, CLEVELAND COUNTY, OKLAHOMA

#2
STATE OF OKLAHOMA
COUNTY OF CLEVELAND
FILED FOR RECORD
January 19, 2023 11:09:55am
Book 163 Page 163
By Tammy Beilinson County Clerk
By Bob Stearns Deputy

Doc # P2023-2 BT: P B: 26 P: 6 PL
01/19/2023 11:09:25 AM Pages: 3
Cleveland County Clerk, OK - Tammy Beilinson
File: 8-25-23
b6
b7c

OWNER'S CERTIFICATE AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That University Town Center, LLC, an Oklahoma limited liability company hereby certifies it is the owner of, and the only person, firm, corporation, or entity having any ownership rights, title or interest in and to the land shown on the annexed plat of UNIVERSITY NORTH PARK XX, a planned unit development to Norman, Cleveland County, Oklahoma, and has caused the same to be platted into lots, blocks, streets, and easements as shown on said annexed plat.

University Town Center, LLC hereby dedicates all rights of way and easements as shown on said annexed plat to the public for streets, fire protection, utility and drainage easements, for itself, its successors and assigns forever and has caused the same to be released from all rights, easements and encumbrances except as noted on the Bonded Abstractor's Certificate.

Covenants, Conditions and Restrictions for the annexed plat may subsequently be filed under separate instrument.

In witness whereof the undersigned having caused this instrument to be executed this _____ day of _____, 2022.

University Town Center, LLC
an Oklahoma limited liability company

Bob Stearns
Bob Stearns, Manager

STATE OF OKLAHOMA SS:
COUNTY OF OKLAHOMA

Before me, a Notary Public in and for said State, on the above stated date, personally appeared Bob Stearns, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for said corporation for the uses and purposes therein set forth.

Ryan Leslie Noble
Notary Public

My Commission Expires: 09/16/23

My Commission Number: 11008471

CITY CLERK'S CERTIFICATE

I, Brenda Hall, City Clerk of the City of Norman, hereby certify that I have examined the records of said City and find that all deferred payments on unmatured installments upon special assessments have been paid in full and that there are no special assessment procedures now pending against the land shown on the annexed plat.

Signed by the City Clerk this 10th day of January, 2023

Brenda Hall
City Clerk

CERTIFICATE OF CITY OF NORMAN DEVELOPMENT COMMITTEE

I, Shawn O'Leary, Chairman of the City of Norman Development Committee certify that the public improvement plans and annexed plat of UNIVERSITY NORTH PARK XX, a Planned Unit Development, comply with the standards and specifications of the City of Norman on this 22nd day of November, 2022.

Shawn O'Leary
Development Committee Chairman

COUNTY TREASURER'S CERTIFICATE

I, Jim Reynolds, hereby certify that I am the duly qualified and acting County Treasurer of Cleveland County, Oklahoma, that the tax records of said county show that all taxes for the year 2022, and prior years are paid on the property outline on the annexed plat and the required statutory security has been deposited in the offices of the Oklahoma County Treasurer guaranteeing the payment of the current year's taxes.

In witness whereof, said County Treasurer has caused this instrument to be executed this 12 day of January, 2022 2023

Jim Reynolds by Amber Ballentine Deputy
County Treasurer

ACCEPTANCE OF DEDICATION BY CITY COUNCIL

Be it resolved by the City Council of the City of Norman, Oklahoma, the dedications shown on the annexed plat are hereby accepted.

Adopted by the Council of the City of Norman, this 10th day of January, 2023

Brenda Hall City Clerk Andrew Mayor

BONDED ABSTRACTOR'S CERTIFICATE

The undersigned, a duly qualified and lawfully bonded abstractor of titles in and for Cleveland County and State of Oklahoma, hereby certifies the records of said county show that title to the land shown on the annexed plat is vested in University Town Center, LLC on this 8th day of December, 2022, and there are no actions pending or judgments of any nature in any court or on file with the clerk of any court in said county and state against said land or owners thereof, and the taxes are paid for the year of 2022, and prior years, and there are no outstanding tax sales certificates against said land, and no tax deeds are issued to any person, and there are no liens, or other encumbrances of any kind against the land included in the annexed plat, except, mortgages, rights of way, easements, and mineral conveyances of record.

In witness whereof, said Bonded Abstractor has caused this instrument to be executed this 15th day of December, 2022.

Charles Francis
By: Vice-President
Chicago Title Oklahoma, Co.

LICENSED PROFESSIONAL LAND SURVEYOR'S CERTIFICATE

I, Randall A. Mansfield, a Licensed Professional Land Surveyor in the State of Oklahoma, certify the annexed plat consisting of two (2) sheets, represents a survey made under my supervision on the 14th day of December, 2022, and the monuments shown thereon exist and their positions are correctly shown, and this survey meets the Oklahoma Minimum Standards for the Practice of Land Surveyors as adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors and the original media of said annexed plat complies with the requirements of Title 11 Section 41-108 of the Oklahoma State Statutes.

Randall A. Mansfield
Randall A. Mansfield, PLS No. 1613

STATE OF OKLAHOMA SS:
COUNTY OF OKLAHOMA

This instrument was acknowledged before me on the 14th day of December, 2022, by Randall A. Mansfield.

Christa Handberg
Notary Public

My Commission Expires: 10/10/2023

Commission Number: 19010230

LEGAL DESCRIPTION

A tract of land lying in the Northeast Quarter and the Southeast Quarter of Section 23, Township 9 North, Range 3 West of the Indian Meridian, City of Norman, Cleveland County, Oklahoma being more particularly described as follows:

COMMENCING at southeast corner of the Southeast Quarter of said Section 23;

THENCE South 89°24'39" West, along the south line of said Southeast Quarter, a distance of 1,114.88 feet to a point of intersection with the centerline of 24th Avenue NW as established by UNIVERSITY NORTH PARK SECTION I recorded in Book 21 of Plats, Page 7 and HIGHWAY EASEMENT recorded in Book 2552, Page 472;

THENCE along said centerline, the following Four (4) courses:

1. North 00°35'21" West a distance of 596.46 feet to a point of curvature;
2. Northerly along a curve to the left having a radius of 860.21 feet (said curve subtended by a chord which bears North 16°50'48" West a distance of 481.64 feet) for an arc distance of 488.16 feet;
3. North 33°06'14" West a distance of 200.00 feet to a point of curvature;
4. Northerly along a curve to the right having a radius of 2,002.19 feet (said curve subtended by a chord which bears North 10°38'08" West a distance of 1,530.37 feet) for an arc distance of 1570.30 feet;

THENCE South 78°33'01" East a distance of 60.00 feet to a point on a curve being on the easterly right of way line of said 24th Avenue NW and the POINT OF BEGINNING;

THENCE Northeasterly along said easterly right of way line on a non-tangent curve to the right having a radius of 1,942.19 feet (said curve subtended by a chord which bears North 23°23'56" East a distance of 778.03 feet) for an arc distance of 783.33 feet to the southwest corner of Lot 1, Block 1, UNIVERSITY NORTH PARK XVIII recorded in Book 25 of Plats, page 167;

THENCE South 58°00'19" East, along the south line of said Lot 1, a distance of 274.41 feet to the southeast corner of said Lot 1, also being a point on the west line of Common Area A of said plat;

THENCE South 17°23'52" West, along the west line of said Common Area A, a distance of 7.23 feet to the southwest corner of said Common Area A;

THENCE South 72°38'08" East, along the southerly line of said Common Area A, a distance of 50.00 feet to the southeast corner of said Common Area A and being a point on a curve;

THENCE Southerly along a non tangent curve to the left having a radius of 7,490.60 feet (said curve subtended by a chord which bears South 17°24'17" West a distance of 26.57 feet) for an arc distance of 26.57 feet;

THENCE South 17°23'52" West a distance of 253.61 feet to a point of curvature;

THENCE Southerly along a curve to the right having a radius of 525.00 feet (said curve subtended by a chord which bears South 21°38'35" West a distance of 77.73 feet) for an arc distance of 77.80 feet;

THENCE South 25°53'18" West a distance of 21.72 feet to a point of curvature;

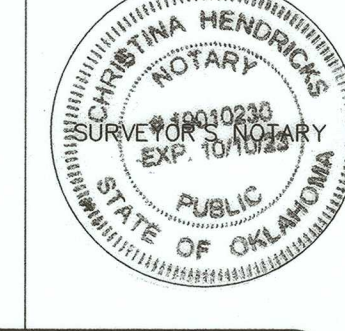
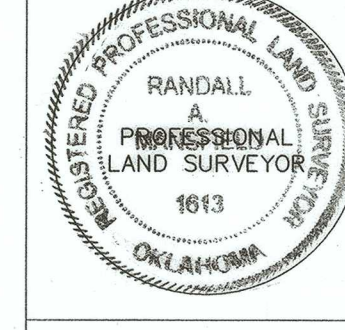
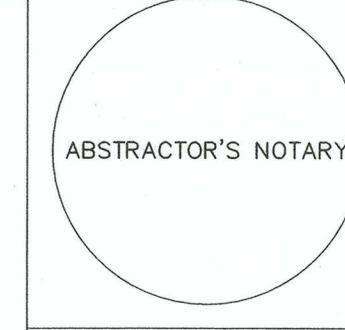
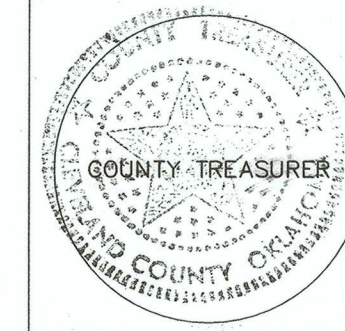
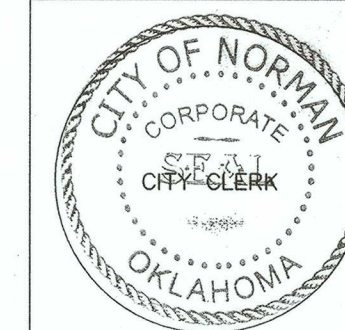
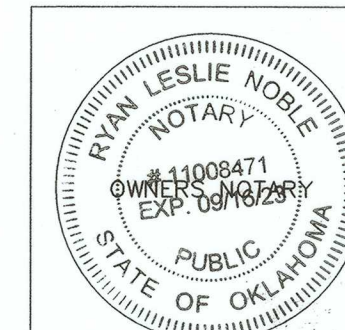
THENCE Southerly along a curve to the left having a radius of 475.00 feet (said curve subtended by a chord which bears South 19°38'50" West a distance of 103.28 feet) for an arc distance of 103.48 feet;

THENCE South 13°24'21" West a distance of 174.17 feet;

THENCE North 78°33'01" West a distance of 398.15 feet to the POINT OF BEGINNING.

Said described tract of land contains an area of 272,037 square feet or 6.2451 acres, more or less.

The basis of bearings for this legal description was South 89°24'39" West as the south line of the Southeast Quarter of Section 23, Township 9 North, Range 3 West of the Indian Meridian as shown on UNIVERSITY NORTH PARK REPLAT OF SECTION IV recorded in Book 22 of Plats, Page 82.



DODSON - THOMPSON - MANSFIELD, PLLC
20 NE 38th Street Phone: 405-601-7402 email: randym@dtm-ok.com
Oklahoma City, OK 73105 Fax: 405-601-7421
Surveying - Engineering - Earthwork
CERTIFICATE OF AUTHORIZATION NO: 6391 EXPIRES JUNE 30, 2024

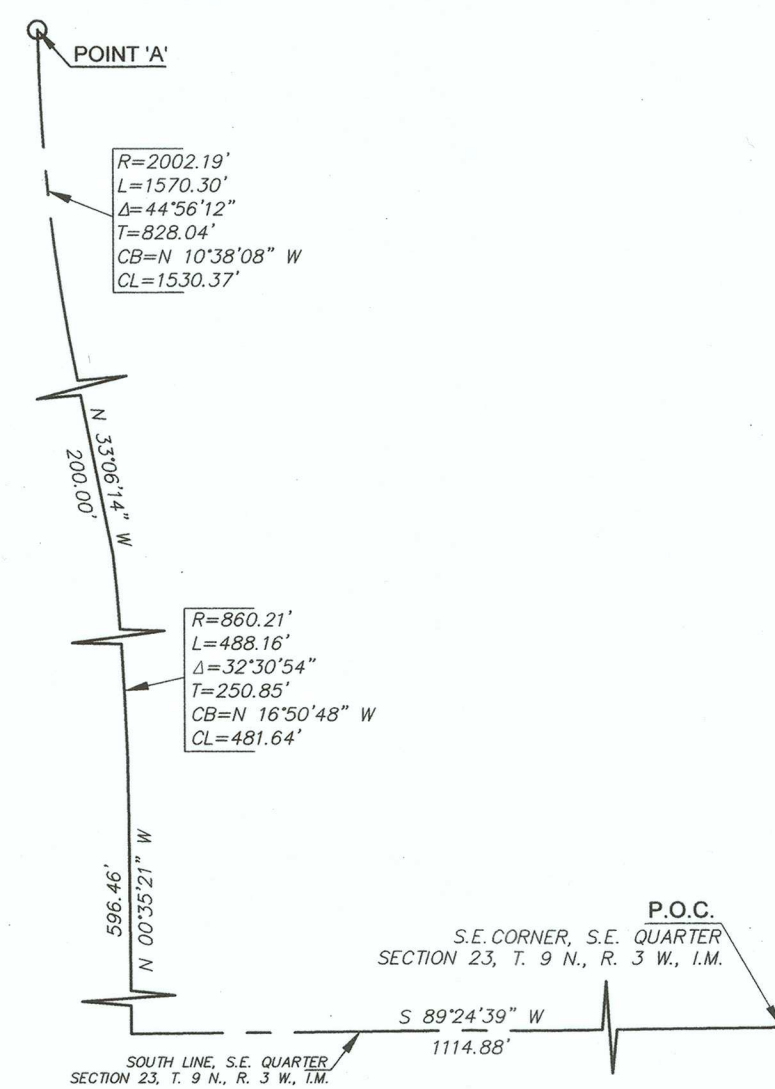
FINAL PLAT UNIVERSITY NORTH PARK SECTION XX

A PLANNED UNIT DEVELOPMENT
A PART OF THE N.E. 1/4 AND S.E. 1/4 OF SECTION 23, T. 9 N., R. 3 W., I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA

Doc # P2023-2 BT: P B: 26 P: 6 PL
01/19/2023 11:09:25 AM Pages: 3
Cleveland County Clerk, OK - Tammy Bellinson
Fee: \$ 55.00



#2
STATE OF OKLAHOMA
COUNTY OF CLEVELAND
FILED FOR RECORD
January 19, 2023 at 11:09:25am
Book 22 Page 167
By: [Signature] Deputy



LEGACY PARK DRIVE

R.O.W. PER
UNP SECTION IX
BK. 23 PG. 55

R.O.W. PER
UNP SECTION I
BK. 21 PG. 7

POINT 'A'

POINT 'A'

LEGACY PARK DRIVE
(THIS AREA DEDICATED
AS PUBLIC RIGHT OF WAY
BY THIS PLAT)

BENCHMARK - BM
ELEVATION 1183.56
MONUMENT CUT "X" ON NOSE OF ISLAND
LOCATION N: 694439.05
E: 2123561.15
NAD 83

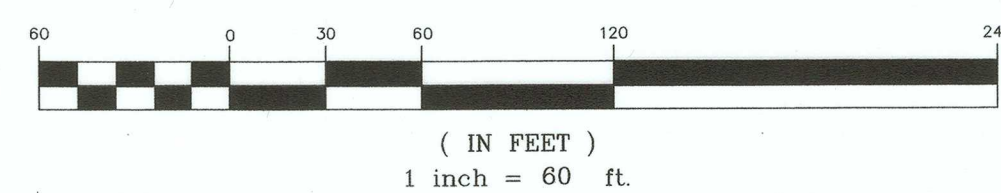
BM DATUM
HORIZONTAL
OKLAHOMA STATE PLANE
COORDINATE SYSTEM (SOUTH ZONE)
VERTICAL
NAVD 88
SOURCE
CITY OF NORMAN
GPS CONTROL MONUMENT 372

Line #	Direction	Length
L1	S 71°00'57" E	50.07
L2	N 71°00'57" W	50.10
L3	S 71°00'57" E	50.16
L4	S 58°00'45" E	24.02
L5	N 71°00'57" W	24.03
L6	N 71°00'57" W	25.16
L7	S 73°15'20" E	175.81
L8	S 16°44'40" W	15.00
L9	N 73°15'20" W	178.18
L10	N 25°53'18" E	8.39
L11	N 58°00'45" W	69.59

Line #	Direction	Length
L12	N 31°59'08" E	15.00
L13	N 31°59'08" E	15.00
L14	S 58°00'45" E	71.15
L15	N 67°59'34" W	15.26
L16	N 22°00'26" E	14.37
L17	S 67°59'34" E	14.10
L18	N 78°33'01" W	15.00
L19	N 12°45'34" E	35.28
L20	S 78°33'01" E	15.00
L21	S 12°45'34" W	35.28

Curve #	Radius	Length	Delta	Tangent	Chord Bearing	Chord Length
C1	1942.19'	10.03'	00°17'45"	5.01'	S 15°41'01" W	10.03'
C2	1892.19'	25.04'	00°45'30"	12.52'	S 22°21'18" W	25.04'
C3	1942.19'	30.08'	00°33'14"	15.04'	S 23°04'52" W	30.08'
C4	1892.19'	361.02'	10°55'54"	181.06'	S 29°06'39" W	360.47'
C5	1868.19'	410.70'	12°35'44"	206.18'	S 28°18'44" W	409.87'
C6	550.00'	0.61'	00°03'49"	0.31'	S 25°12'44" W	0.61'
C7	550.00'	6.18'	00°38'39"	3.09'	S 25°33'58" W	6.18'
C8	1942.19'	15.03'	00°26'36"	7.51'	N 34°43'54" E	15.03'
C9	1942.19'	15.01'	00°26'34"	7.51'	N 35°10'29" E	15.01'

GRAPHIC SCALE



LEGAL DESCRIPTION

A tract of land lying in the Northeast Quarter and the Southeast Quarter of Section 23, Township 9 North, Range 3 West of the Indian Meridian, City of Norman, Cleveland County, Oklahoma being more particularly described as follows:

COMMENCING at southeast corner of the Southeast Quarter of said Section 23;

THENCE South 89°24'39" West, along the south line of said Southeast Quarter, a distance of 1,114.88 feet to a point of intersection with the centerline of 24th Avenue NW as established by UNIVERSITY NORTH PARK SECTION I recorded in Book 21 of Plats, Page 7 and HIGHWAY EASEMENT recorded in Book 2552, Page 472;

THENCE along said centerline, the following Four (4) courses:

1. North 00°35'21" West a distance of 596.46 feet to a point of curvature;
2. Northerly along a curve to the left having a radius of 860.21 feet (said curve subtended by a chord which bears North 16°50'48" West a distance of 481.64 feet) for an arc distance of 488.16 feet;
3. North 33°06'14" West a distance of 200.00 feet to a point of curvature;
4. Northerly along a curve to the right having a radius of 2,002.19 feet (said curve subtended by a chord which bears North 10°38'08" West a distance of 1,530.37 feet) for an arc distance of 1570.30 feet;

THENCE South 78°33'01" East a distance of 60.00 feet to a point on a curve being on the easterly right of way line of said 24th Avenue NW and the POINT OF BEGINNING;

THENCE Northeasterly along said easterly right of way line on a non-tangent curve to the right having a radius of 1,942.19 feet (said curve subtended by a chord which bears North 23°23'56" East a distance of 778.03 feet) for an arc distance of 783.33 feet to the southwest corner of Lot 1, Block 1, UNIVERSITY NORTH PARK XVIII recorded in Book 25 of Plats, page 167;

THENCE South 58°00'19" East, along the south line of said Lot 1, a distance of 274.41 feet to the southeast corner of said Lot 1, also being a point on the west line of Common Area A of said plat;

THENCE South 17°23'52" West, along the west line of said Common Area A, a distance of 7.23 feet to the southwest corner of said Common Area A;

THENCE South 72°36'08" East, along the southerly line of said Common Area A, a distance of 50.00 feet to the southeast corner of said Common Area A and being a point on a curve;

THENCE Southerly along a non tangent curve to the left having a radius of 7,490.60 feet (said curve subtended by a chord which bears South 17°24'17" West a distance of 26.57 feet) for an arc distance of 26.57 feet;

THENCE South 17°23'52" West a distance of 253.61 feet to a point of curvature;

THENCE Southerly along a curve to the right having a radius of 525.00 feet (said curve subtended by a chord which bears South 21°38'35" West a distance of 77.73 feet) for an arc distance of 77.80 feet;

THENCE South 25°53'18" West a distance of 21.72 feet to a point of curvature;

THENCE Southerly along a curve to the left having a radius of 475.00 feet (said curve subtended by a chord which bears South 19°38'50" West a distance of 103.28 feet) for an arc distance of 103.48 feet;

THENCE South 13°24'21" West a distance of 174.17 feet;

THENCE North 78°33'01" West a distance of 398.15 feet to the POINT OF BEGINNING.

Said described tract of land contains an area of 272.037 square feet or 6.2451 acres, more or less.

The basis of bearings for this legal description was South 89°24'39" West as the south line of the Southeast Quarter of Section 23, Township 9 North, Range 3 West of the Indian Meridian as shown on UNIVERSITY NORTH PARK REPLAT OF SECTION IV recorded in Book 22 of Plats, Page 82.

STORM DRAINAGE DETENTION FACILITY EASEMENT

DRAINAGE DETENTION FACILITY EASEMENTS ARE HEREBY ESTABLISHED AS SHOWN TO PROVIDE FOR DETENTION OF STORM SURFACE WATER AND CONSTRUCTED AS APPROVED BY THE CITY ENGINEER. ALL MAINTENANCE WITHIN THE DRAINAGE DETENTION FACILITY EASEMENT SHALL BE THE RIGHT, DUTY AND RESPONSIBILITY OF THE PROPERTY OWNERS ASSOCIATION IN THE PLAT OF UNIVERSITY NORTH PARK XX. HOWEVER, IF MAINTENANCE IS NEGLECTED OR SUBJECT TO OTHER UNUSUAL CIRCUMSTANCES AND IS DETERMINED TO BE A HAZARD OR THREAT TO PUBLIC SAFETY BY THE CITY, CORRECTIVE MAINTENANCE MAY BE PERFORMED BY THE GOVERNING JURISDICTION WITH COSTS ASSESSED TO AND BORN UPON SAID PROPERTY OWNERS ASSOCIATION. OFFICIALS REPRESENTING THE PUBLIC WORKS DEPARTMENT, SHALL HAVE THE RIGHT TO ENTER UPON THE EASEMENT FOR PURPOSES OF PERIODIC INSPECTION AND/OR CORRECTIVE MAINTENANCE OF THE FACILITY. UPON RECEIVING WRITTEN APPROVAL FROM THE PUBLIC WORKS DEPARTMENT, PROPERTY OWNERS ASSOCIATION MAY CONSTRUCT IMPROVEMENTS WITHIN THE EASEMENT, PROVIDED THE IMPROVEMENT DOES NOT INTERFERE WITH THE FUNCTION OF THE DETENTION FACILITY.

Curve #	Radius	Length	Delta	Tangent	Chord Bearing	Chord Length
C1	1942.19'	125.12'	03°41'28"	62.58'	N 13°41'25" E	125.10'
C2	1942.19'	215.69'	06°21'47"	107.96'	N 18°43'02" E	215.58'
C3	1942.19'	167.73'	04°56'54"	83.92'	N 24°22'22" E	167.68'
C4	1942.19'	274.79'	08°06'23"	137.62'	N 30°54'00" E	274.56'
C5	5886.23'	26.61'	00°15'33"	13.31'	S 17°24'17" W	26.61'
C6	475.00'	70.39'	08°29'26"	35.26'	S 21°38'35" W	70.32'
C7	525.00'	3.16'	00°20'41"	1.58'	S 25°42'57" W	3.16'
C8	525.00'	111.22'	12°08'15"	55.82'	S 19°28'29" W	111.01'



DODSON - THOMPSON - MANSFIELD, PLLC

20 NE 38th Street Phone: 405-601-7402 email: randym@dtm-ok.com
Oklahoma City, OK 73105 Fax: 405-601-7421

Surveying - Engineering - Earthwork

CERTIFICATE OF AUTHORIZATION NO: 6391 EXPIRES JUNE 30, 2024

Sheet: 2 of 2

File Attachments for Item:

19. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF EASEMENT E-2223-29: A PERMANENT DRAINAGE AND PUBLIC UTILITY EASEMENT DONATED BY UNIVERSITY TOWN CENTER, L.L.C., TO SERVE UNIVERSITY NORTH PARK ADDITION, SECTION XX. (LOCATED EAST OF 24TH AVENUE N.W., BETWEEN ROBINSON STREET AND ROCK CREEK ROAD.)



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/09/2023

REQUESTER: Jack Burdett, Subdivision Development Coordinator

PRESENTER: Shawn O'Leary, Director of Public Works

TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF EASEMENT E-2223-29: A PERMANENT DRAINAGE AND PUBLIC UTILITY EASEMENT DONATED BY UNIVERSITY TOWN CENTER, L.L.C., TO SERVE UNIVERSITY NORTH PARK ADDITION, SECTION XX. (LOCATED EAST OF 24TH AVENUE N.W., BETWEEN ROBINSON STREET AND ROCK CREEK ROAD.)

BACKGROUND:

The final plat for University North Park Section XX, a Planned Unit Development, was approved by City Council on January 10, 2023. The property is located east of 24th Ave. N.W. between Robinson Street and Rock Creek Road.

The owner of the property, University Town Center, LLC, has submitted off-site easements for utilities and drainage in connection with the adjacent filed platted addition.

DISCUSSION:

These utility and drainage easements will continue to serve the platted properties in this addition. Easements are planned to be incorporated into future University North Park Additions. The City Attorney and Public Works Staff have reviewed the easements as to form.

Copies of easements and location map are included in the Agenda Book.

RECOMMENDATION:

Based upon the fact the easements have been donated to the City of Norman for locating the off-site utilities in place; Staff recommends acceptance of Easements E-2223-27, E-2223-28, E-2223-29, E-2223-30, and E-2223-31; to be filed of record with the Cleveland County Clerk.

UTILITY EASEMENT
E-2223-29

Know all men by these presents:

That University Town Center, LLC, in consideration of the sum of One Dollar (\$1.00), receipt of which is hereby acknowledged, and for other good and valuable considerations, do hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a public utility easement and right-of-way over, across, and under the following described premises situated in the City of Norman, Cleveland County, Oklahoma, shown on **Attachment "A"** ("**Subject Property**") for the use of **Grantees** with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating the described easement shown on **Attachment "A"**.

UTILITY EASEMENT

To have and to hold the same unto the said city, its successors, and assigns forever.

Signed and delivered this 24th day of March, 2023

UNIVERSITY TOWN CENTER, LLC by:

Robert C. Collett Manager
Title

REPRESENTATIVE ACKNOWLEDGEMENT

STATE OF NORTH CAROLINA, COUNTY OF BURKE, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 24th day of March, 2023, personally appeared Robert C. Collett, to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that he executed the same as Manager free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal the day and year last above written.

My Commission Expires: 06-16-2026 Notary Public: Shasta Rose Monn

Approved as to form and legality this _____ day of _____, 20____.

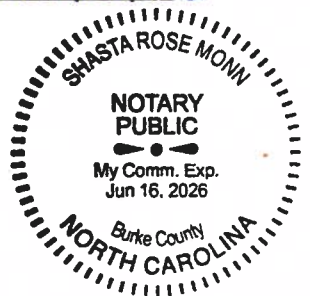
City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 20____.

Mayor

ATTEST:

City Clerk
SEAL:



ATTACHMENT A
E-2223-29

Item 19.

BUILDING LINE, DRAINAGE AND UTILITY EASEMENT DESCRIPTION

A strip of land lying in the Northeast Quarter of Section 23, Township 9 North, Range 3 West of the Indian Meridian, Cleveland County, Oklahoma being more particularly described as follows:

COMMENCING at the most northerly southwest corner of Lot 1, Block 1, AMENDED FINAL PLAT OF UNIVERSITY NORTH PARK SECTION XIII recorded in Book 24 of Plats, Page 265;

THENCE South 18°22'03" West ,along the westerly line of said Lot 1 extended, a distance of 31.34 feet to the POINT OF BEGINNING;

THENCE continuing South 18°22'03" West, along said extended line, a distance of 35.00 feet to a point on a curve;

THENCE Westerly along a non tangent curve to the right parallel with the southerly line of Lot 1, Block 1, UNIVERSITY NORTH PARK SECTION VII recorded in Book 22 of Plats, Page 211, having a radius of 5,018.29 feet (said curve subtended by a chord which bears North 71°53'51" West a distance of 53.63 feet) for an arc distance of 53.63 feet;

THENCE North 18°22'03" East a distance of 10.00 feet to a point on a curve;

THENCE Westerly along a non tangent curve to the right parallel with the southerly line of said Lot 1, having a radius of 5,008.29 feet (said curve subtended by a chord which bears North 69°16'53" West a distance of 403.67 feet) for an arc distance of 403.78 feet;

THENCE North 64°24'07" East a distance of 33.38 feet to a point on a curve;

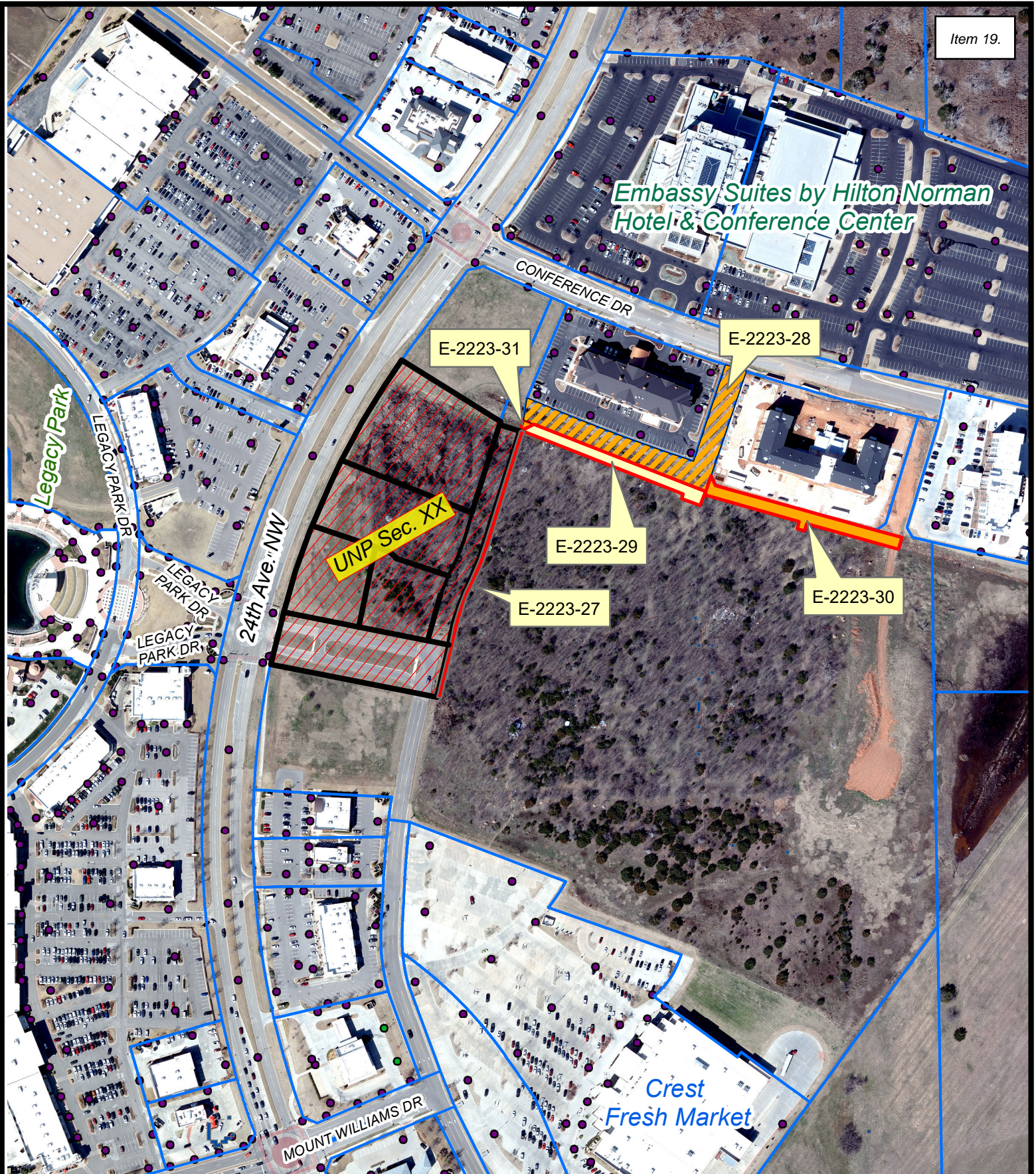
THENCE Easterly along a non tangent curve to the left parallel with the southerly line of said Lot 1, having a radius of 4,983.29 feet (said curve subtended by a chord which bears South 69°42'59" East a distance of 433.18 feet) for an arc distance of 433.32 feet to the POINT OF BEGINNING.

Said described strip of land contains an area of 11,671 square feet or 0.2679 acres, more or less.

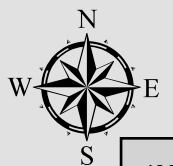
Prepared by: Randall A. Mansfield, Professional Land Surveyor No. 1613
Dodson-Thompson-Mansfield PLLC
20 N.E. 38th Street - OKC, OK 73105
September 29, 2022







University North Park Sec. XX Off-Site Easements



1 inch = 300'

430

FINAL PLAT

UNIVERSITY NORTH PARK SECTION XX

A PLANNED UNIT DEVELOPMENT

A PART OF THE N.E. 1/4 AND S.E. 1/4 OF SECTION 23, T. 9 N., R. 3 W., I.M.

NORMAN, CLEVELAND COUNTY, OKLAHOMA

#2
STATE OF OKLAHOMA
COUNTY OF CLEVELAND
FILED FOR RECORD
January 19, 2023 11:09:55am
Book 163 Page 163
By Tammy Beilinson County Clerk
By Eric P. O'Leary Deputy

Doc # P2023-2 BT: P B: 26 P: 6 PL
01/19/2023 11:09:25 AM Pages: 3
Cleveland County Clerk, OK - Tammy Beilinson
File # 8-35-00
43

OWNER'S CERTIFICATE AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That University Town Center, LLC, an Oklahoma limited liability company hereby certifies it is the owner of, and the only person, firm, corporation, or entity having any ownership rights, title or interest in and to the land shown on the annexed plat of UNIVERSITY NORTH PARK XX, a planned unit development to Norman, Cleveland County, Oklahoma, and has caused the same to be platted into lots, blocks, streets, and easements as shown on said annexed plat.

University Town Center, LLC hereby dedicates all rights of way and easements as shown on said annexed plat to the public for streets, fire protection, utility and drainage easements, for itself, its successors and assigns forever and has caused the same to be released from all rights, easements and encumbrances except as noted on the Bonded Abstractor's Certificate.

Covenants, Conditions and Restrictions for the annexed plat may subsequently be filed under separate instrument.

In witness whereof the undersigned having caused this instrument to be executed this _____ day of _____, 2022.

University Town Center, LLC
an Oklahoma limited liability company

Bob Stearns
Bob Stearns, Manager

STATE OF OKLAHOMA SS:
COUNTY OF OKLAHOMA

Before me, a Notary Public in and for said State, on the above stated date, personally appeared Bob Stearns, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for said corporation for the uses and purposes therein set forth.

Ryan Leslie Noble
Notary Public

My Commission Expires: 09/16/23

My Commission Number: 11008471

CITY CLERK'S CERTIFICATE

I, Brenda Hall, City Clerk of the City of Norman, hereby certify that I have examined the records of said City and find that all deferred payments on unmatured installments upon special assessments have been paid in full and that there are no special assessment procedures now pending against the land shown on the annexed plat.

Signed by the City Clerk this 10th day of January, 2023

Brenda Hall
City Clerk

CERTIFICATE OF CITY OF NORMAN DEVELOPMENT COMMITTEE

I, Shawn O'Leary, Chairman of the City of Norman Development Committee certify that the public improvement plans and annexed plat of UNIVERSITY NORTH PARK XX, a Planned Unit Development, comply with the standards and specifications of the City of Norman on this 22nd day of November, 2022.

Shawn O'Leary
Development Committee Chairman

COUNTY TREASURER'S CERTIFICATE

I, Jim Reynolds, hereby certify that I am the duly qualified and acting County Treasurer of Cleveland County, Oklahoma, that the tax records of said county show that all taxes for the year 2022, and prior years are paid on the property outline on the annexed plat and the required statutory security has been deposited in the offices of the Oklahoma County Treasurer guaranteeing the payment of the current year's taxes.

In witness whereof, said County Treasurer has caused this instrument to be executed this 12 day of January, 2022 2023

Jim Reynolds by Eric P. O'Leary Deputy
County Treasurer

ACCEPTANCE OF DEDICATION BY CITY COUNCIL

Be it resolved by the City Council of the City of Norman, Oklahoma, the dedications shown on the annexed plat are hereby accepted.

Adopted by the Council of the City of Norman, this 10th day of January, 2023

Brenda Hall City Clerk David Lee Mayor

BONDED ABSTRACTOR'S CERTIFICATE

The undersigned, a duly qualified and lawfully bonded abstractor of titles in and for Cleveland County and State of Oklahoma, hereby certifies the records of said county show that title to the land shown on the annexed plat is vested in University Town Center, LLC on this 8th day of December, 2022, and there are no actions pending or judgments of any nature in any court or on file with the clerk of any court in said county and state against said land or owners thereof, and the taxes are paid for the year of 2022, and prior years, and there are no outstanding tax sales certificates against said land, and no tax deeds are issued to any person, and there are no liens, or other encumbrances of any kind against the land included in the annexed plat, except, mortgages, rights of way, easements, and mineral conveyances of record.

In witness whereof, said Bonded Abstractor has caused this instrument to be executed this 15th day of December, 2022.

Charles Francis
By: Vice-President
Chicago Title Oklahoma, Co.

LICENSED PROFESSIONAL LAND SURVEYOR'S CERTIFICATE

I, Randall A. Mansfield, a Licensed Professional Land Surveyor in the State of Oklahoma, certify the annexed plat consisting of two (2) sheets, represents a survey made under my supervision on the 14th day of December, 2022, and the monuments shown thereon exist and their positions are correctly shown, and this survey meets the Oklahoma Minimum Standards for the Practice of Land Surveyors as adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors and the original media of said annexed plat complies with the requirements of Title 11 Section 41-108 of the Oklahoma State Statutes.

Randall A. Mansfield
Randall A. Mansfield, PLS No. 1613

STATE OF OKLAHOMA SS
COUNTY OF OKLAHOMA

This instrument was acknowledged before me on the 14th day of December, 2022, by Randall A. Mansfield.

Christina Hendricks
Notary Public

My Commission Expires: 10/10/2023

Commission Number: 19010230

LEGAL DESCRIPTION

A tract of land lying in the Northeast Quarter and the Southeast Quarter of Section 23, Township 9 North, Range 3 West of the Indian Meridian, City of Norman, Cleveland County, Oklahoma being more particularly described as follows:

COMMENCING at southeast corner of the Southeast Quarter of said Section 23;

THENCE South 89°24'39" West, along the south line of said Southeast Quarter, a distance of 1,114.88 feet to a point of intersection with the centerline of 24th Avenue NW as established by UNIVERSITY NORTH PARK SECTION I recorded in Book 21 of Plats, Page 7 and HIGHWAY EASEMENT recorded in Book 2552, Page 472;

THENCE along said centerline, the following Four (4) courses:

1. North 00°35'21" West a distance of 596.46 feet to a point of curvature;
2. Northerly along a curve to the left having a radius of 860.21 feet (said curve subtended by a chord which bears North 16°50'48" West a distance of 481.64 feet) for an arc distance of 488.16 feet;
3. North 33°06'14" West a distance of 200.00 feet to a point of curvature;
4. Northerly along a curve to the right having a radius of 2,002.19 feet (said curve subtended by a chord which bears North 10°38'08" West a distance of 1,530.37 feet) for an arc distance of 1570.30 feet;

THENCE South 78°33'01" East a distance of 60.00 feet to a point on a curve being on the easterly right of way line of said 24th Avenue NW and the POINT OF BEGINNING;

THENCE Northeasterly along said easterly right of way line on a non-tangent curve to the right having a radius of 1,942.19 feet (said curve subtended by a chord which bears North 23°23'56" East a distance of 778.03 feet) for an arc distance of 783.33 feet to the southwest corner of Lot 1, Block 1, UNIVERSITY NORTH PARK XVIII recorded in Book 25 of Plats, page 167;

THENCE South 58°00'19" East, along the south line of said Lot 1, a distance of 274.41 feet to the southeast corner of said Lot 1, also being a point on the west line of Common Area A of said plat;

THENCE South 17°23'52" West, along the west line of said Common Area A, a distance of 7.23 feet to the southwest corner of said Common Area A;

THENCE South 72°38'08" East, along the southerly line of said Common Area A, a distance of 50.00 feet to the southeast corner of said Common Area A and being a point on a curve;

THENCE Southerly along a non tangent curve to the left having a radius of 7,490.60 feet (said curve subtended by a chord which bears South 17°24'17" West a distance of 26.57 feet) for an arc distance of 26.57 feet;

THENCE South 17°23'52" West a distance of 253.61 feet to a point of curvature;

THENCE Southerly along a curve to the right having a radius of 525.00 feet (said curve subtended by a chord which bears South 21°38'35" West a distance of 77.73 feet) for an arc distance of 77.80 feet;

THENCE South 25°53'18" West a distance of 21.72 feet to a point of curvature;

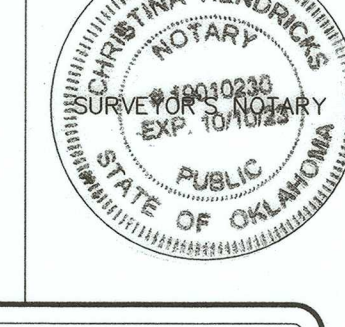
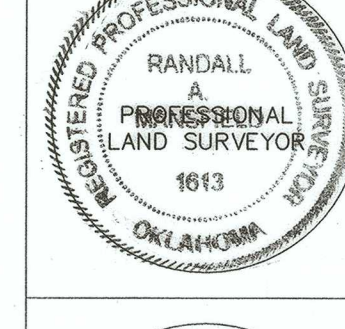
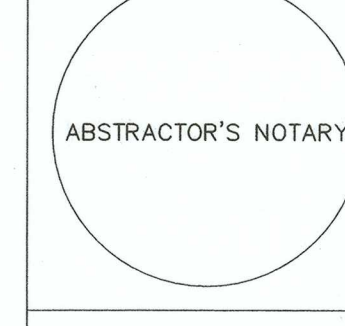
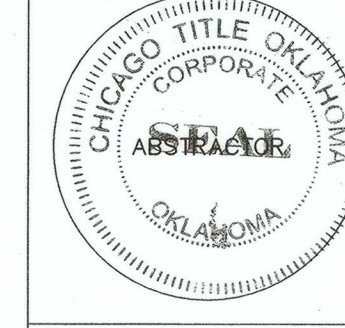
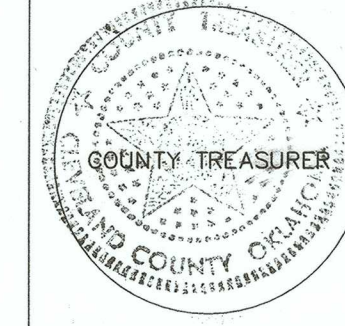
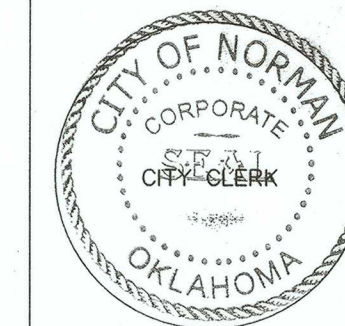
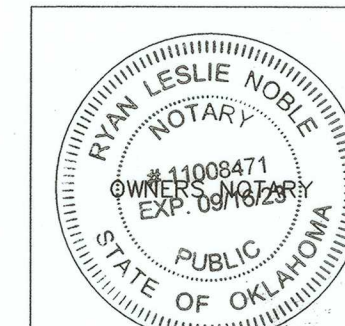
THENCE Southerly along a curve to the left having a radius of 475.00 feet (said curve subtended by a chord which bears South 19°38'50" West a distance of 103.28 feet) for an arc distance of 103.48 feet;

THENCE South 13°24'21" West a distance of 174.17 feet;

THENCE North 78°33'01" West a distance of 398.15 feet to the POINT OF BEGINNING.

Said described tract of land contains an area of 272,037 square feet or 6.2451 acres, more or less.

The basis of bearings for this legal description was South 89°24'39" West as the south line of the Southeast Quarter of Section 23, Township 9 North, Range 3 West of the Indian Meridian as shown on UNIVERSITY NORTH PARK REPLAT OF SECTION IV recorded in Book 22 of Plats, Page 82.



 **DODSON - THOMPSON - MANSFIELD, PLLC**
20 NE 38th Street Phone: 405-601-7402 email: randym@dtm-ok.com
Oklahoma City, OK 73105 Fax: 405-601-7421
Surveying - Engineering - Earthwork
CERTIFICATE OF AUTHORIZATION NO: 6391 EXPIRES JUNE 30, 2024

FINAL PLAT

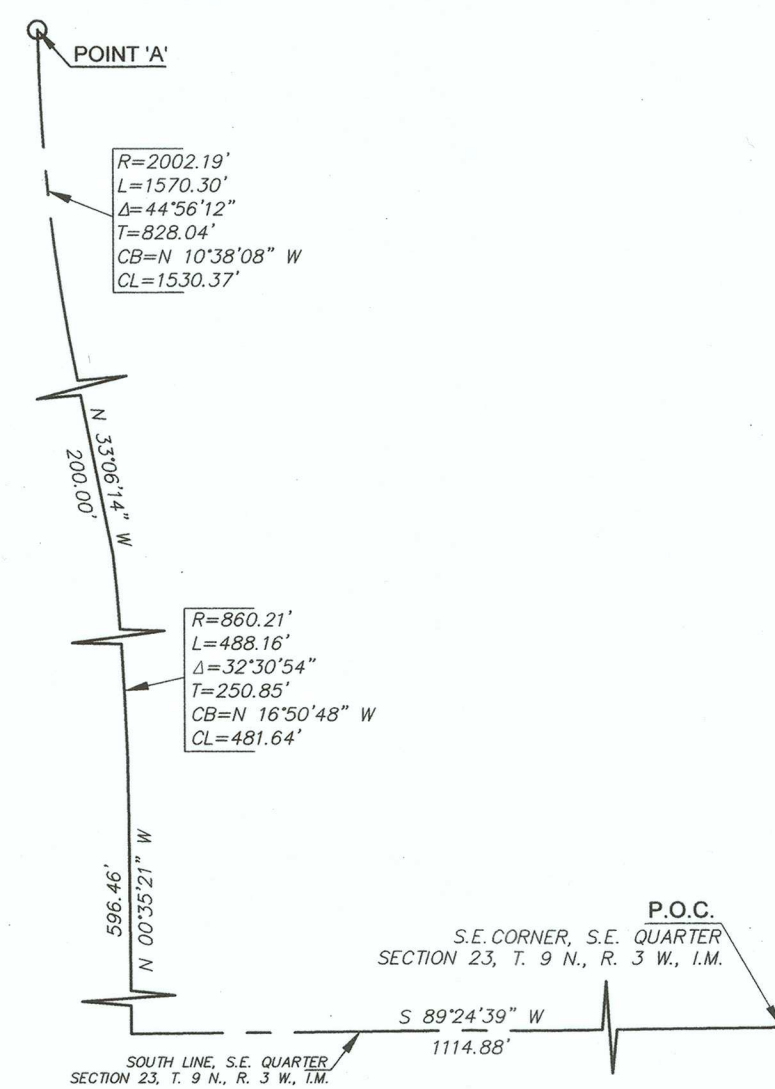
UNIVERSITY NORTH PARK SECTION XX

A PLANNED UNIT DEVELOPMENT
A PART OF THE N.E. 1/4 AND S.E. 1/4 OF SECTION 23, T. 9 N., R. 3 W., I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA

Doc # P2023-2 BT: P B: 26 P: 6 PL
01/19/2023 11:09:25 AM Pages: 3
Cleveland County Clerk, OK - Tammy Bellinson
Fee: \$ 55.00



#2
STATE OF OKLAHOMA
COUNTY OF CLEVELAND
FILED FOR RECORD
January 19, 2023 at 11:09:25am
Book 22 Page 167
By: [Signature] Deputy



LEGACY PARK DRIVE

R.O.W. PER
UNP SECTION IX
BK. 23 PG. 55

R.O.W. PER
UNP SECTION I
BK. 21 PG. 7

POINT A

S. LINE OF THE NE 1/4, SEC. 23
N. LINE OF THE SE 1/4, SEC. 23

LEGACY PARK DRIVE
(THIS AREA DEDICATED
AS PUBLIC RIGHT OF WAY
BY THIS PLAT)

BENCHMARK - BM
ELEVATION 1183.56
MONUMENT CUT "X" ON NOSE OF ISLAND
LOCATION N: 694439.05
E: 2123561.15
NAD 83

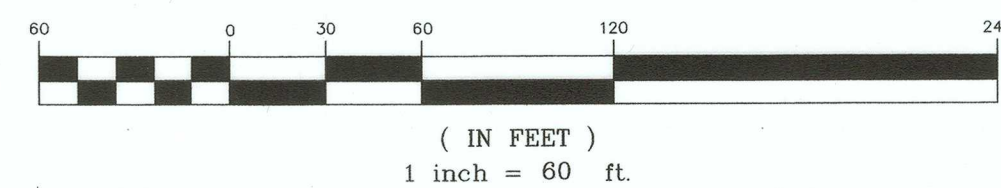
BM DATUM
HORIZONTAL
OKLAHOMA STATE PLANE
COORDINATE SYSTEM (SOUTH ZONE)
VERTICAL
NAVD 88
SOURCE
CITY OF NORMAN
GPS CONTROL MONUMENT 372

Line #	Direction	Length
L1	S 71°00'57" E	50.07
L2	N 71°00'57" W	50.10
L3	S 71°00'57" E	50.16
L4	S 58°00'45" E	24.02
L5	N 71°00'57" W	24.03
L6	N 71°00'57" W	25.16
L7	S 73°15'20" E	175.81
L8	S 16°44'40" W	15.00
L9	N 73°15'20" W	178.18
L10	N 25°53'18" E	8.39
L11	N 58°00'45" W	69.59

Line #	Direction	Length
L12	N 31°59'08" E	15.00
L13	N 31°59'08" E	15.00
L14	S 58°00'45" E	71.15
L15	N 67°59'34" W	15.26
L16	N 22°00'26" E	14.37
L17	S 67°59'34" E	14.10
L18	N 78°33'01" W	15.00
L19	N 12°45'34" E	35.28
L20	S 78°33'01" E	15.00
L21	S 12°45'34" W	35.28

Curve #	Radius	Length	Delta	Tangent	Chord Bearing	Chord Length
C1	1942.19'	10.03'	0°01'74"	5.01'	S 15°41'01" W	10.03'
C2	1892.19'	25.04'	0°04'53"	12.52'	S 22°21'18" W	25.04'
C3	1942.19'	30.08'	0°03'31"	15.04'	S 23°04'52" W	30.08'
C4	1892.19'	361.02'	10°55'54"	181.06'	S 29°06'39" W	360.47'
C5	1868.19'	410.70'	12°35'44"	206.18'	S 28°18'44" W	409.87'
C6	550.00'	0.61'	0°03'49"	0.31'	S 25°12'44" W	0.61'
C7	550.00'	6.18'	0°38'39"	3.09'	S 25°33'58" W	6.18'
C8	1942.19'	15.03'	0°26'36"	7.51'	N 34°43'54" E	15.03'
C9	1942.19'	15.01'	0°26'34"	7.51'	N 35°10'29" E	15.01'

GRAPHIC SCALE



LEGAL DESCRIPTION

A tract of land lying in the Northeast Quarter and the Southeast Quarter of Section 23, Township 9 North, Range 3 West of the Indian Meridian, City of Norman, Cleveland County, Oklahoma being more particularly described as follows:

COMMENCING at southeast corner of the Southeast Quarter of said Section 23;

THENCE South 89°24'39" West, along the south line of said Southeast Quarter, a distance of 1,114.88 feet to a point of intersection with the centerline of 24th Avenue NW as established by UNIVERSITY NORTH PARK SECTION I recorded in Book 21 of Plats, Page 7 and HIGHWAY EASEMENT recorded in Book 2552, Page 472;

THENCE along said centerline, the following Four (4) courses:

1. North 00°35'21" West a distance of 596.46 feet to a point of curvature;
2. Northerly along a curve to the left having a radius of 860.21 feet (said curve subtended by a chord which bears North 16°50'48" West a distance of 481.64 feet) for an arc distance of 488.16 feet;
3. North 33°06'14" West a distance of 200.00 feet to a point of curvature;
4. Northerly along a curve to the right having a radius of 2,002.19 feet (said curve subtended by a chord which bears North 10°38'08" West a distance of 1,530.37 feet) for an arc distance of 1570.30 feet;

THENCE South 78°33'01" East a distance of 60.00 feet to a point on a curve being on the easterly right of way line of said 24th Avenue NW and the POINT OF BEGINNING;

THENCE Northeasterly along said easterly right of way line on a non-tangent curve to the right having a radius of 1,942.19 feet (said curve subtended by a chord which bears North 23°23'56" East a distance of 778.03 feet) for an arc distance of 783.33 feet to the southwest corner of Lot 1, Block 1, UNIVERSITY NORTH PARK XVIII recorded in Book 25 of Plats, page 167;

THENCE South 58°00'19" East, along the south line of said Lot 1, a distance of 274.41 feet to the southeast corner of said Lot 1, also being a point on the west line of Common Area A of said plat;

THENCE South 17°23'52" West, along the west line of said Common Area A, a distance of 7.23 feet to the southwest corner of said Common Area A;

THENCE South 72°36'08" East, along the southerly line of said Common Area A, a distance of 50.00 feet to the southeast corner of said Common Area A and being a point on a curve;

THENCE Southerly along a non tangent curve to the left having a radius of 7,490.60 feet (said curve subtended by a chord which bears South 17°24'17" West a distance of 26.57 feet) for an arc distance of 26.57 feet;

THENCE South 17°23'52" West a distance of 253.61 feet to a point of curvature;

THENCE Southerly along a curve to the right having a radius of 525.00 feet (said curve subtended by a chord which bears South 21°38'35" West a distance of 77.73 feet) for an arc distance of 77.80 feet;

THENCE South 25°53'18" West a distance of 21.72 feet to a point of curvature;

THENCE Southerly along a curve to the left having a radius of 475.00 feet (said curve subtended by a chord which bears South 19°38'50" West a distance of 103.28 feet) for an arc distance of 103.48 feet;

THENCE South 13°24'21" West a distance of 174.17 feet;

THENCE North 78°33'01" West a distance of 398.15 feet to the POINT OF BEGINNING.

Said described tract of land contains an area of 272.037 square feet or 6.2451 acres, more or less.

The basis of bearings for this legal description was South 89°24'39" West as the south line of the Southeast Quarter of Section 23, Township 9 North, Range 3 West of the Indian Meridian as shown on UNIVERSITY NORTH PARK REPLAT OF SECTION IV recorded in Book 22 of Plats, Page 62.

STORM DRAINAGE DETENTION FACILITY EASEMENT

DRAINAGE DETENTION FACILITY EASEMENTS ARE HEREBY ESTABLISHED AS SHOWN TO PROVIDE FOR DETENTION OF STORM SURFACE WATER AND CONSTRUCTED AS APPROVED BY THE CITY ENGINEER. ALL MAINTENANCE WITHIN THE DRAINAGE DETENTION FACILITY EASEMENT SHALL BE THE RIGHT, DUTY AND RESPONSIBILITY OF THE PROPERTY OWNERS ASSOCIATION IN THE PLAT OF UNIVERSITY NORTH PARK XX. HOWEVER, IF MAINTENANCE IS NEGLECTED OR SUBJECT TO OTHER UNUSUAL CIRCUMSTANCES AND IS DETERMINED TO BE A HAZARD OR THREAT TO PUBLIC SAFETY BY THE CITY, CORRECTIVE MAINTENANCE MAY BE PERFORMED BY THE GOVERNING JURISDICTION WITH COSTS ASSESSED TO AND BORN UPON SAID PROPERTY OWNERS ASSOCIATION. OFFICIALS REPRESENTING THE PUBLIC WORKS DEPARTMENT, SHALL HAVE THE RIGHT TO ENTER UPON THE EASEMENT FOR PURPOSES OF PERIODIC INSPECTION AND/OR CORRECTIVE MAINTENANCE OF THE FACILITY. UPON RECEIVING WRITTEN APPROVAL FROM THE PUBLIC WORKS DEPARTMENT, PROPERTY OWNERS ASSOCIATION MAY CONSTRUCT IMPROVEMENTS WITHIN THE EASEMENT, PROVIDED THE IMPROVEMENT DOES NOT INTERFERE WITH THE FUNCTION OF THE DETENTION FACILITY.

Curve #	Radius	Length	Delta	Tangent	Chord Bearing	Chord Length
C1	1942.19'	125.12'	0°34'128"	62.58'	N 13°41'25" E	125.10'
C2	1942.19'	215.69'	0°21'47"	107.96'	N 18°43'02" E	215.58'
C3	1942.19'	167.73'	0°45'56"	83.92'	N 24°22'22" E	167.68'
C4	1942.19'	274.79'	0°06'23"	137.62'	N 30°54'00" E	274.56'
C5	5886.23'	26.61'	0°05'33"	13.31'	S 17°24'17" W	26.61'
C6	475.00'	70.39'	0°29'26"	35.26'	S 21°38'35" W	70.32'
C7	525.00'	3.16'	0°20'41"	1.58'	S 25°42'57" W	3.16'
C8	525.00'	111.22'	12°08'15"	55.82'	S 19°28'29" W	111.01'



DODSON - THOMPSON - MANSFIELD, PLLC

20 NE 38th Street Phone: 405-601-7402 email: randym@dtm-ok.com
Oklahoma City, OK 73105 Fax: 405-601-7421

Surveying - Engineering - Earthwork

CERTIFICATE OF AUTHORIZATION NO: 6391 EXPIRES JUNE 30, 2024

Sheet: 2 of 2

811 dlm-logo : DTM_TitleLogo.jpg
xBorder (24x36) : xSurvey : xSDP : xStrm : xStE : oSurFPG : xRLE
11/21/2022 2:35 PM
LAST SAVED
BQ: CALEB 11/21/2022 5:08 PM
PLOTTED BY
WINKLEY-HORN.COM\TX_OCNCOKG_CIVIL\061312024-UTC AREA 5 INFRASTRUCTURE CAD\DWG\PLANS\SHEETS
SITE DEVELOPMENT PLAN [DWG-1 SITE DEVELOPMENT PLAN]
DWG NAME

File Attachments for Item:

20. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF EASEMENT E-2223-30: A PERMANENT DRAINAGE AND PUBLIC UTILITY EASEMENT DONATED BY UNIVERSITY TOWN CENTER, L.L.C., TO SERVE UNIVERSITY NORTH PARK ADDITION, SECTION XX. (LOCATED EAST OF 24TH AVENUE N.W., BETWEEN ROBINSON STREET AND ROCK CREEK ROAD)



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/09/2023

REQUESTER: Jack Burdett, Subdivision Development Coordinator

PRESENTER: Shawn O'Leary, Director of Public Works

TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF EASEMENT E-2223-30: A PERMANENT DRAINAGE AND PUBLIC UTILITY EASEMENT DONATED BY UNIVERSITY TOWN CENTER, L.L.C., TO SERVE UNIVERSITY NORTH PARK ADDITION, SECTION XX. (LOCATED EAST OF 24TH AVENUE N.W., BETWEEN ROBINSON STREET AND ROCK CREEK ROAD)

BACKGROUND:

The final plat for University North Park Section XX, a Planned Unit Development, was approved by City Council on January 10, 2023. The property is located east of 24th Ave. N.W. between Robinson Street and Rock Creek Road.

The owner of the property, University Town Center, LLC, has submitted off-site easements for utilities and drainage in connection with the adjacent filed platted addition.

DISCUSSION:

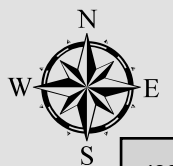
These utility and drainage easements will continue to serve the platted properties in this addition. Easements are planned to be incorporated into future University North Park Additions. The City Attorney and Public Works Staff have reviewed the easements as to form.

RECOMMENDATION:

Based upon the fact the easements have been donated to the City of Norman for locating the off-site utilities in place; Staff recommends acceptance of Easements E-2223-27, E-2223-28, E-2223-29, E-2223-30, and E-2223-31 to be filed of record with the Cleveland County Clerk.



University North Park Sec. XX Off-Site Easements



1 inch = 300'

UTILITY EASEMENT

E-2223-30

Know all men by these presents:

That University Town Center, LLC, in consideration of the sum of One Dollar (\$1.00), receipt of which is hereby acknowledged, and for other good and valuable considerations, do hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a public utility easement and right-of-way over, across, and under the following described premises situated in the City of Norman, Cleveland County, Oklahoma, shown on **Attachment "A"** ("**Subject Property**") for the use of **Grantees** with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating the described easement shown on **Attachment "A"**.

UTILITY EASEMENT

To have and to hold the same unto the said city, its successors, and assigns forever.

Signed and delivered this 24th day of March, 2023

UNIVERSITY TOWN CENTER, LLC by:

Robert C. Gillett Manager
Title

REPRESENTATIVE ACKNOWLEDGEMENT

STATE OF NORTH CAROLINA, COUNTY OF BURKE, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 24th day of March, 2023, personally appeared Robert C. Gillett, to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that he executed the same as Manager free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal the day and year last above written.

My Commission Expires: 06-16-2026 Notary Public: Shasta Rose Monn

Approved as to form and legality this _____ day of _____, 20____.

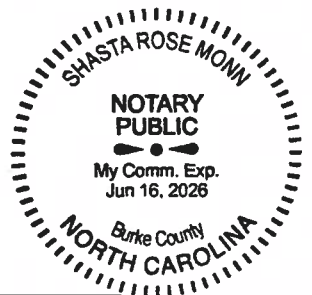
City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 20____.

Mayor

ATTEST:

City Clerk
SEAL:



ATTACHMENT A
E-2223-30

Item 20.

DRAINAGE AND UTILITY EASEMENT DESCRIPTION

A strip of land lying in the Northeast Quarter of Section 23 and the Northwest Quarter of Section 24, Township 9 North, Range 3 West of the Indian Meridian, Cleveland County, Oklahoma being more particularly described as follows:

BEGINNING at the most northerly southwest corner of Lot 1, Block 1, AMENDED FINAL PLAT OF UNIVERSITY NORTH PARK SECTION XIII recorded in Book 24 of Plats, Page 265;

THENCE along the southerly line of said Lot 1, the following Two (2) courses:

1. South 25°07'22" East a distance of 27.26 feet to a point on a curve;
2. Easterly along a non tangent curve to the left having a radius of 4,971.96 feet (said curve subtended by a chord which bears South 74°40'48" East a distance of 391.29 feet) for an arc distance of 391.39 feet;

THENCE South 78°14'32" East a distance of 87.41 feet to the most southerly southwest corner of Lot 1, Block 1, UNIVERSITY NORTH PARK SECTION XV recorded in Book 24 of Plats, Page 154;

THENCE South 77°11'34" East, along the south line of said Lot 1 and said south line extended, a distance of 305.35 feet;

THENCE South 12°48'26" West a distance of 25.00 feet;

THENCE North 77°11'34" West, parallel with and 25 feet distant from the south line of said Lot 1, a distance of 306.58 feet;

THENCE North 78°14'32" West a distance of 85.99 feet to a point of curvature;

THENCE Westerly along a curve to the right parallel with the south line of said Lot 1 of the Amended Section XIII plat, having a radius of 4,996.96 feet (said curve subtended by a chord which bears North 76°03'29" West a distance of 153.55 feet) for an arc distance of 153.56 feet;

THENCE South 14°54'48" West a distance of 15.00 feet to a point on a curve;

THENCE Westerly along a non tangent curve to the right parallel with the south line of said Lot 1 of the Amended Section XIII plat, having a radius of 5,011.96 feet (said curve subtended by a chord which bears North 75°05'10" West a distance of 16.00 feet) for an arc distance of 16.00 feet;

THENCE North 14°54'48" East a distance of 15.00 feet to a point on a curve;

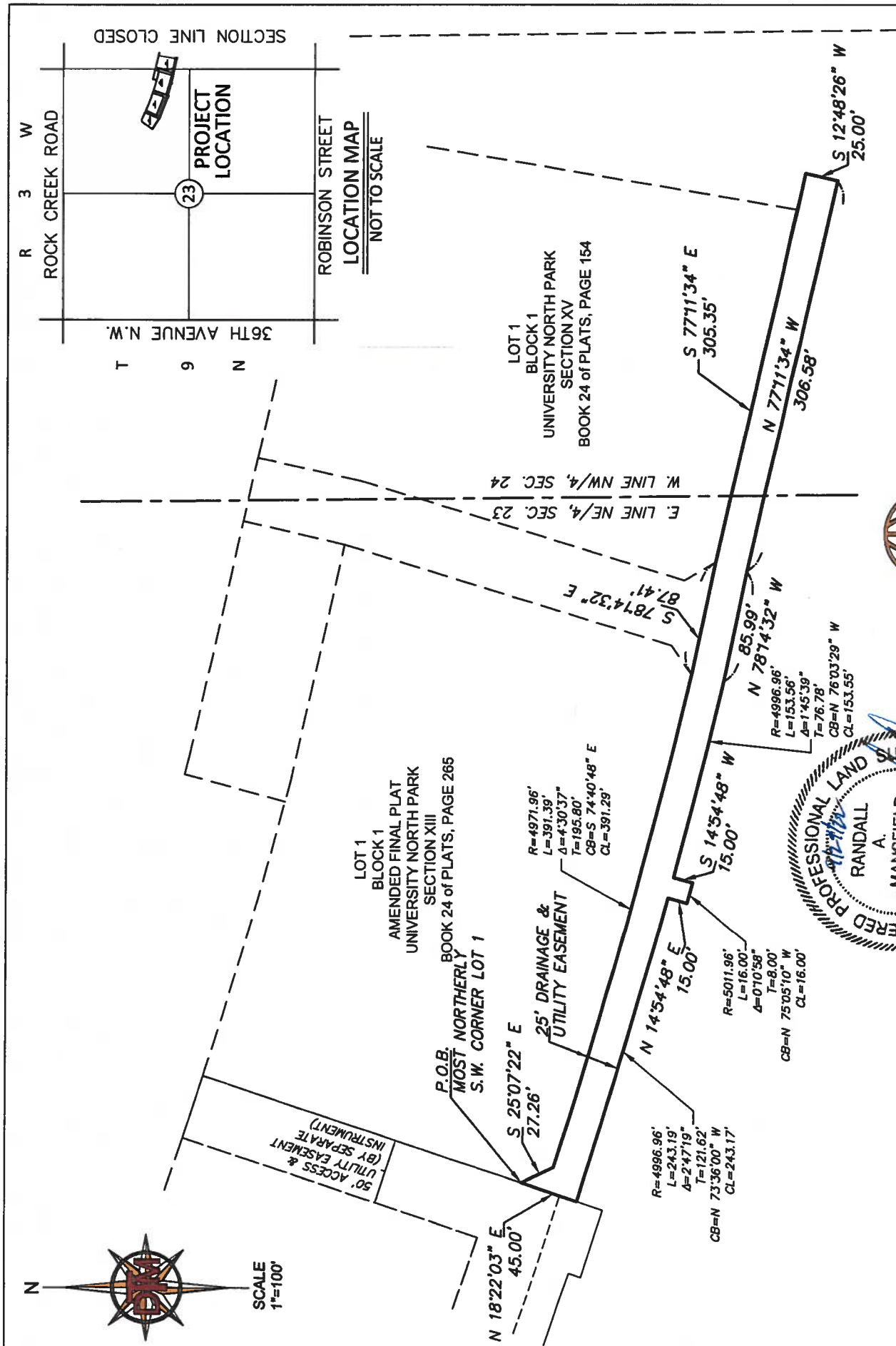
THENCE Westerly along a non tangent curve to the right parallel with the south line of said Lot 1 of the Amended Section XIII plat, having a radius of 4,996.96 feet (said curve subtended by a chord which bears North 73°36'00" West a distance of 243.17 feet) for an arc distance of 243.19 feet to a point of intersection with the west line of said Lot 1 extended;

THENCE North 18°22'03" East, along said extended line, a distance of 45.00 feet to the POINT OF BEGINNING.

Said described strip of land contains an area of 20,534 square feet or 0.4714 acres, more or less.

Prepared by: Randall A. Mansfield, Professional Land Surveyor No. 1613
Dodson-Thompson-Mansfield PLLC
20 N.E. 38th Street - OKC, OK 73105
September 29, 2022





**25' DRAINAGE & UTILITY
EASEMENT EXHIBIT**
E-2223-30

DODSON - THOMPSON - MANSFIELD, PLLC

20 NE 38th Street
Oklahoma City, OK 73105

Phone: 405-801-7402
Fax: 405-801-7421
email: randym@dtm-ok.com

Surveying - Engineering - Earthwork

CERTIFICATE OF AUTHORIZATION NO: 6391
EXPIRES JUNE 30, 2024

FINAL PLAT

UNIVERSITY NORTH PARK SECTION XX

A PLANNED UNIT DEVELOPMENT

A PART OF THE N.E. 1/4 AND S.E. 1/4 OF SECTION 23, T. 9 N., R. 3 W., I.M.

NORMAN, CLEVELAND COUNTY, OKLAHOMA

#2
STATE OF OKLAHOMA
COUNTY OF CLEVELAND
FILED FOR RECORD
January 19, 2023 11:09:55am
Book 163 Page 163
By Tammy Beilinson County Clerk
By Bob Stearns Deputy

Doc # P2023-2 BT: P B: 26 P: 6 PL
01/19/2023 11:09:25 AM Pages: 3
Cleveland County Clerk, OK - Tammy Beilinson
File: 8-25-23
b6
b7c

OWNER'S CERTIFICATE AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That University Town Center, LLC, an Oklahoma limited liability company hereby certifies it is the owner of, and the only person, firm, corporation, or entity having any ownership rights, title or interest in and to the land shown on the annexed plat of UNIVERSITY NORTH PARK XX, a planned unit development to Norman, Cleveland County, Oklahoma, and has caused the same to be platted into lots, blocks, streets, and easements as shown on said annexed plat.

University Town Center, LLC hereby dedicates all rights of way and easements as shown on said annexed plat to the public for streets, fire protection, utility and drainage easements, for itself, its successors and assigns forever and has caused the same to be released from all rights, easements and encumbrances except as noted on the Bonded Abstractor's Certificate.

Covenants, Conditions and Restrictions for the annexed plat may subsequently be filed under separate instrument.

In witness whereof the undersigned having caused this instrument to be executed this _____ day of _____, 2022.

University Town Center, LLC
an Oklahoma limited liability company

Bob Stearns
Bob Stearns, Manager

STATE OF OKLAHOMA SS:
COUNTY OF OKLAHOMA

Before me, a Notary Public in and for said State, on the above stated date, personally appeared Bob Stearns, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for said corporation for the uses and purposes therein set forth.

Ryan Leslie Noble
Notary Public

My Commission Expires: 09/16/23

My Commission Number: 11008471

CITY CLERK'S CERTIFICATE

I, Brenda Hall, City Clerk of the City of Norman, hereby certify that I have examined the records of said City and find that all deferred payments on unmatured installments upon special assessments have been paid in full and that there are no special assessment procedures now pending against the land shown on the annexed plat.

Signed by the City Clerk this 10th day of January, 2023

Brenda Hall
City Clerk

CERTIFICATE OF CITY OF NORMAN DEVELOPMENT COMMITTEE

I, Shawn O'Leary, Chairman of the City of Norman Development Committee certify that the public improvement plans and annexed plat of UNIVERSITY NORTH PARK XX, a Planned Unit Development, comply with the standards and specifications of the City of Norman on this 22nd day of November, 2022.

Shawn O'Leary
Development Committee Chairman

COUNTY TREASURER'S CERTIFICATE

I, Jim Reynolds, hereby certify that I am the duly qualified and acting County Treasurer of Cleveland County, Oklahoma, that the tax records of said county show that all taxes for the year 2022, and prior years are paid on the property outline on the annexed plat and the required statutory security has been deposited in the offices of the Oklahoma County Treasurer guaranteeing the payment of the current year's taxes.

In witness whereof, said County Treasurer has caused this instrument to be executed this 12 day of January, 2022 2023

Jim Reynolds by Amber Ballentine Deputy
County Treasurer

ACCEPTANCE OF DEDICATION BY CITY COUNCIL

Be it resolved by the City Council of the City of Norman, Oklahoma, the dedications shown on the annexed plat are hereby accepted.

Adopted by the Council of the City of Norman, this 10th day of January, 2023

Brenda Hall City Clerk Andrew Mayor

BONDED ABSTRACTOR'S CERTIFICATE

The undersigned, a duly qualified and lawfully bonded abstractor of titles in and for Cleveland County and State of Oklahoma, hereby certifies the records of said county show that title to the land shown on the annexed plat is vested in University Town Center, LLC on this 8th day of December, 2022, and there are no actions pending or judgments of any nature in any court or on file with the clerk of any court in said county and state against said land or owners thereof, and the taxes are paid for the year of 2022, and prior years, and there are no outstanding tax sales certificates against said land, and no tax deeds are issued to any person, and there are no liens, or other encumbrances of any kind against the land included in the annexed plat, except, mortgages, rights of way, easements, and mineral conveyances of record.

In witness whereof, said Bonded Abstractor has caused this instrument to be executed this 15th day of December, 2022.

Charles Francis
By: Vice-President
Chicago Title Oklahoma, Co.

LICENSED PROFESSIONAL LAND SURVEYOR'S CERTIFICATE

I, Randall A. Mansfield, a Licensed Professional Land Surveyor in the State of Oklahoma, certify the annexed plat consisting of two (2) sheets, represents a survey made under my supervision on the 14th day of December, 2022, and the monuments shown thereon exist and their positions are correctly shown, and this survey meets the Oklahoma Minimum Standards for the Practice of Land Surveyors as adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors and the original media of said annexed plat complies with the requirements of Title 11 Section 41-108 of the Oklahoma State Statutes.

Randall A. Mansfield
Randall A. Mansfield, PLS No. 1613

STATE OF OKLAHOMA SS
COUNTY OF OKLAHOMA

This instrument was acknowledged before me on the 14th day of December, 2022, by Randall A. Mansfield.

Christa Handberg
Notary Public

My Commission Expires: 10/10/2023

Commission Number: 19010230

LEGAL DESCRIPTION

A tract of land lying in the Northeast Quarter and the Southeast Quarter of Section 23, Township 9 North, Range 3 West of the Indian Meridian, City of Norman, Cleveland County, Oklahoma being more particularly described as follows:

COMMENCING at southeast corner of the Southeast Quarter of said Section 23;

THENCE South 89°24'39" West, along the south line of said Southeast Quarter, a distance of 1,114.88 feet to a point of intersection with the centerline of 24th Avenue NW as established by UNIVERSITY NORTH PARK SECTION I recorded in Book 21 of Plats, Page 7 and HIGHWAY EASEMENT recorded in Book 2552, Page 472;

THENCE along said centerline, the following Four (4) courses:

1. North 00°35'21" West a distance of 596.46 feet to a point of curvature;
2. Northerly along a curve to the left having a radius of 860.21 feet (said curve subtended by a chord which bears North 16°50'48" West a distance of 481.64 feet) for an arc distance of 488.16 feet;
3. North 33°06'14" West a distance of 200.00 feet to a point of curvature;
4. Northerly along a curve to the right having a radius of 2,002.19 feet (said curve subtended by a chord which bears North 10°38'08" West a distance of 1,530.37 feet) for an arc distance of 1570.30 feet;

THENCE South 78°33'01" East a distance of 60.00 feet to a point on a curve being on the easterly right of way line of said 24th Avenue NW and the POINT OF BEGINNING;

THENCE Northeasterly along said easterly right of way line on a non-tangent curve to the right having a radius of 1,942.19 feet (said curve subtended by a chord which bears North 23°23'56" East a distance of 778.03 feet) for an arc distance of 783.33 feet to the southwest corner of Lot 1, Block 1, UNIVERSITY NORTH PARK XVIII recorded in Book 25 of Plats, page 167;

THENCE South 58°00'19" East, along the south line of said Lot 1, a distance of 274.41 feet to the southeast corner of said Lot 1, also being a point on the west line of Common Area A of said plat;

THENCE South 17°23'52" West, along the west line of said Common Area A, a distance of 7.23 feet to the southwest corner of said Common Area A;

THENCE South 72°38'08" East, along the southerly line of said Common Area A, a distance of 50.00 feet to the southeast corner of said Common Area A and being a point on a curve;

THENCE Southerly along a non tangent curve to the left having a radius of 7,490.60 feet (said curve subtended by a chord which bears South 17°24'17" West a distance of 26.57 feet) for an arc distance of 26.57 feet;

THENCE South 17°23'52" West a distance of 253.61 feet to a point of curvature;

THENCE Southerly along a curve to the right having a radius of 525.00 feet (said curve subtended by a chord which bears South 21°38'35" West a distance of 77.73 feet) for an arc distance of 77.80 feet;

THENCE South 25°53'18" West a distance of 21.72 feet to a point of curvature;

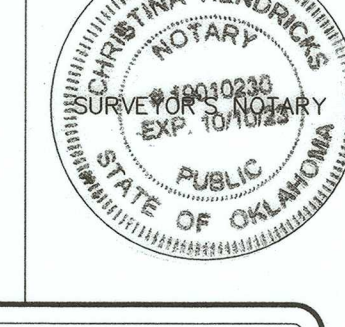
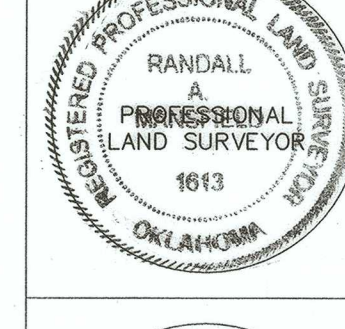
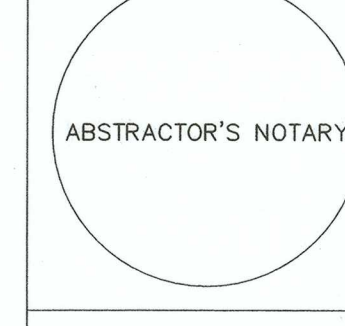
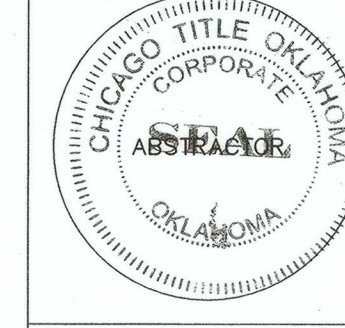
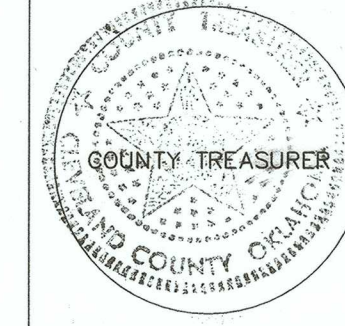
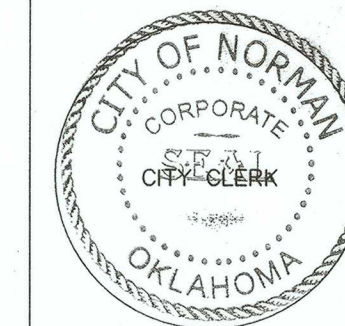
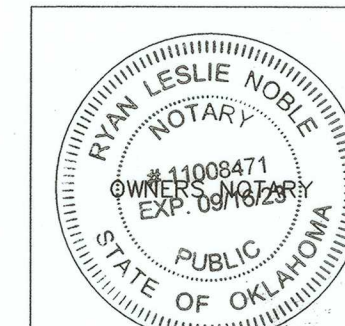
THENCE Southerly along a curve to the left having a radius of 475.00 feet (said curve subtended by a chord which bears South 19°38'50" West a distance of 103.28 feet) for an arc distance of 103.48 feet;

THENCE South 13°24'21" West a distance of 174.17 feet;

THENCE North 78°33'01" West a distance of 398.15 feet to the POINT OF BEGINNING.

Said described tract of land contains an area of 272,037 square feet or 6.2451 acres, more or less.

The basis of bearings for this legal description was South 89°24'39" West as the south line of the Southeast Quarter of Section 23, Township 9 North, Range 3 West of the Indian Meridian as shown on UNIVERSITY NORTH PARK REPLAT OF SECTION IV recorded in Book 22 of Plats, Page 82.



 **DODSON - THOMPSON - MANSFIELD, PLLC**
20 NE 38th Street Phone: 405-601-7402 email: randym@dtm-ok.com
Oklahoma City, OK 73105 Fax: 405-601-7421
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CERTIFICATE OF AUTHORIZATION NO: 6391 EXPIRES JUNE 30, 2024

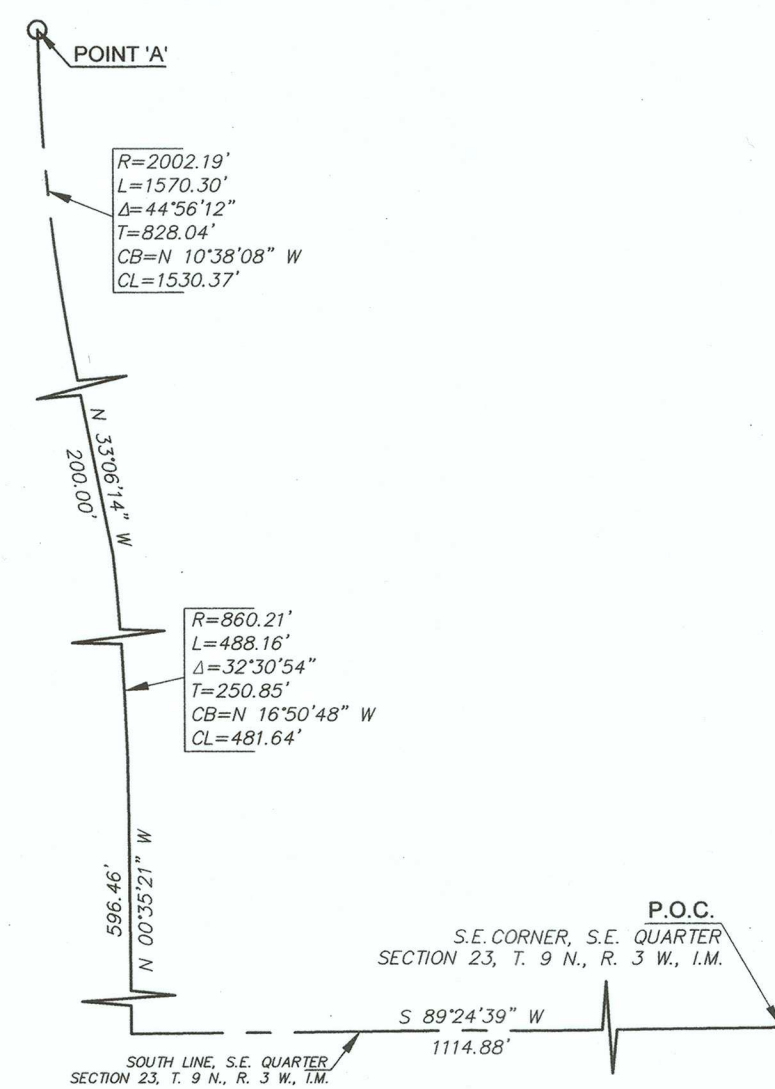
FINAL PLAT UNIVERSITY NORTH PARK SECTION XX

A PLANNED UNIT DEVELOPMENT
A PART OF THE N.E. 1/4 AND S.E. 1/4 OF SECTION 23, T. 9 N., R. 3 W., I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA

Doc # P2023-2 BT: P B: 26 P: 6 PL
01/19/2023 11:09:25 AM Pages: 3
Cleveland County Clerk, OK - Tammy Bellinson
Fee: \$ 55.00



#2
STATE OF OKLAHOMA
COUNTY OF CLEVELAND
FILED FOR RECORD
January 19, 2023 at 11:09:25am
Book 22 Page 167
By: [Signature] Deputy



LEGACY PARK DRIVE

R.O.W. PER
UNP SECTION IX
BK. 23 PG. 55

R.O.W. PER
UNP SECTION I
BK. 21 PG. 7

POINT A

LEGACY PARK DRIVE
(THIS AREA DEDICATED
AS PUBLIC RIGHT OF WAY
BY THIS PLAT)

S. LINE OF THE NE 1/4, SEC. 23
N. LINE OF THE SE 1/4, SEC. 23

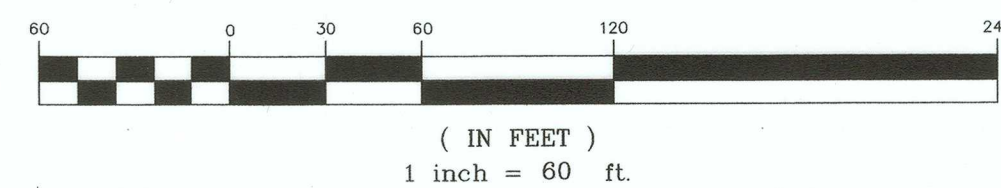
NOTES:

- COMMON AREAS WILL BE OWNED AND MAINTAINED BY THE PROPERTY OWNER'S ASSOCIATION.
- ALL LANDSCAPE AREAS WITHIN THE PUBLIC RIGHT OF WAY DEDICATED AS A PART OF THIS PLAT SHALL BE MAINTAINED BY THE PROPERTY OWNER'S ASSOCIATION.
- EASEMENTS SHOWN HEREON BY SPECIFIC RECORDING INFORMATION ARE SHOWN FOR REFERENCE PURPOSES ONLY AND ARE NOT DEDICATED AS A PART OF THIS PLAT.
- UNLESS SHOWN OTHERWISE PROPERTY CORNERS ARE SET 12" IRON PINS WITH CA6391 CAPS OR SET MAG NAILS WITH CA6391 TAGS.

BENCHMARK - BM
ELEVATION 1183.56
MONUMENT CUT "X" ON NOSE OF ISLAND
LOCATION N: 694439.05
E: 2123561.15

BM DATUM
HORIZONTAL
OKLAHOMA STATE PLANE
COORDINATE SYSTEM (SOUTH ZONE)
NAD 83
VERTICAL
NAVD 88
SOURCE
CITY OF NORMAN
GPS CONTROL MONUMENT 372

GRAPHIC SCALE



LEGAL DESCRIPTION

A tract of land lying in the Northeast Quarter and the Southeast Quarter of Section 23, Township 9 North, Range 3 West of the Indian Meridian, City of Norman, Cleveland County, Oklahoma being more particularly described as follows:

COMMENCING at southeast corner of the Southeast Quarter of said Section 23;

THENCE South 89°24'39" West, along the south line of said Southeast Quarter, a distance of 1,114.88 feet to a point of intersection with the centerline of 24th Avenue NW as established by UNIVERSITY NORTH PARK SECTION I recorded in Book 21 of Plats, Page 7 and HIGHWAY EASEMENT recorded in Book 2552, Page 472;

THENCE along said centerline, the following Four (4) courses:

- North 00°35'21" West a distance of 596.46 feet to a point of curvature;
- Northerly along a curve to the left having a radius of 860.21 feet (said curve subtended by a chord which bears North 16°50'48" West a distance of 481.64 feet) for an arc distance of 488.16 feet;
- North 33°06'14" West a distance of 200.00 feet to a point of curvature;
- Northerly along a curve to the right having a radius of 2,002.19 feet (said curve subtended by a chord which bears North 10°38'08" West a distance of 1,530.37 feet) for an arc distance of 1570.30 feet;

THENCE South 78°33'01" East a distance of 60.00 feet to a point on a curve being on the easterly right of way line of said 24th Avenue NW and the POINT OF BEGINNING;

THENCE Northeasterly along said easterly right of way line on a non-tangent curve to the right having a radius of 1,942.19 feet (said curve subtended by a chord which bears North 23°23'56" East a distance of 778.03 feet) for an arc distance of 783.33 feet to the southwest corner of Lot 1, Block 1, UNIVERSITY NORTH PARK XVIII recorded in Book 25 of Plats, page 167;

THENCE South 58°00'19" East, along the south line of said Lot 1, a distance of 274.41 feet to the southeast corner of said Lot 1, also being a point on the west line of Common Area A of said plat;

THENCE South 17°23'52" West, along the west line of said Common Area A, a distance of 7.23 feet to the southwest corner of said Common Area A;

THENCE South 72°36'08" East, along the southerly line of said Common Area A, a distance of 50.00 feet to the southeast corner of said Common Area A and being a point on a curve;

THENCE Southerly along a non tangent curve to the left having a radius of 7,490.60 feet (said curve subtended by a chord which bears South 17°24'17" West a distance of 26.57 feet) for an arc distance of 26.57 feet;

THENCE South 17°23'52" West a distance of 253.61 feet to a point of curvature;

THENCE Southerly along a curve to the right having a radius of 525.00 feet (said curve subtended by a chord which bears South 21°38'35" West a distance of 77.73 feet) for an arc distance of 77.80 feet;

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The basis of bearings for this legal description was South 89°24'39" West as the south line of the Southeast Quarter of Section 23, Township 9 North, Range 3 West of the Indian Meridian as shown on UNIVERSITY NORTH PARK REPLAT OF SECTION IV recorded in Book 22 of Plats, Page 82.

Line #	Direction	Length
L1	S 71°00'57" E	50.07
L2	N 71°00'57" W	50.10
L3	S 71°00'57" E	50.16
L4	S 58°00'45" E	24.02
L5	N 71°00'57" W	24.03
L6	N 71°00'57" W	25.16
L7	S 73°15'20" E	175.81
L8	S 16°44'40" W	15.00
L9	N 73°15'20" W	178.18
L10	N 25°53'18" E	8.39
L11	N 58°00'45" W	69.59

Line #	Direction	Length
L12	N 31°59'08" E	15.00
L13	N 31°59'08" E	15.00
L14	S 58°00'45" E	71.15
L15	N 67°59'34" W	15.26
L16	N 22°00'26" E	14.37
L17	S 67°59'34" E	14.10
L18	N 78°33'01" W	15.00
L19	N 12°45'34" E	35.28
L20	S 78°33'01" E	15.00
L21	S 12°45'34" W	35.28

Curve #	Radius	Length	Delta	Tangent	Chord Bearing	Chord Length
C1	1942.19'	10.03'	00°17'45"	5.01'	S 15°41'01" W	10.03'
C2	1892.19'	25.04'	00°45'30"	12.52'	S 22°21'18" W	25.04'
C3	1942.19'	30.08'	00°33'14"	15.04'	S 23°04'52" W	30.08'
C4	1892.19'	361.02'	10°55'54"	181.06'	S 29°06'39" W	360.47'
C5	1868.19'	410.70'	12°35'44"	206.18'	S 28°18'44" W	409.87'
C6	550.00'	0.61'	00°03'49"	0.31'	S 25°12'44" W	0.61'
C7	550.00'	6.18'	00°38'39"	3.09'	S 25°33'58" W	6.18'
C8	1942.19'	15.03'	00°26'36"	7.51'	N 34°43'54" E	15.03'
C9	1942.19'	15.01'	00°26'34"	7.51'	N 35°10'29" E	15.01'

STORM DRAINAGE DETENTION FACILITY EASEMENT

DRAINAGE DETENTION FACILITY EASEMENTS ARE HEREBY ESTABLISHED AS SHOWN TO PROVIDE FOR DETENTION OF STORM SURFACE WATER AND CONSTRUCTED AS APPROVED BY THE CITY ENGINEER. ALL MAINTENANCE WITHIN THE DRAINAGE DETENTION FACILITY EASEMENT SHALL BE THE RIGHT, DUTY AND RESPONSIBILITY OF THE PROPERTY OWNERS ASSOCIATION IN THE PLAT OF UNIVERSITY NORTH PARK XX. HOWEVER, IF MAINTENANCE IS NEGLECTED OR SUBJECT TO OTHER UNUSUAL CIRCUMSTANCES AND IS DETERMINED TO BE A HAZARD OR THREAT TO PUBLIC SAFETY BY THE CITY, CORRECTIVE MAINTENANCE MAY BE PERFORMED BY THE GOVERNING JURISDICTION WITH COSTS ASSESSED TO AND BORN UPON SAID PROPERTY OWNERS ASSOCIATION. OFFICIALS REPRESENTING THE PUBLIC WORKS DEPARTMENT, SHALL HAVE THE RIGHT TO ENTER UPON THE EASEMENT FOR PURPOSES OF PERIODIC INSPECTION AND/OR CORRECTIVE MAINTENANCE OF THE FACILITY. UPON RECEIVING WRITTEN APPROVAL FROM THE PUBLIC WORKS DEPARTMENT, PROPERTY OWNERS ASSOCIATION MAY CONSTRUCT IMPROVEMENTS WITHIN THE EASEMENT, PROVIDED THE IMPROVEMENT DOES NOT INTERFERE WITH THE FUNCTION OF THE DETENTION FACILITY.

Curve #	Radius	Length	Delta	Tangent	Chord Bearing	Chord Length
C1	1942.19'	125.12'	03°41'28"	62.58'	N 13°41'25" E	125.10'
C2	1942.19'	215.69'	06°21'47"	107.96'	N 18°43'02" E	215.58'
C3	1942.19'	167.73'	04°56'54"	83.92'	N 24°22'22" E	167.68'
C4	1942.19'	274.79'	08°06'23"	137.62'	N 30°54'00" E	274.56'
C5	5886.23'	26.61'	00°15'33"	13.31'	S 17°24'17" W	26.61'
C6	475.00'	70.39'	08°29'26"	35.26'	S 21°38'35" W	70.32'
C7	525.00'	3.16'	00°20'41"	1.58'	S 25°42'57" W	3.16'
C8	525.00'	111.22'	12°08'15"	55.82'	S 19°28'29" W	111.01'



DODSON - THOMPSON - MANSFIELD, PLLC

20 NE 38th Street Phone: 405-601-7402 email: randym@dtm-ok.com
Oklahoma City, OK 73105 Fax: 405-601-7421

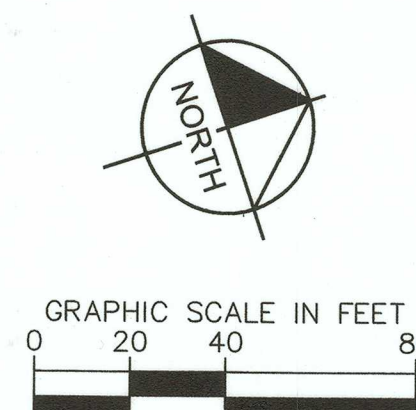
Surveying - Engineering - Earthwork

CERTIFICATE OF AUTHORIZATION NO: 6391 EXPIRES JUNE 30, 2024

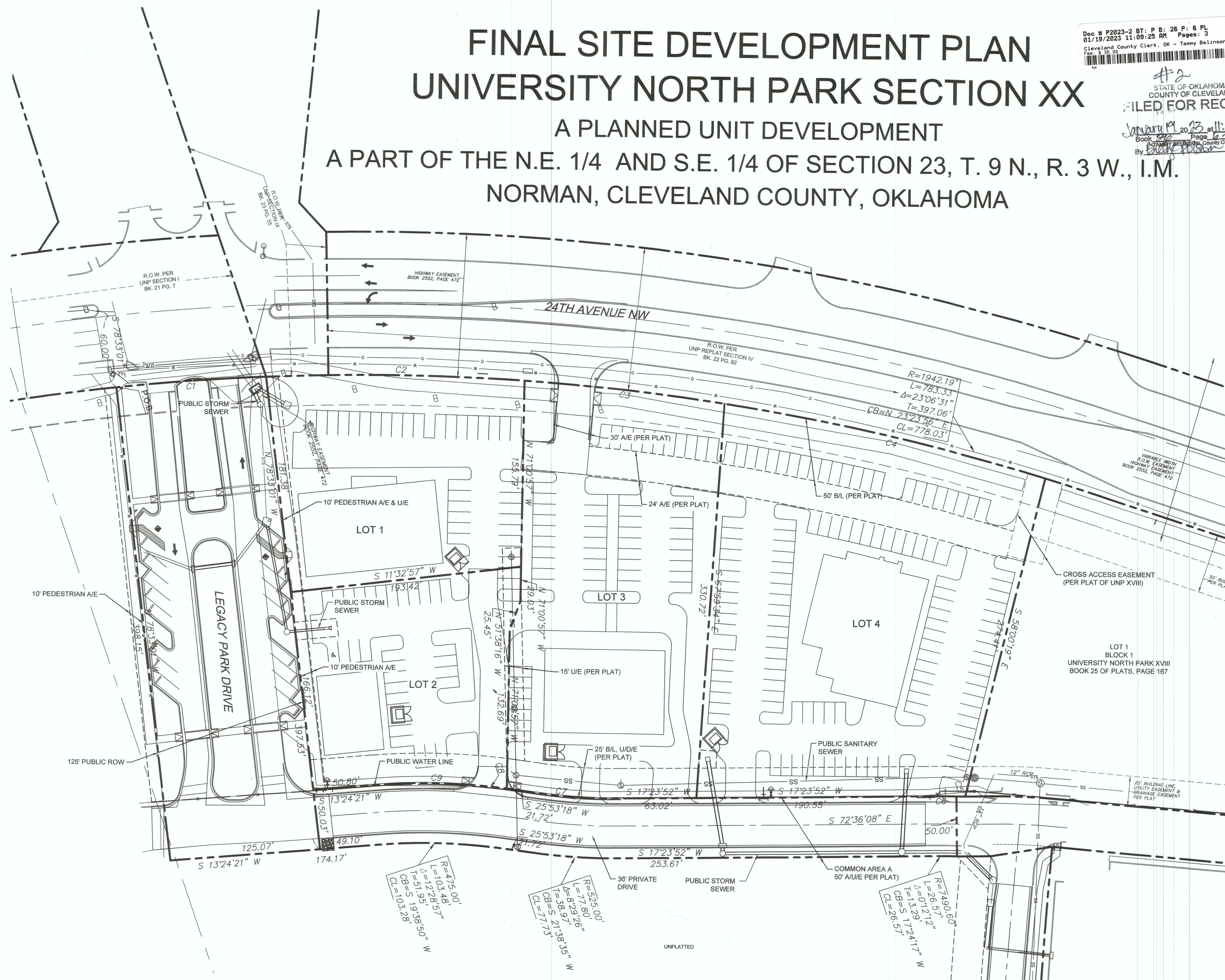
Sheet: 2 of 2

Doc # P2023-2 BT: P B: 26 P: 6 PL
01/19/2023 11:09:25 AM Pages: 3
Cleveland County Clerk, OK - Tammy Belinson
Fee \$ 35.00

#2
STATE OF OKLAHOMA
COUNTY OF CLEVELAND
FILED FOR RECORD
January 19 23 at 11:09:25
Book 226 Page 63
By [Signature] County Clerk
[Signature] Deputy



A PLANNED UNIT DEVELOPMENT
A PART OF THE N.E. 1/4 AND S.E. 1/4 OF SECTION 23, T. 9 N., R. 3 W., I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA



Kimley»»Horn

© 2022 KIMLEY-HORN AND ASSOCIATES, INC.
7727 GALLARDIA PARKWAY, SUITE 250, OKLAHOMA CITY, OK 73142
PHONE: 405-241-5423 FIRM NO. 2740; EXP. JUNE 30, 2023
WWW.KIMLEY-HORN.COM

PRELIMINARY
THIS DOCUMENT IS PRELIMINARY IN
NATURE AND IS NOT A FINAL, SIGNED AND
SEALED DOCUMENT
Kimley»Horn
Engineer STEVEN R. COOKSEY
P.E. No. 26161

KHA PROJECT	DATE	SCALE	DESIGNED BY	DRAWN BY
061313204	NOVEMBER 21, 2022	AS SHOWN	JQP	CMB

UTC AREA 5 INFRASTRUCTURE

SITE DEVELOPMENT PLAN

SHEET NUMBER
SDP-1

File Attachments for Item:

21. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF EASEMENT E-2223-31: A PERMANENT DRAINAGE EASEMENT DONATED UNIVERSITY TOWN CENTER TO SERVE UNIVERSITY NORTH PARK ADDITION, SECTION XX (LOCATED EAST OF 24TH AVENUE N.W., BETWEEN ROBINSON STREET AND ROCK CREEK ROAD.)



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/09/2023

REQUESTER: Jack Burdett, Subdivision Development Coordinator

PRESENTER: Shawn O'Leary, Director of Public Works

TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF EASEMENT E-2223-31: A PERMANENT DRAINAGE EASEMENT DONATED UNIVERSITY TOWN CENTER TO SERVE UNIVERSITY NORTH PARK ADDITION, SECTION XX (LOCATED EAST OF 24TH AVENUE N.W., BETWEEN ROBINSON STREET AND ROCK CREEK ROAD.)

BACKGROUND:

The final plat for University North Park Section XX, a Planned Unit Development was approved by City Council on January 10, 2023. The property is located east of 24th Ave. N.W. between Robinson Street and Rock Creek Road.

The owner of the property, University Town Center, LLC, has submitted off-site easements for utilities and drainage in connection with the adjacent filed platted addition.

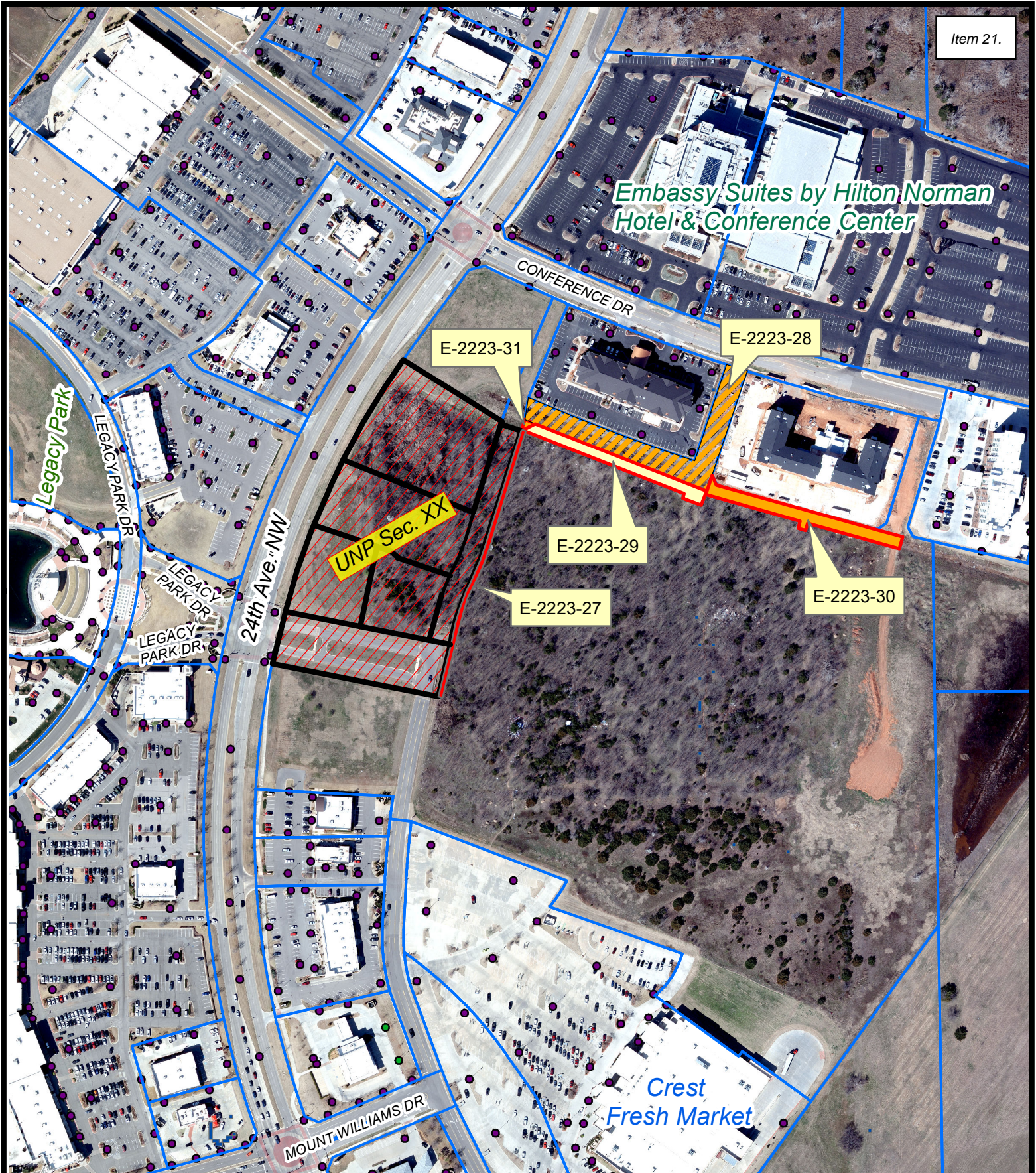
DISCUSSION:

These utility and drainage easements will continue to serve the platted properties in this addition. Easements are planned to be incorporated into future University North Park Additions. The City Attorney and Public Works Staff have reviewed the easements as to form.

Copies of easements and location map are included in the Agenda Book.

RECOMMENDATION:

Based upon the fact the easements have been donated to the City of Norman for locating the off-site utilities in place; Staff recommends acceptance of Easement E-2223-27, E-2223-28, E-2223-29, E-2223-30, and E-2223-31; to be filed of record with the Cleveland County Clerk.



University North Park Sec. XX Off-Site Easements



1 inch = 300'

UTILITY EASEMENT
E-2223-31

Know all men by these presents:

That University Town Center, LLC, in consideration of the sum of One Dollar (\$1.00), receipt of which is hereby acknowledged, and for other good and valuable considerations, do hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a public utility easement and right-of-way over, across, and under the following described premises situated in the City of Norman, Cleveland County, Oklahoma, shown on **Attachment "A" ("Subject Property")** for the use of **Grantees** with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating the described easement shown on **Attachment "A"**.

UTILITY EASEMENT

To have and to hold the same unto the said city, its successors, and assigns forever.

Signed and delivered this 24th day of March, 2023

UNIVERSITY TOWN CENTER, LLC by:

Robert C. Collett Manager
Title

REPRESENTATIVE ACKNOWLEDGEMENT

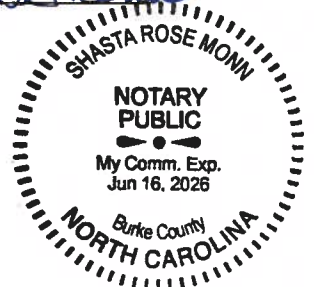
STATE OF NORTH CAROLINA, COUNTY OF BURKE, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 24th day of March, 2023, personally appeared Robert C. Collett, to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that he executed the same as Manager free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal the day and year last above written.

My Commission Expires: 06-16-2026

Notary Public: Shasta Rose Monn



Approved as to form and legality this _____ day of _____, 20____.

City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 20____.

Mayor

ATTEST:

City Clerk
SEAL:

ATTACHMENT A
E-2223-31

Item 21.

DRAINAGE EASEMENT DESCRIPTION

A strip of land being a part of Northeast Quarter of Section 23. Township 9 North, Range 3 West of the Indian Meridian, Cleveland County, Oklahoma, being more particularly described as follows:

COMMENCING at the southwest corner of Lot 1, Block 1, UNIVERSITY NORTH PARK SECTION VII, recorded in Book 22 of Plats, Page 211;

THENCE South 09°01'28" West a distance of 51.56 feet to the POINT OF BEGINNING;

THENCE South 67°03'58" East a distance of 27.65 feet;

THENCE South 64°24'07" West a distance of 37.62 feet;

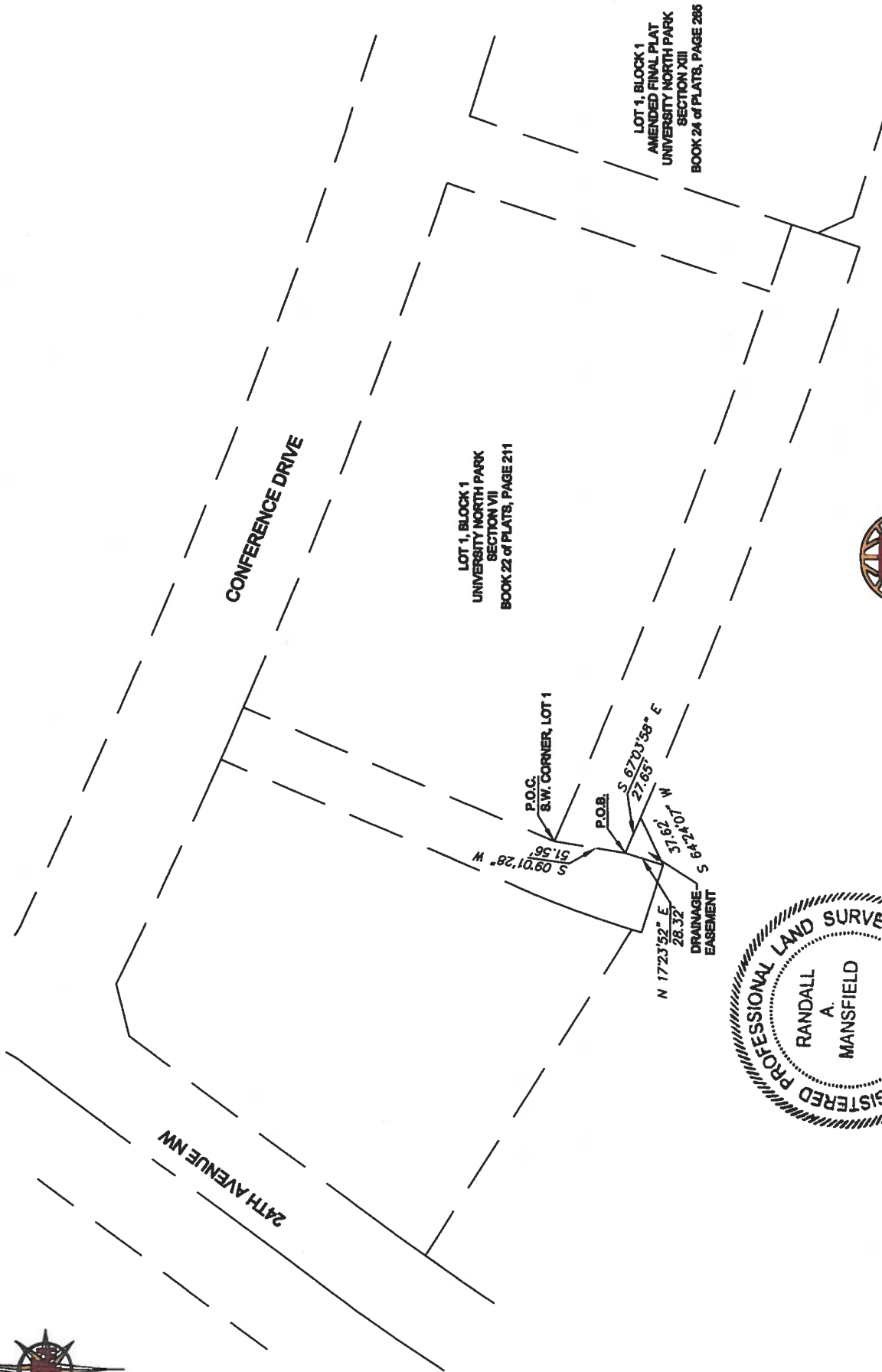
THENCE North 17°23'52" East a distance of 28.32 feet to the POINT OF BEGINNING.

Said described strip of land contains an area of 390 square feet or 0.0090 acres, more or less.

Randall A. Mansfield, PLS 1613
Dodson Thompson Mansfield, PLLC
20 NE 38th Street - OKC, OK
June 14, 2021



DRAINAGE
EASEMENT EXHIBIT
E-2223-31



LOT 1, BLOCK 1
AMENDED FINAL PLAT
UNIVERSITY NORTH PARK
SECTION XII
BOOK 24 of PLATS, PAGE 285

LOT 1, BLOCK 1
UNIVERSITY NORTH PARK
SECTION VII
BOOK 22 of PLATS, PAGE 211

P.O.C.
S.W. CORNER, LOT 1

P.O.B.

DRAINAGE
EASEMENT



DODSON - THOMPSON - MANSFIELD, PLLC

20 NE 38th Street
Oklahoma City, OK 73105
Phone: 405-601-7402
Fax: 405-601-7421
email: randym@dtm-ok.com

Surveying - Engineering - Earthwork

CERTIFICATE OF AUTHORIZATION NO: 6391 EXPIRES JUNE 30, 2022

NOT TO SCALE

FINAL PLAT

UNIVERSITY NORTH PARK SECTION XX

A PLANNED UNIT DEVELOPMENT

A PART OF THE N.E. 1/4 AND S.E. 1/4 OF SECTION 23, T. 9 N., R. 3 W., I.M.

NORMAN, CLEVELAND COUNTY, OKLAHOMA

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STATE OF OKLAHOMA
COUNTY OF CLEVELAND
FILED FOR RECORD
January 19, 2023 11:09:55am
Book 163 Page 163
By Tammy Beilinson County Clerk
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Doc # P2023-2 BT: P B: 26 P: 6 PL
01/19/2023 11:09:25 AM Pages: 3
Cleveland County Clerk, OK - Tammy Beilinson
File # 8-35-00
b6
b7c

OWNER'S CERTIFICATE AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That University Town Center, LLC, an Oklahoma limited liability company hereby certifies it is the owner of, and the only person, firm, corporation, or entity having any ownership rights, title or interest in and to the land shown on the annexed plat of UNIVERSITY NORTH PARK XX, a planned unit development to Norman, Cleveland County, Oklahoma, and has caused the same to be platted into lots, blocks, streets, and easements as shown on said annexed plat.

University Town Center, LLC hereby dedicates all rights of way and easements as shown on said annexed plat to the public for streets, fire protection, utility and drainage easements, for itself, its successors and assigns forever and has caused the same to be released from all rights, easements and encumbrances except as noted on the Bonded Abstractor's Certificate.

Covenants, Conditions and Restrictions for the annexed plat may subsequently be filed under separate instrument.

In witness whereof the undersigned having caused this instrument to be executed this _____ day of _____, 2022.

University Town Center, LLC
an Oklahoma limited liability company

Bob Stearns
Bob Stearns, Manager

STATE OF OKLAHOMA SS:
COUNTY OF OKLAHOMA

Before me, a Notary Public in and for said State, on the above stated date, personally appeared Bob Stearns, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for said corporation for the uses and purposes therein set forth.

Ryan Leslie Noble
Notary Public

My Commission Expires: 09/16/23

My Commission Number: 11008471

CITY CLERK'S CERTIFICATE

I, Brenda Hall, City Clerk of the City of Norman, hereby certify that I have examined the records of said City and find that all deferred payments on unmatured installments upon special assessments have been paid in full and that there are no special assessment procedures now pending against the land shown on the annexed plat.

Signed by the City Clerk this 10th day of January, 2023

Brenda Hall
City Clerk

CERTIFICATE OF CITY OF NORMAN DEVELOPMENT COMMITTEE

I, Shawn O'Leary, Chairman of the City of Norman Development Committee certify that the public improvement plans and annexed plat of UNIVERSITY NORTH PARK XX, a Planned Unit Development, comply with the standards and specifications of the City of Norman on this 22nd day of November, 2022.

Shawn O'Leary
Development Committee Chairman

COUNTY TREASURER'S CERTIFICATE

I, Jim Reynolds, hereby certify that I am the duly qualified and acting County Treasurer of Cleveland County, Oklahoma, that the tax records of said county show that all taxes for the year 2022, and prior years are paid on the property outline on the annexed plat and the required statutory security has been deposited in the offices of the Oklahoma County Treasurer guaranteeing the payment of the current year's taxes.

In witness whereof, said County Treasurer has caused this instrument to be executed this 12 day of January, 2022 2023

Jim Reynolds by Eric P. O'Leary Deputy
County Treasurer

ACCEPTANCE OF DEDICATION BY CITY COUNCIL

Be it resolved by the City Council of the City of Norman, Oklahoma, the dedications shown on the annexed plat are hereby accepted.

Adopted by the Council of the City of Norman, this 10th day of January, 2023

Brenda Hall City Clerk David Lee Mayor

BONDED ABSTRACTOR'S CERTIFICATE

The undersigned, a duly qualified and lawfully bonded abstractor of titles in and for Cleveland County and State of Oklahoma, hereby certifies the records of said county show that title to the land shown on the annexed plat is vested in University Town Center, LLC on this 8th day of December, 2022, and there are no actions pending or judgments of any nature in any court or on file with the clerk of any court in said county and state against said land or owners thereof, and the taxes are paid for the year of 2022, and prior years, and there are no outstanding tax sales certificates against said land, and no tax deeds are issued to any person, and there are no liens, or other encumbrances of any kind against the land included in the annexed plat, except, mortgages, rights of way, easements, and mineral conveyances of record.

In witness whereof, said Bonded Abstractor has caused this instrument to be executed this 15th day of December, 2022.

Charles Francis
By: Vice-President
Chicago Title Oklahoma, Co.

LICENSED PROFESSIONAL LAND SURVEYOR'S CERTIFICATE

I, Randall A. Mansfield, a Licensed Professional Land Surveyor in the State of Oklahoma, certify the annexed plat consisting of two (2) sheets, represents a survey made under my supervision on the 14th day of December, 2022, and the monuments shown thereon exist and their positions are correctly shown, and this survey meets the Oklahoma Minimum Standards for the Practice of Land Surveyors as adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors and the original media of said annexed plat complies with the requirements of Title 11 Section 41-108 of the Oklahoma State Statutes.

Randall A. Mansfield
Randall A. Mansfield, PLS No. 1613

STATE OF OKLAHOMA SS:
COUNTY OF OKLAHOMA

This instrument was acknowledged before me on the 14th day of December, 2022, by Randall A. Mansfield.

Christina Hendricks
Notary Public

My Commission Expires: 10/10/2023

Commission Number: 19010230

LEGAL DESCRIPTION

A tract of land lying in the Northeast Quarter and the Southeast Quarter of Section 23, Township 9 North, Range 3 West of the Indian Meridian, City of Norman, Cleveland County, Oklahoma being more particularly described as follows:

COMMENCING at southeast corner of the Southeast Quarter of said Section 23;

THENCE South 89°24'39" West, along the south line of said Southeast Quarter, a distance of 1,114.88 feet to a point of intersection with the centerline of 24th Avenue NW as established by UNIVERSITY NORTH PARK SECTION I recorded in Book 21 of Plats, Page 7 and HIGHWAY EASEMENT recorded in Book 2552, Page 472;

THENCE along said centerline, the following Four (4) courses:

1. North 00°35'21" West a distance of 596.46 feet to a point of curvature;
2. Northerly along a curve to the left having a radius of 860.21 feet (said curve subtended by a chord which bears North 16°50'48" West a distance of 481.64 feet) for an arc distance of 488.16 feet;
3. North 33°06'14" West a distance of 200.00 feet to a point of curvature;
4. Northerly along a curve to the right having a radius of 2,002.19 feet (said curve subtended by a chord which bears North 10°38'08" West a distance of 1,530.37 feet) for an arc distance of 1570.30 feet;

THENCE South 78°33'01" East a distance of 60.00 feet to a point on a curve being on the easterly right of way line of said 24th Avenue NW and the POINT OF BEGINNING;

THENCE Northeasterly along said easterly right of way line on a non-tangent curve to the right having a radius of 1,942.19 feet (said curve subtended by a chord which bears North 23°23'56" East a distance of 778.03 feet) for an arc distance of 783.33 feet to the southwest corner of Lot 1, Block 1, UNIVERSITY NORTH PARK XVIII recorded in Book 25 of Plats, page 167;

THENCE South 58°00'19" East, along the south line of said Lot 1, a distance of 274.41 feet to the southeast corner of said Lot 1, also being a point on the west line of Common Area A of said plat;

THENCE South 17°23'52" West, along the west line of said Common Area A, a distance of 7.23 feet to the southwest corner of said Common Area A;

THENCE South 72°38'08" East, along the southerly line of said Common Area A, a distance of 50.00 feet to the southeast corner of said Common Area A and being a point on a curve;

THENCE Southerly along a non tangent curve to the left having a radius of 7,490.60 feet (said curve subtended by a chord which bears South 17°24'17" West a distance of 26.57 feet) for an arc distance of 26.57 feet;

THENCE South 17°23'52" West a distance of 253.61 feet to a point of curvature;

THENCE Southerly along a curve to the right having a radius of 525.00 feet (said curve subtended by a chord which bears South 21°38'35" West a distance of 77.73 feet) for an arc distance of 77.80 feet;

THENCE South 25°53'18" West a distance of 21.72 feet to a point of curvature;

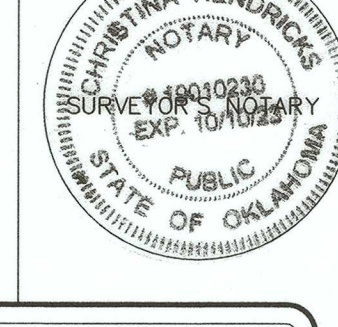
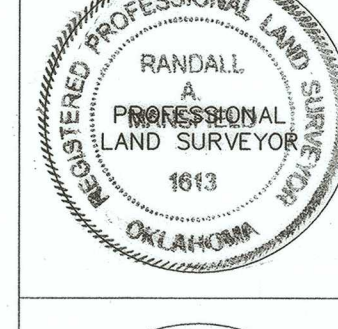
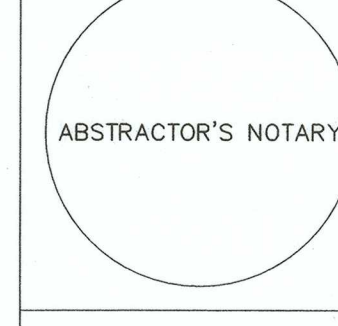
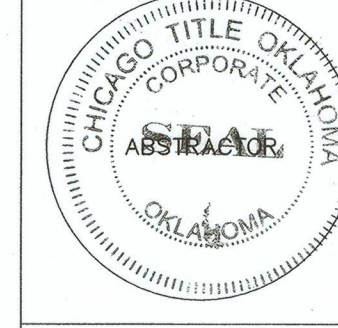
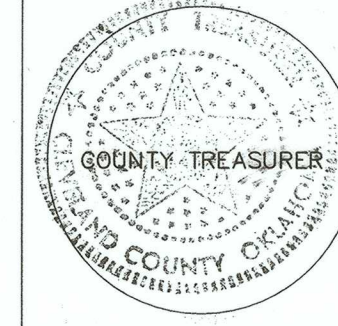
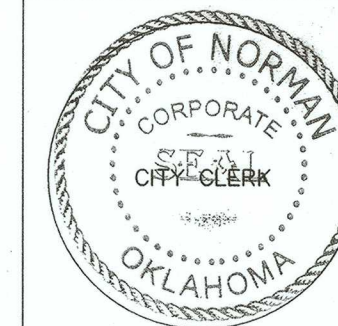
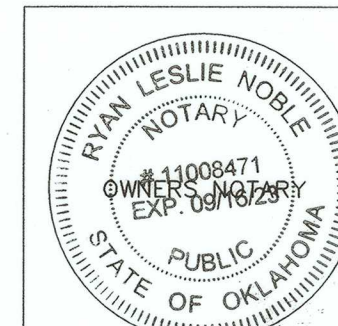
THENCE Southerly along a curve to the left having a radius of 475.00 feet (said curve subtended by a chord which bears South 19°38'50" West a distance of 103.28 feet) for an arc distance of 103.48 feet;

THENCE South 13°24'21" West a distance of 174.17 feet;

THENCE North 78°33'01" West a distance of 398.15 feet to the POINT OF BEGINNING.

Said described tract of land contains an area of 272,037 square feet or 6.2451 acres, more or less.

The basis of bearings for this legal description was South 89°24'39" West as the south line of the Southeast Quarter of Section 23, Township 9 North, Range 3 West of the Indian Meridian as shown on UNIVERSITY NORTH PARK REPLAT OF SECTION IV recorded in Book 22 of Plats, Page 82.



 **DODSON - THOMPSON - MANSFIELD, PLLC**
20 NE 38th Street Phone: 405-601-7402 email: randym@dtm-ok.com
Oklahoma City, OK 73105 Fax: 405-601-7421
Surveying - Engineering - Earthwork
CERTIFICATE OF AUTHORIZATION NO: 6391 EXPIRES JUNE 30, 2024

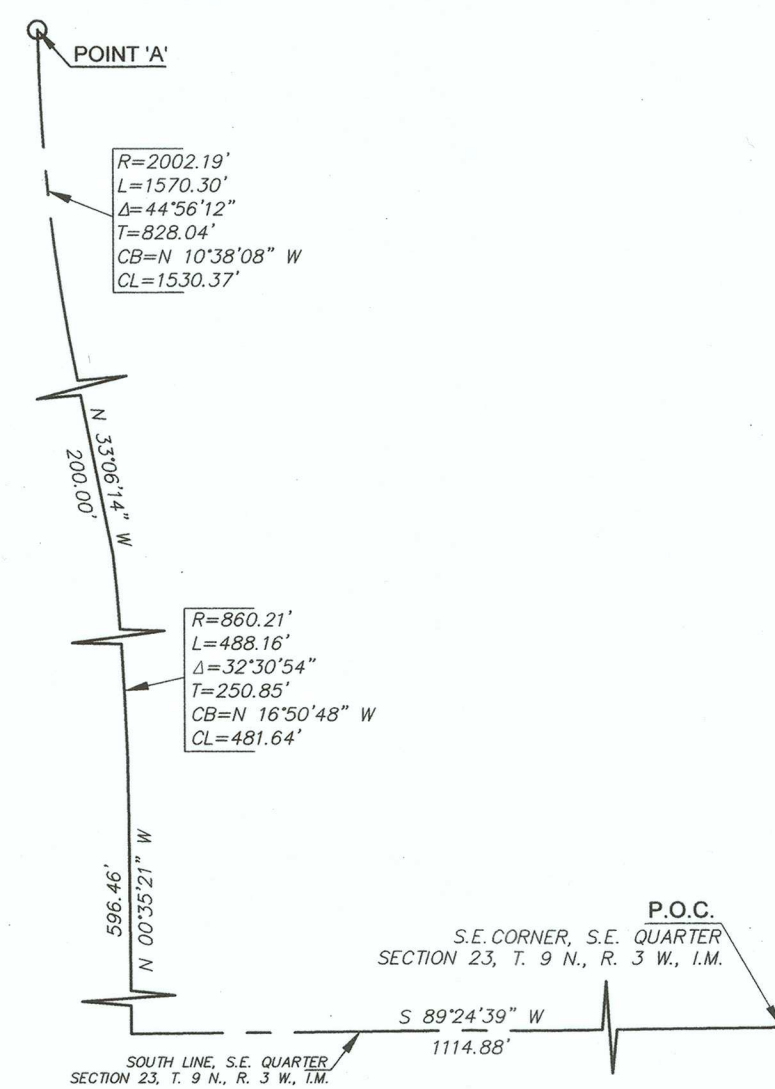
FINAL PLAT UNIVERSITY NORTH PARK SECTION XX

A PLANNED UNIT DEVELOPMENT
A PART OF THE N.E. 1/4 AND S.E. 1/4 OF SECTION 23, T. 9 N., R. 3 W., I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA

Doc # P2023-2 BT: P B: 26 P: 6 PL
01/19/2023 11:09:25 AM Pages: 3
Cleveland County Clerk, OK - Tammy Bellinson
Fee: \$ 55.00



#2
STATE OF OKLAHOMA
COUNTY OF CLEVELAND
FILED FOR RECORD
January 19, 2023 at 11:09:25am
Book 22 Page 167
By [Signature] Deputy



LEGACY PARK DRIVE

R.O.W. PER
UNP SECTION IX
BK. 23 PG. 55

R.O.W. PER
UNP SECTION I
BK. 21 PG. 7

POINT 'A'

POINT 'A'

LEGACY PARK DRIVE
(THIS AREA DEDICATED
AS PUBLIC RIGHT OF WAY
BY THIS PLAT)

BENCHMARK - BM
ELEVATION 1183.56
MONUMENT CUT "X" ON NOSE OF ISLAND
LOCATION N: 694439.05
E: 2123561.15
NAD 83

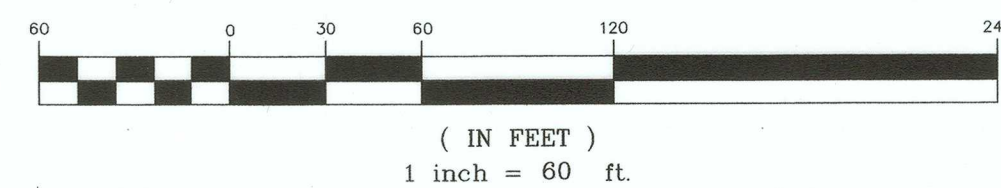
BM DATUM
HORIZONTAL
OKLAHOMA STATE PLANE
COORDINATE SYSTEM (SOUTH ZONE)
NAD 83
VERTICAL
NAVD 88
SOURCE
CITY OF NORMAN
GPS CONTROL MONUMENT 372

Line #	Direction	Length
L1	S 71°00'57" E	50.07
L2	N 71°00'57" W	50.10
L3	S 71°00'57" E	50.16
L4	S 58°00'45" E	24.02
L5	N 71°00'57" W	24.03
L6	N 71°00'57" W	25.16
L7	S 73°15'20" E	175.81
L8	S 16°44'40" W	15.00
L9	N 73°15'20" W	178.18
L10	N 25°53'18" E	8.39
L11	N 58°00'45" W	69.59

Line #	Direction	Length
L12	N 31°59'08" E	15.00
L13	N 31°59'08" E	15.00
L14	S 58°00'45" E	71.15
L15	N 67°59'34" W	15.26
L16	N 22°00'26" E	14.37
L17	S 67°59'34" E	14.10
L18	N 78°33'01" W	15.00
L19	N 12°45'34" E	35.28
L20	S 78°33'01" E	15.00
L21	S 12°45'34" W	35.28

Curve #	Radius	Length	Delta	Tangent	Chord Bearing	Chord Length
C1	1942.19'	10.03'	0°01'74"	5.01'	S 15°41'01" W	10.03'
C2	1892.19'	25.04'	0°04'53"	12.52'	S 22°21'18" W	25.04'
C3	1942.19'	30.08'	0°03'31"	15.04'	S 23°04'52" W	30.08'
C4	1892.19'	361.02'	10°55'54"	181.06'	S 29°06'39" W	360.47'
C5	1868.19'	410.70'	12°35'44"	206.18'	S 28°18'44" W	409.87'
C6	550.00'	0.61'	0°03'49"	0.31'	S 25°12'44" W	0.61'
C7	550.00'	6.18'	0°38'39"	3.09'	S 25°33'58" W	6.18'
C8	1942.19'	15.03'	0°26'36"	7.51'	N 34°43'54" E	15.03'
C9	1942.19'	15.01'	0°26'34"	7.51'	N 35°10'29" E	15.01'

GRAPHIC SCALE



LEGAL DESCRIPTION

A tract of land lying in the Northeast Quarter and the Southeast Quarter of Section 23, Township 9 North, Range 3 West of the Indian Meridian, City of Norman, Cleveland County, Oklahoma being more particularly described as follows:

COMMENCING at southeast corner of the Southeast Quarter of said Section 23;

THENCE South 89°24'39" West, along the south line of said Southeast Quarter, a distance of 1,114.88 feet to a point of intersection with the centerline of 24th Avenue NW as established by UNIVERSITY NORTH PARK SECTION I recorded in Book 21 of Plats, Page 7 and HIGHWAY EASEMENT recorded in Book 2552, Page 472;

THENCE along said centerline, the following Four (4) courses:

1. North 00°35'21" West a distance of 596.46 feet to a point of curvature;
2. Northerly along a curve to the left having a radius of 860.21 feet (said curve subtended by a chord which bears North 16°50'48" West a distance of 481.64 feet) for an arc distance of 488.16 feet;
3. North 33°06'14" West a distance of 200.00 feet to a point of curvature;
4. Northerly along a curve to the right having a radius of 2,002.19 feet (said curve subtended by a chord which bears North 10°38'08" West a distance of 1,530.37 feet) for an arc distance of 1570.30 feet;

THENCE South 78°33'01" East a distance of 60.00 feet to a point on a curve being on the easterly right of way line of said 24th Avenue NW and the POINT OF BEGINNING;

THENCE Northeasterly along said easterly right of way line on a non-tangent curve to the right having a radius of 1,942.19 feet (said curve subtended by a chord which bears North 23°23'56" East a distance of 778.03 feet) for an arc distance of 783.33 feet to the southwest corner of Lot 1, Block 1, UNIVERSITY NORTH PARK XVIII recorded in Book 25 of Plats, page 167;

THENCE South 58°00'19" East, along the south line of said Lot 1, a distance of 274.41 feet to the southeast corner of said Lot 1, also being a point on the west line of Common Area A of said plat;

THENCE South 17°23'52" West, along the west line of said Common Area A, a distance of 7.23 feet to the southwest corner of said Common Area A;

THENCE South 72°36'08" East, along the southerly line of said Common Area A, a distance of 50.00 feet to the southeast corner of said Common Area A and being a point on a curve;

THENCE Southerly along a non tangent curve to the left having a radius of 7,490.60 feet (said curve subtended by a chord which bears South 17°24'17" West a distance of 26.57 feet) for an arc distance of 26.57 feet;

THENCE South 17°23'52" West a distance of 253.61 feet to a point of curvature;

THENCE Southerly along a curve to the right having a radius of 525.00 feet (said curve subtended by a chord which bears South 21°38'35" West a distance of 77.73 feet) for an arc distance of 77.80 feet;

THENCE South 25°53'18" West a distance of 21.72 feet to a point of curvature;

THENCE Southerly along a curve to the left having a radius of 475.00 feet (said curve subtended by a chord which bears South 19°38'50" West a distance of 103.28 feet) for an arc distance of 103.48 feet;

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THENCE North 78°33'01" West a distance of 398.15 feet to the POINT OF BEGINNING.

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The basis of bearings for this legal description was South 89°24'39" West as the south line of the Southeast Quarter of Section 23, Township 9 North, Range 3 West of the Indian Meridian as shown on UNIVERSITY NORTH PARK REPLAT OF SECTION IV recorded in Book 22 of Plats, Page 62.

STORM DRAINAGE DETENTION FACILITY EASEMENT

DRAINAGE DETENTION FACILITY EASEMENTS ARE HEREBY ESTABLISHED AS SHOWN TO PROVIDE FOR DETENTION OF STORM SURFACE WATER AND CONSTRUCTED AS APPROVED BY THE CITY ENGINEER. ALL MAINTENANCE WITHIN THE DRAINAGE DETENTION FACILITY EASEMENT SHALL BE THE RIGHT, DUTY AND RESPONSIBILITY OF THE PROPERTY OWNERS ASSOCIATION IN THE PLAT OF UNIVERSITY NORTH PARK XX. HOWEVER, IF MAINTENANCE IS NEGLECTED OR SUBJECT TO OTHER UNUSUAL CIRCUMSTANCES AND IS DETERMINED TO BE A HAZARD OR THREAT TO PUBLIC SAFETY BY THE CITY, CORRECTIVE MAINTENANCE MAY BE PERFORMED BY THE GOVERNING JURISDICTION WITH COSTS ASSESSED TO AND BORN UPON SAID PROPERTY OWNERS ASSOCIATION. OFFICIALS REPRESENTING THE PUBLIC WORKS DEPARTMENT, SHALL HAVE THE RIGHT TO ENTER UPON THE EASEMENT FOR PURPOSES OF PERIODIC INSPECTION AND/OR CORRECTIVE MAINTENANCE OF THE FACILITY. UPON RECEIVING WRITTEN APPROVAL FROM THE PUBLIC WORKS DEPARTMENT, PROPERTY OWNERS ASSOCIATION MAY CONSTRUCT IMPROVEMENTS WITHIN THE EASEMENT, PROVIDED THE IMPROVEMENT DOES NOT INTERFERE WITH THE FUNCTION OF THE DETENTION FACILITY.

Curve #	Radius	Length	Delta	Tangent	Chord Bearing	Chord Length
C1	1942.19'	125.12'	0°34'128"	62.58'	N 13°41'25" E	125.10'
C2	1942.19'	215.69'	0°21'47"	107.96'	N 18°43'02" E	215.58'
C3	1942.19'	167.73'	0°45'56"	83.92'	N 24°22'22" E	167.68'
C4	1942.19'	274.79'	0°06'23"	137.62'	N 30°54'00" E	274.56'
C5	5886.23'	26.61'	0°05'33"	13.31'	S 17°24'17" W	26.61'
C6	475.00'	70.39'	0°29'26"	35.26'	S 21°38'35" W	70.32'
C7	525.00'	3.16'	0°20'41"	1.58'	S 25°42'57" W	3.16'
C8	525.00'	111.22'	12°08'15"	55.82'	S 19°28'29" W	111.01'

NOTES:

1. COMMON AREAS WILL BE OWNED AND MAINTAINED BY THE PROPERTY OWNER'S ASSOCIATION.
2. ALL LANDSCAPE AREAS WITHIN THE PUBLIC RIGHT OF WAY DEDICATED AS A PART OF THIS PLAT SHALL BE MAINTAINED BY THE PROPERTY OWNER'S ASSOCIATION.
3. EASEMENTS SHOWN HEREON BY SPECIFIC RECORDING INFORMATION ARE SHOWN FOR REFERENCE PURPOSES ONLY AND ARE NOT DEDICATED AS A PART OF THIS PLAT.
4. UNLESS SHOWN OTHERWISE PROPERTY CORNERS ARE SET 12" IRON PINS WITH CA6391 CAPS OR SET MAG NAILS WITH CA6391 TAGS.

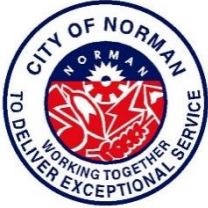
DODSON - THOMPSON - MANSFIELD, PLLC
20 NE 38th Street
Oklahoma City, OK 73105
Phone: 405-601-7402
Fax: 405-601-7421
email: randym@dtm-ok.com
Surveying - Engineering - Earthwork
CERTIFICATE OF AUTHORIZATION NO: 6391 EXPIRES JUNE 30, 2024

Sheet: 2 of 2

811 dms-logo : DTM_TitleLogo.jpg :
xBorder (24,36) : xSurvey : xBuilding : xSite : xTrim : xSDP : oSurfFG : xPlat
11/21/2022 2:35 PM
BO, CALEB 11/21/2022 5:08 PM
WINNEY HORN COMITY, OKCOKC, CIVIL061313204-UTC AREA 5 INFRASTRUCTURE CAD/DRAWINGS
SITE DEVELOPMENT PLAN DWG. [SDP - SITE DEVELOPMENT PLAN]
DWG NAME

File Attachments for Item:

22. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BID-2223-60 AND CONTRACT K-2223-126: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND G&S SIGN SERVICES, L.L.C., IN THE AMOUNT OF \$175,100 FOR THE INSTALLATION OF WAYFINDING SIGNS, PHASE 2, ON ROBINSON STREET, FLOOD AVENUE, AND TECUMSEH ROAD AS WELL AS PERFORMANCE BOND B-2223-75, STATUTORY BOND B-2223-76, MAINTENANCE BOND MB-2223-62, AND RESOLUTION R-2223-113 GRANTING TAX EXEMPT STATUS.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/09/2023

REQUESTER: Katherine Coffin

PRESENTER: David Riesland, Transportation Engineer

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BID-2223-60 AND CONTRACT K-2223-126: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND G&S SIGN SERVICES, L.L.C., IN THE AMOUNT OF \$175,100 FOR THE INSTALLATION OF WAYFINDING SIGNS, PHASE 2, ON ROBINSON STREET, FLOOD AVENUE, AND TECUMSEH ROAD AS WELL AS PERFORMANCE BOND B-2223-75, STATUTORY BOND B-2223-76, MAINTENANCE BOND MB-2223-62, AND RESOLUTION R-2223-113 GRANTING TAX EXEMPT STATUS.

BACKGROUND:

The City of Norman has determined it to be important to establish a sense of entry that indicates arrival in a special place. This applies to all of the gateways into the City of Norman. For Norman, wayfinding should also be a community-wide initiative that directs travelers to the downtown area as well as other amenities of the community. The concepts of attracting businesses, residents, and visitors/tourists are closely linked to creating an aesthetically pleasing area from an architectural, streetscape and beautification standpoint.

Located within the Oklahoma City metropolitan area, Norman is actually the third largest city in the State of Oklahoma with nearly 130,000 residents. In addition, Norman is home to the University of Oklahoma. The size of the City coupled with the location of the University make Norman a destination for many tourists, visitors, and commuters.

In December, 2013, City Council adopted the Norman Signage and Wayfinding Plan. This was adopted as the first phase of an overall plan for the City of Norman. The Norman Signage and Wayfinding Plan involved significant public input into potential destinations, potential districts, development of a hierarchy of destinations, and preliminary input into sign colors and fonts. One of the conclusions of the Norman Signage and Wayfinding Plan was to embark on a follow-up process to include the “fabrication and installation of a pilot project that will help to refine the detailed design of the system components”.

In 2022, the Wayfinding Phase 1 project was completed on Lindsey Street, Chautauqua Avenue, Jenkins Avenue, and around the Municipal Complex. Following completion of Phase 1, staff began working with our consultant, Kimley-Horn, on a Phase 2 project that would place

wayfinding signs on Robinson Street, Flood Avenue, and Tecumseh Road (a map of the proposed sign locations in Phase 2 is attached).

DISCUSSION:

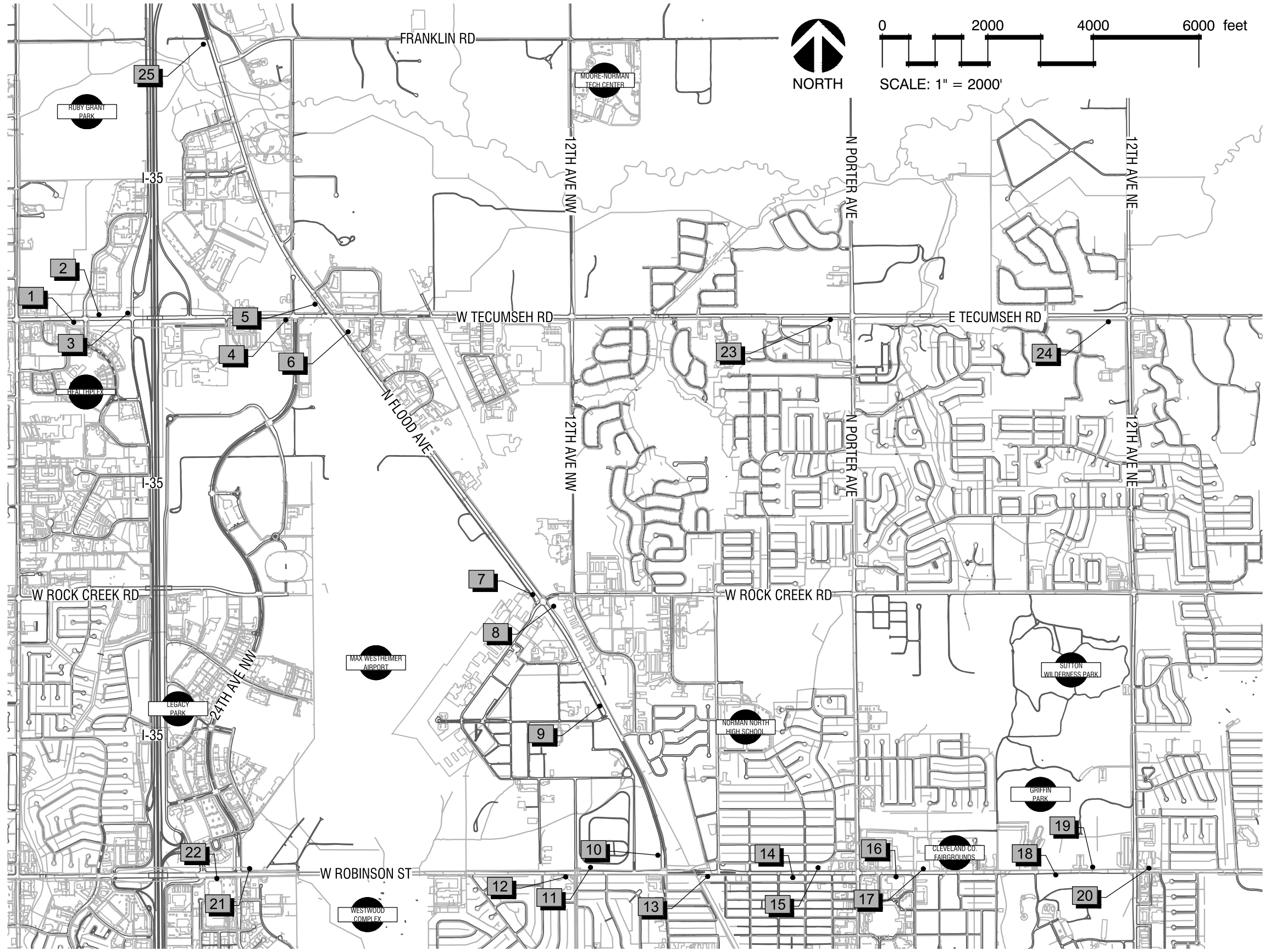
A bid package was assembled and sent out to qualified contractors with advertisement in the Norman Transcript, as well. Bids were received on April 13, 2023. Two of the four identified qualified contractors submitted bids on the project. A third bid was rejected for submittal after the bid opening deadline (a copy of the Bid Record is attached). Upon opening the bids, G&S Sign Services, LLC was the apparent low bidder at \$175,100.

Funds are currently available in the Lindsey Street/Municipal Complex Wayfinding Project, Construction (Account 50596611-46101; Project TR0114).

RECOMMENDATION:

Staff recommends the approval of Contract K-2223-126 and associated bonds (Maintenance Bond MB-2223-62, Performance Bond B-2223-75, and Statutory Bond B-2223-76) to G&S Sign Services, and Resolution R-2223-113, granting project agent status to avoid the payment of sales tax on materials purchases to complete the Wayfinding Phase 2 project on Robinson Street, Flood Avenue, and Tecumseh Road.

Plotted By: Driskill, Cooper Sheet Set: Norman Wayfinding Phase 2 (Phase 2) - Norman Wayfinding Phase 2.dwg
This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of any information contained herein without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



Item 22.

LOCATION 1

LOCATION 2

LOCATION 3

LOCATION 4

LOCATION 5

LOCATION 6

LOCATION 7

LOCATION 8

LOCATION 9

LOCATION 10

LOCATION 11

LOCATION 12

LOCATION 13

LOCATION 14

LOCATION 15

LOCATION 16

LOCATION 17

LOCATION 18

LOCATION 19

LOCATION 20

LOCATION 21

LOCATION 22

LOCATION 23

LOCATION 24

LOCATION 25

Item 22.

No.	REVISIONS	DATE	BY



© 2020 KIMLEY-HORN AND ASSOCIATES, INC.
14101 WIRELESS WAY BUILDING A, SUITE 150, OKLAHOMA CITY, OK 73134
PHONE: 405-241-5423 FIRM No. 2740, Exp. 06/31/21
WWW.KIMLEY-HORN.COM

KH PROJECT:
061298801
DATE:
03-10-23
SCALE: AS SHOWN
DESIGNED BY: DAS
DRAWN BY: CWD
CHECKED BY: DAS

NORMAN WAYFINDING
(PHASE 2)
PREPARED FOR
CITY OF NORMAN



OVERALL SIGN LOCATION
PLAN

SHEET NUMBER
SL-100
456

BID RECORD
City of Norman

Item 22.

BID: 2223-60

TITLE: Wayfinding Phase 2

DATE: 4/13/23

BIDDER NAME /LOCATION	TOTAL DELIVERY PRICE				
1. ARTOGRAFX, INC /DALLAS, TX	\$ 365,210.00	\$	\$	\$	\$
2. G+S Sign Services LLC OKC, OK	\$ 175,100.00	\$	\$	\$	\$
3.	\$	\$	\$	\$	\$
4.	\$	\$	\$	\$	\$
5.	\$	\$	\$	\$	\$
6.	\$	\$	\$	\$	\$
7.	\$	\$	\$	\$	\$
8.	\$	\$	\$	\$	\$
9.	\$	\$	\$	\$	\$
10.	\$	\$	\$	\$	\$
11.	\$	\$	\$	\$	\$
12.	\$	\$	\$	\$	\$
13.	\$	\$	\$	\$	\$

Received and Opened by: Fred Duke

Date: 4.13.2023

K-2223-126

CONTRACT

THIS CONTRACT made and entered into this 11th day of April, 2023, by and between G & S Sign Services, LLC, as Party of the First Part, hereinafter designated as the CONTRACTOR, and the City of Norman, a municipal corporation, hereinafter designated as the CITY, Party of the Second Part.

WITNESSETH

WHEREAS, the CITY has caused to be prepared in accordance with law, specifications, and other bidding documents for the work hereinafter described and has approved and adopted all of said bidding documents, and has caused Notice to Bidders to be given and advertised as required by law, and has received sealed proposals for the furnishing of all labor and materials for the following project:

**WAYFINDING PHASE 2 PROJECT ON TECUMSEH ROAD, FLOOD AVENUE, AND
ROBINSON STREET IN THE CITY OF NORMAN**

as outlined and set out in the bidding documents and in accordance with the terms and provisions of said CONTRACT; and,

WHEREAS, the CONTRACTOR in response to said Notice to Bidders, has submitted to the CITY on the manner and at the time specified, a sealed proposal in accordance with the terms of this Contract; and,

WHEREAS, the CITY, in the manner provided by law, has publicly opened, examined, and canvassed the proposals submitted and has determined and declared the above-named CONTRACTOR to be the lowest and best Bidder on the above-prepared project, and has duly awarded this CONTRACT to said CONTRACTOR, for the sum named in the proposal, to wit: One Hundred Seventy Five Dollars (\$ 175,100.00);
Thousand One Hundred &
00/100-----

NOW, THEREFORE, for and in consideration of the mutual agreements, and covenants herein contained, the parties to this CONTRACT have agreed, and hereby agree, as follows:

- 1) The CONTRACTOR shall, in a good and first-class, workman-like manner at his own cost and expense, furnish all labor, materials, tools, and equipment required to perform and complete said work in strict accordance with this CONTRACT and the following CONTRACT Documents: The Notice to Bidders, Instruction to Bidders, the Contractor's Bid or Proposal, the Construction Drawings, Specifications, Provisions, and Bonds thereto, all of which documents are on file in the Office of the Purchasing Agent of the City of Norman, and are made a part of this CONTRACT as fully as if the same were set out at length.
- 2) The CITY shall make payments minus a retainage as stipulated in the contract documents to the CONTRACTOR in the following manner: On or about the first day

K-2223-126

of each month, the project engineer, or other appropriate person, will make accurate estimates of the value, based on CONTRACT prices, or work done, and materials incorporated in the work and of materials suitably stored at the site thereof during the preceding calendar month. The CONTRACTOR shall furnish to the project engineer, or other appropriate person, such detailed information as he may request to aid him as a guide in the preparation of the monthly estimates.

Each monthly estimate for payment must contain or have attached an affidavit in accordance with the Constitution of the State of Oklahoma, Title 74, Section 3109-3110, and Title 62, Section 310.09.

On completion of the work, but prior to the acceptance thereof by the CITY, it shall be the duty of the project engineer, or other appropriate person, to determine that said work has been completely and fully performed in accordance with said CONTRACT Documents; and upon making such determinations said official shall make his final certificate to the CITY.

The CONTRACTOR shall furnish proof that all claims and obligations incurred by him in connection with the performance of said work have been fully paid and settled; said information shall be in the form of an affidavit, which shall bear the approval of the surety on the CONTRACT Bonds for payment of the final estimate to the CONTRACTOR; thereupon, the final estimate (including retainage) will be approved and paid.

- 3) It is further agreed that the CONTRACTOR will commence said work within 5 days following receipt of a NOTICE-TO-PROCEED, and prosecute the same vigorously and continuously, and complete the same 120 calendar days following receipt of said NOTICE-TO-PROCEED.
- 4) That the CITY shall pay the CONTRACTOR for the work performed as follows:
 - a. Payment for unit price items shall be at the unit price bid for actual construction quantities.
 - b. Construction items specified but not included as bid items shall be considered incidental and shall not be paid for directly, but shall be included in the bid price for any or all of the pay quantities.

Should any defective work or materials be discovered or should a reasonable doubt arise as to the quality of any work completed, there will be deducted from the next estimate an amount equal to the value of the defective or questionable work and shall not be paid until the defects are remedied.

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And that the CONTRACTOR'S bid is hereby made a part of this Agreement.

- 5) That the CITY reserves the right to add to or subtract from the estimated quantities or amount of work to be performed up to a maximum of 15% of the total bid price. The work to be performed or deducted shall be at the unit price bid.
- 6) That the CONTRACTOR will not undertake to furnish any materials or to perform any work not specifically authorized under the terms of this Agreement unless additional materials or work are authorized by written Change Order, executed by the CITY; and that in the event any additional work are provided by the CONTRACTOR without such authorization, the CONTRACTOR shall not be entitled to any compensation therefore whatsoever.
- 7) That if any additional work is performed or additional materials provided by the CONTRACTOR upon authorization by the CITY, the CONTRACTOR shall be compensated therefor at the unit price and as agreed to by both parties in the execution of the Change Order.
- 8) That the CONTRACTOR shall perform the work and provide the materials strictly in accordance with the specifications as to quality and kind and all work and materials shall be subject to rejection by the CITY through its authorized representatives for failure to meet such requirements, and in the event of such rejection, the CONTRACTOR shall replace the work and materials without compensation therefor by the CITY.
- 9) The CONTRACTOR shall complete the work in accordance with the terms of this Agreement. The CONTRACTOR further agrees to pay as liquidated damages as stipulated in the contract document General Conditions for each calendar day thereafter.
- 10) The CONTRACTOR shall furnish surety bonds and certificate of insurance as specified herein which bonds and insurance must be approved by the CITY prior to issuance of the Work Order and commencement of work on the project.
- 11) IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed, in three (3) duplicate originals, the day and year first above written.
- 12) Neither party may assign this contract without written permission of the other party.

To that end, no provision of this CONTRACT or of any such aforementioned document shall be interpreted or given legal effect to create an obligation on the part of the CITY to third persons, including, by way of illustration but not exclusion, sureties upon performance bonds, payment bonds or other bonds, assignees of the CONTRACTOR, subcontractors, and persons performing labor, furnishing material or in any other way contributing to or assisting in the performance of the obligations

K-2223-126

of the CONTRACTOR; nor shall any such provisions be interpreted or given legal effect to afford a defense against any obligation owed or assumed by such third person to the CITY or in any way to restrict the freedom of the CITY to exercise full discretion in its dealing with the Contractor.

The sworn, notarized statement below must be signed and notarized before this Contract will become effective.

STATE OF Oklahoma _____)
COUNTY OF Oklahoma _____)

James D. Gleason, Managing Member, of lawful age, being first duly sworn, on oath says that (s)he is the agent authorized by CONTRACTOR to submit the above CONTRACT to the CITY. Affiant further states that CONTRACTOR has not paid, given or donated or agreed to pay, give, or donate to any officer or employee of the CITY any money or other thing of value, either directly or indirectly, in the procuring of the CONTRACT.

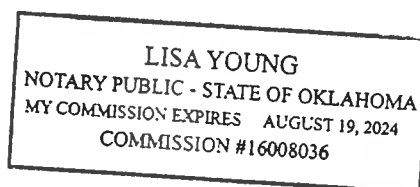


Submitted and sworn to before me this 11th day of April, 2023.

Lisa Young
Notary Public

My Commission Expires:

8/19/2024



K-2223-126

IN WITNESS WHEREOF, the said parties of the First and Second Part have hereunto set their hands and seals respectively the 11th day of April, 2023, and the 11th day of April, 2023.

(Corporate Seal) (where applicable)

ATTEST:

Jackie Smith
Corporate Secretary (where applicable)

Principal G & S Sign Services, LLC

Signed: [Signature]

Authorized Representative

Managing Member

Title

Address: _____

1634 SE 23rd Street, Oklahoma City, OK 73129

Telephone: 405-604-3636

CITY OF NORMAN

Approved as to form and legality this _____ day of _____, 20__.

City Attorney

Approved by the City of Norman this _____ day of _____, 20__.

ATTEST:

City Clerk

Mayor

K-2223-126

CONTRACT AFFIDAVIT

STATE OF Oklahoma)
COUNTY OF Oklahoma)

James D. Gleason, Managing Member, of lawful age, being first duly sworn, o oath says that (s)he is the Agent authorized by the Firm of G & S Sign Services, LLC to submit the above Contract to the City of Norman, Oklahoma.

Affidavit further states that such firm has not paid, given or donated or agreed to pay, give, or donate to any officer or employee of the City of Norman, Oklahoma, any money or other thing of value, either directly or indirectly, in the procuring of the Contract.



CONTRACTOR

Subscribed and sworn to before me this 11th day of April, 20 23.


Notary Public

My Commission Expires: 8 / 19 /, 20 24

LISA YOUNG
NOTARY PUBLIC - STATE OF OKLAHOMA
MY COMMISSION EXPIRES AUGUST 19, 2024
COMMISSION #16008036

K-2223-126

AFFIDAVIT OF NON-COLLUSION

STATE OF Oklahoma)COUNTY OF Oklahoma)ss

Jim Gleason, of lawful age, being first duly sworn, on oath says, that (s)he is the agent authorized by the bidder to submit the attached bid. Affidavit further states that the bidder has not been a party to any collusion among bidders in restraint to freedom of competition by agreement to bid at a fixed price or to refrain from bidding; or with any city official or employee as to quantity, quality, or price in the prospective contract, or any other terms of prospective contract; or in any discussion between bidders and any city official concerning exchange of money or other thing of value for special consideration in the letting of a contract; that the bidder/contractor has not paid, given or donated or agreed to pay, give or donate to any officer or employee of the City of Norman, Oklahoma any money or other thing of value, either directly or indirectly, in the procuring of the award of a contract pursuant to this bid.

G+S Sign Services LLC
Bidder

By: [Signature]Subscribed and sworn to before me on this 11th day of April, 2023[Signature]My Commission Expires 8/19/2024

LISA YOUNG
NOTARY PUBLIC - STATE OF OKLAHOMA
MY COMMISSION EXPIRES AUGUST 19, 2024
COMMISSION #16008036

K-2223-126

Bid Document Addition:

To be added to section 108 of the standard bid document:

108.08 – PAYMENT TERMS

The City shall complete payment within 30 days of invoice receipt.

Contract Document Addition:

Payment terms - to be added to contract paragraph numbered as “2)” that addresses payments:

The City shall complete payment to the CONTRACTOR within 30 days of invoice receipt.

Purchase of materials for City Project – to be added where appropriate:

Materials and/or services purchased by CONTRACTOR in connection with the City project shall be subject to the payment of City sales tax. If the CONTRACTOR is appointed to be an agent of the City by City Council resolution, thereby exempting material purchases for the project from the payment of City sales tax, CONTRACTOR shall certify, in writing, on the copy of the invoice or sales ticket to be retained by said CONTRACTOR that the purchases are made for and on behalf of the City in accordance with 68 O.S. 1356, paragraph 10.

K-2223-126

CERTIFICATE OF NONDISCRIMINATION

In connection with the performance of work under this contract, the Contractor agrees as follows:

- A. The contractor agrees not to discriminate against any employee or applicant for employment because of race, color, religion, ancestry, national origin, age, place of birth, disability, sex, sexual orientation, gender identity or expression, familial status, or marital status, including marriage to a person of the same sex. The Contractor shall take affirmative action to ensure that employees are treated without regard to their race, color, religion, ancestry, national origin, age, place of birth, disability, sex, sexual orientation, gender identity or expression, familial status, or marital status, including marriage to a person of the same sex. Such actions shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruiting or recruitment, advertising, lay-off, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The Contractor and Subcontractor shall agree to post in a conspicuous place, available to employees and applicants for employment, notices setting forth the provisions in this section.
- B. In the event of the Contractor's noncompliance with this nondiscrimination clause, the contract may be canceled or terminated by the City Council. The Contractor may be declared by the City Council ineligible for further contracts with the said agency until satisfactory proof of intent to comply shall be made by the Contractor.
- C. The Contractor agrees to include this nondiscrimination clause in any subcontracts connected with the performance of this agreement.

I have read the above stated clauses and agree to abide by their requirements.


Contractor

ATTEST:

Jim Gleason, Owner
Name and Title

Bond #87C238621

PERFORMANCE BOND

Know all men by these presents, that G & S Sign Services, LLC as PRINCIPAL, and The Ohio Casualty Insurance Company, a corporation organized under the laws of the State of New Hampshire, and authorized to transact business in the State of Oklahoma, as SURETY, are held and firmly bound unto THE CITY OF NORMAN, a Municipal Corporation of the State of Oklahoma, herein called CITY, in the sum of One Hundred Seventy Five Thousand One Hundred DOLLARS, (\$ 175,100.00), for the payment of which sum PRINCIPAL and SURETY bind themselves, their heirs, executors, administrators, successors and assigns jointly and severally.

WHEREAS, the conditions of this obligation are such that the PRINCIPAL, being the lowest and best Bidder on the following project:

**WAYFINDING PHASE 2 PROJECT ON TECUMSEH ROAD, FLOOD AVENUE, AND
ROBINSON STREET IN THE CITY OF NORMAN**

has entered into a written CONTRACT (K-2223-126) with THE CITY OF NORMAN, dated April 11, 2023, for the erection and construction of this PROJECT, that CONTRACT being incorporated herein by reference as if fully set forth.

NOW, THEREFORE, if PRINCIPAL shall, in all particulars, well and truly perform and abide by said CONTRACT and all specifications and covenants thereto; and if the PRINCIPAL shall promptly pay or cause to be paid all indebtedness incurred for labor and materials and repairs to and parts for equipment furnished in the making of this PROJECT, whether incurred by the PRINCIPAL or subcontractors; and if the PRINCIPAL shall protect and hold harmless the CITY from all loss, damage, and expenses to life or property suffered or sustained by any person, firm, or corporation caused by PRINCIPAL or his or its agents, servants, or employees in the construction of the PROJECT, or by or in consequence of any negligence carelessness or misconduct in guarding and protecting the same, or from any act or omission of PRINCIPAL of his or its agents, servants, or employees; and if the PRINCIPAL shall protect and save the CITY harmless from all suits and claims of infringement or alleged infringement or patent rights or processes, then this obligation shall be null and void. Otherwise this obligation shall remain in full force and effect.

It is further expressly agreed and understood by the parties hereto that no changes or alterations in the CONTRACT and no deviations from the plan or mode of procedure herein fixed shall have the effect of releasing the sureties, or any of them, from the obligations of this Bond.

It is further expressly agreed that the PRINCIPAL's obligations under this Bond include payment of not less than the prevailing hourly rate of wages as established by the Commissioner of Labor or as determined by a court on appeal.

Page 1 of 3

Performance Bond No. B-2223-75

IN WITNESS WHEREOF, the PRINCIPAL has caused these presents to be executed in its name and its corporate seal (where applicable) to be hereunto affixed by its duly authorized representative(s), and the 11th day of April, 2023, and the SURETY has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its authorized representative(s) on the 11th day of April, 2023.

(Corporate Seal) (where applicable)

ATTEST:

Jackie Smith
Corporate Secretary (where applicable)

G & S Sign Services, LLC

Principal

Signed: [Signature]

Authorized Representative
Managing Member
Title

Address: 1634 SE 23rd Street, Oklahoma City, OK 73129

Telephone: 405-604-3636

(Corporate Seal) (where applicable)

~~ATTEST:~~ WITNESS:

Carey Kenna
~~Corporate Secretary (where applicable)~~

The Ohio Casualty Insurance Company

Surety

Signed: [Signature]

Authorized Representative

Attorney-in-fact

Title

Address: 9401 Cedar Lake Avenue, Oklahoma City, OK 73114

Telephone: 405-418-8600

CORPORATE ACKNOWLEDGMENT

STATE OF OKLAHOMA _____)
COUNTY OF Oklahoma _____)

The foregoing instrument was acknowledged before me this 11th day of April, 2023, by James D. Gleason, Managing Member (Name & Title) of G & S Sign Services, LLC, a Oklahoma LLC corporation, on behalf of the corporation.

WITNESS my hand and seal this 11th day of April, 2023.

Notary Public

My Commission Expires: 8/19/2024

LISA YOUNG
NOTARY PUBLIC - STATE OF OKLAHOMA
MY COMMISSION EXPIRES AUGUST 19, 2024
COMMISSION #16008036

Page 2 of 3

Performance Bond No. B-2223-75

INDIVIDUAL ACKNOWLEDGMENT

STATE OF OKLAHOMA _____)
 COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 20 __,
 by _____ (Name & Title) of
 _____, a _____.

WITNESS my hand and seal this ____ day of _____, 20 __.

 Notary Public

My Commission Expires: _____

PARTNERSHIP ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me this ____ day of _____, 20 __,
 by _____ (Name & Title) partner (agent) on
 behalf of _____, a partnership.

WITNESS my hand and seal this ____ day of _____, 20 __.

 Notary Public

My Commission Expires: _____

CITY OF NORMAN

Approved as to form and legality this ____ day of _____, 20 __.

 CITY Attorney

Approved by the CITY OF NORMAN this ____ day of _____, 20 __.

ATTEST:

 City Clerk

 Mayor

Bond #87C238621

STATUTORY BOND

Know all men by these presents that G & S Sign Services, LLC _____, as PRINCIPAL, and The Ohio Casualty Insurance Company _____, a corporation organized under the laws of the State of New Hampshire _____, and authorized to transact business in the State of Oklahoma, as Surety, are held and firmly bound unto the State of Oklahoma in the sum of One Hundred Seventy Five Thousand One Hundred DOLLARS (\$175,100.00), for the payment of which sum PRINCIPAL and SURETY bind themselves, their heirs executors, administrators, successors and assigns jointly and severally.

WHEREAS, the conditions of this obligation are such, that the PRINCIPAL, being the lowest and best bidder on the following PROJECT:

**WAYFINDING PHASE 2 PROJECT ON TECUMSEH ROAD, FLOOD AVENUE, AND
ROBINSON STREET IN THE CITY OF NORMAN**

has entered into a written CONTRACT (K-2223-126) with THE CITY OF NORMAN, dated April 11, 2023, for the erection and construction of this PROJECT, that CONTRACT being incorporated herein by reference as if fully set forth.

NOW, THEREFORE, if the PRINCIPAL, shall properly and promptly complete the work on this PROJECT in accordance with the CONTRACT, and shall well and truly pay all indebtedness incurred for labor and materials and repairs to an parts for equipment furnished in the making of the PROJECT, whether incurred by the PRINCIPAL, his subcontractors, or any material men, then this obligation shall be void. Otherwise this obligation shall remain in full force and effect. If debts are not paid within thirty (30) days after the same becomes and due and payable, the person, firm, or corporation entitled thereto may sue and recover on this Bond, subject to the provisions of 61 O.S. 1981 S2, for the amount so due and unpaid.

It is further expressly agreed and understood by the parties hereto that no changes or alterations in said CONTRACT and no deviations from the plan or mode of procedure herein fixed shall have the effect of releasing the SURETIES, or any of them, from the obligation of this Bond.

It is further expressly agreed that the PRINCIPAL'S obligations under this Bond include payment of not less than the prevailing hourly rate of wages as established by the Commissioner of Labor of the State of Oklahoma and by the Secretary of the U.S. department of Labor or as determined by a court on appeal.

IN WITNESS WHEREOF, the PRINCIPAL has caused these presents to be executed in its name and its corporate seal (where applicable) to be hereunto affixed by its duly authorized representative(s), on the 11th day of April, 2023, and the SURETY has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its authorized representative on the 11th day of April, 2023.

(Corporate Seal) (where applicable)

ATTEST:

Jackie Smith

G & S Sign Services, LLC

Principal

Signed: *[Signature]*

The Ohio Casualty Insurance Company

Surety

Signed: *Vicki Wilson*

WITNESS:

Catero Kenneth

(Corporate Seal) (where applicable)

CORPORATE ACKNOWLEDGMENT

STATE OF OKLAHOMA)
COUNTY OF Oklahoma

The foregoing instrument was acknowledged before me this 11th day of April, 2023, by James D. Gleason, Managing Member (Name and Title) of G & S Sign Services, LLC, a Oklahoma LLC corporation, on behalf of the corporation.

WITNESS my hand and seal this 11th day of April, 2023.

Lisa Young
Notary Public

My Commission Expires: 8/19/2024

LISA YOUNG
NOTARY PUBLIC - STATE OF OKLAHOMA
MY COMMISSION EXPIRES AUGUST 19, 2024
COMMISSION #16008036

INDIVIDUAL ACKNOWLEDGMENT

STATE OF OKLAHOMA)
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by _____ (Name and Title) of _____,

WITNESS my hand and seal this ____ day of _____, 20____.

Notary Public

My Commission Expires: _____

PARTNERSHIP ACKNOWLEDGMENT

STATE OF OKLAHOMA)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by _____ (Name and Title) partner (agent) on behalf of _____ a partnership.

WITNESS my hand and seal this ____ day of _____

Notary Public

My Commission Expires: _____

CITY OF NORMAN

Approved as to form and legality this ____ day of _____, 20__.

City Attorney

Approved by the CITY OF NORMAN this ____ day of _____, 20__.

ATTEST:

City Clerk

Mayor



This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No: **8208938-974476**

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Aaron Woolsey; Austin K. Greenhaw; Bobby Joe Young; Carey L. Kennemer; Clayton Howell; Deborah L. Raper; Dwight A. Pilgrim; Gary Liles; Joshua Bryan; Kent J. Bradford; Kyle P. Bradford; Mark D. Nowell; Randy D. Webb; Seth Leonard; Shelli R. Samsel; Travis E. Brown; Vicki Wilson

all of the city of Oklahoma City state of OK each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 27th day of October, 2022.



Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By: David M. Carey
David M. Carey, Assistant Secretary

State of PENNSYLVANIA
County of MONTGOMERY ss

On this 27th day of October, 2022 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



Commonwealth of Pennsylvania - Notary Seal
Teresa Pastella, Notary Public
Montgomery County
My commission expires March 28, 2025
Commission number 1126044
Member, Pennsylvania Association of Notaries

By: Teresa Pastella
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 11th day of April, 2023.



By: Renee C. Llewellyn
Renee C. Llewellyn, Assistant Secretary

Bond #87C238621

**CITY OF NORMAN
MAINTENANCE BOND**

Know all men by these present that G & S Sign Services, LLC, as Principal, and The Ohio Casualty Insurance Company, a corporation organized under the laws of the State of New Hampshire, and authorized to transact business in the State of Oklahoma, as SURETY, are held and firmly bound unto the CITY OF NORMAN, OKLAHOMA, a Municipal Corporation of the State of Oklahoma, herein called CITY, in the sum of One Hundred Seventy Five Thousand One Hundred DOLLARS (\$ 175,100.00), for the payment of which sum PRINCIPAL and SURETY bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally.

WHEREAS, the conditions of this obligation are such that the PRINCIPAL, being the lowest and best bidder on the following project:

**WAYFINDING PHASE 2 PROJECT ON TECUMSEH ROAD, FLOOD AVENUE, AND
ROBINSON STREET IN THE CITY OF NORMAN**

has entered into a written CONTRACT (K-2223-126) with THE CITY OF NORMAN, dated April 11, 2023, for the erection and construction of this PROJECT, that CONTRACT being incorporated herein by reference as if fully set forth; and,

WHEREAS, under the ordinances of the CITY, the PRINCIPAL is required to furnish to the CITY a maintenance bond covering said construction of this PROJECT, the bond to include the terms and provisions hereinafter set forth, as a condition precedent to final acceptance of the PROJECT.

NOW THEREFORE, if the PRINCIPAL shall keep and maintain, subject to normal wear and tear, the construction, except for defects not occasioned by improper workmanship, materials, or failure to protect new work until it is accepted, and if the PRINCIPAL shall promptly repair, without notice from the CITY any and all defects arising from improper workmanship, materials, or failure to protect new work until it is accepted; all for a period of one (1) year from the date of the written final acceptance by the CITY, then this obligation shall be null and void. Otherwise, this obligation shall remain in full force and effect at all times.

Provided further, however, that upon neglect, failure or refusal of the PRINCIPAL to maintain or make any needed repairs upon the construction on the PROJECT, as set out in the preceding paragraph, within ten (10) days after the mailing of notice to the PRINCIPAL by letter deposited in the United States Post Office at Norman, Oklahoma, addressed to the PRINCIPAL at the address set forth below, then the PRINCIPAL and SURETY shall jointly and severally be liable to the CITY for the cost and expense for making such repair, or otherwise maintaining the said construction.

If is further expressly agreed and understood by the parties hereto that no changes or alterations in said CONTRACT and no deviations from the plan or mode of procedure herein fixed shall have the effect of releasing the sureties, or any of them, from the obligations of this Bond.

Page 1 of 3
Maintenance Bond No. MB-2223-62

IN WITNESS WHEREOF, the said PRINCIPAL has caused these presents to be executed in its name and its corporate seal (where applicable) to be hereunto affixed by its duly authorized representative(s), on the day 11th of April, 2023, and the SURETY has caused these presents to be executed in its name its corporate seal to be hereunto affixed by its authorized representative(s) on the day of April 11th, 2023.

(Corporate Seal) (where applicable)

ATTEST:

Jackie Smith
Corporate Secretary (where applicable)

Principal G & S Sign Services, LLC

Signed: [Signature]
Authorized Representative

Title Managing Member

Address: 1634 SE 23rd Street, Oklahoma City, OK 73129

Telephone: 405-604-3636

(Corporate Seal) (where applicable)

~~ATTEST:~~ WITNESS:

Alexa Kenner
~~Corporate Secretary (where applicable)~~

The Ohio Casualty Insurance Company
Surety

Signed: Vicki Wilson
Authorized Representative

Attorney-in-fact

Title

Address: 9401 Cedar Lake Avenue, Oklahoma City, OK 73114

Telephone: 405-418-8600

CORPORATE ACKNOWLEDGMENT

STATE OF OKLAHOMA _____)
COUNTY OF Oklahoma _____)

The foregoing instrument was acknowledged before me this 11th day of April, 2023, by James D. Gleason, Managing Member (Name & Title) of G & S Sign Services, LLC, a Oklahoma LLC corporation, on behalf of the corporation.

WITNESS my hand and seal this 11th day of April, 2023.

Lisa Young
Notary Public

My Commission Expires: 8/19/2024

LISA YOUNG
NOTARY PUBLIC - STATE OF OKLAHOMA
MY COMMISSION EXPIRES AUGUST 19, 2024
COMMISSION #16008036

Page 2 of 3
Maintenance Bond No. MB-2223-62

INDIVIDUAL ACKNOWLEDGMENT

STATE OF OKLAHOMA _____)
 COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 20____,
 by _____ of _____,
 (Name and Title) of _____.

WITNESS my hand and seal this ____ day of _____, 20____.

 Notary Public

My Commission Expires: _____

PARTNERSHIP ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this ____ day of _____, 20____,
 by _____ partner (agent) on behalf of
 _____, a partnership.

WITNESS my hand and seal this ____ day of _____, 20____.

 Notary Public

My Commission Expires: _____

CITY OF NORMAN

Approved as to form and legality this ____ day of _____, 20____.

 City Attorney

Approved by the CITY OF NORMAN this ____ day of _____, 20____.

ATTEST:

 City Clerk

 Mayor

Page 3 of 3

Maintenance Bond No. MB-2223-62

Resolution

R-2223-113

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING AND APPOINTING G & S SIGN SERVICES, L.L.C., AS PROJECT AGENT FOR THE WAYFINDING PHASE 2 PROJECT ON TECUMSEH ROAD, FLOOD AVENUE, AND ROBINSON STREET.

- § 1. WHEREAS, the City of Norman, Oklahoma, does hereby acknowledge that the tax-exempt status of this political subdivision is a significant factor in determining the agreed price by G & S Sign Services, L.L.C., for the Wayfinding Phase 2 Project on Tecumseh Road, Flood Avenue, and Robinson Street; and
- § 2. WHEREAS, the City of Norman, Oklahoma, in compliance with State law, desires to confer on G & S Sign Services, L.L.C., its special State and Federal sales tax exemptions and in order to achieve such end, finds it necessary to appoint as its direct purchasing agent G & S Sign Services, L.L.C., to purchase materials which are in fact used for the Wayfinding Phase 2 Project on Tecumseh Road, Flood Avenue, and Robinson Street; and
- § 3. WHEREAS, this limited agent status is conferred with the express understanding that G & S Sign Services, L.L.C., shall appoint employees and subcontractors as subagents who shall be authorized to make purchases on their behalf.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

- § 4. That the City of Norman, Oklahoma, on the 9th day of May 2023, did appoint G & S Sign Services, L.L.C., who is involved with Wayfinding Phase 2 Project on Tecumseh Road, Flood Avenue, and Robinson Street an agent of the City of Norman, Oklahoma, solely for the purpose of purchasing, on a tax-exempt basis, materials and tangible personal property to be used exclusively for the Wayfinding Phase 2 Project on Tecumseh Road, Flood Avenue, and Robinson Street.

PASSED AND ADOPTED THIS 9th day of May, 2023.

Mayor

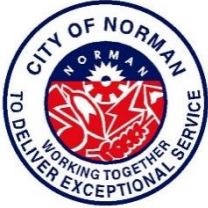
ATTEST:

City Clerk



File Attachments for Item:

23. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2223-143: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND GARVER, L.L.C. IN THE AMOUNT OF \$130,000 FOR THE FLOOD AVENUE AT VENTURE DRIVE SIGNALIZATION AND INTERSECTION IMPROVEMENT PROJECT AND BUDGET TRANSFER AS OUTLINED IN THE STAFF REPORT.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 04/25/2023

REQUESTER: Katherine Coffin

PRESENTER: David Riesland, Transportation Engineer

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2223-143:
A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND GARVER, L.L.C. IN THE AMOUNT OF \$130,000 FOR THE FLOOD AVENUE AT VENTURE DRIVE SIGNALIZATION AND INTERSECTION IMPROVEMENT PROJECT AND BUDGET TRANSFER AS OUTLINED IN THE STAFF REPORT.

BACKGROUND:

On October 22, 2019, the Norman City Council approved Contract K-1920-59 with Garver LLC (Garver), for on-call engineering and environmental services. The Contract was approved and executed by the City of Norman, the Norman Municipal Authority, and the Norman Utilities Authority. Garver was one of four firms selected for the on-call engineering and environmental services. Garver is very familiar with the location and the design requirements.

The intersection of Flood Avenue and Venture Drive has been a traffic safety concern for nearly ten years. The west leg of the intersection serves as a primary access to a growing business park, and the Victory Family Church has expressed interest in a fourth leg of the intersection to the east that would tie into their parking lot. In exchange, the Church is willing to remove one of their existing driveway cuts onto Flood Avenue.

Flood Avenue carries the U.S. Highway 77 jurisdiction in proximity to the Venture Drive intersection. As such, the Oklahoma Department of Transportation (ODOT) is responsible for maintenance of Flood Avenue in this area. Recently, ODOT announced it would be willing to participate in a project to signalize and improve the intersection. The announcement indicated that the City would be responsible for design, any required right-of-way acquisition, all utility relocation, for bidding the project, for construction administration on the project, and for 20% of the construction cost.

A work order was obtained from Garver to perform design services to signalize the intersection, modify the west leg to eliminate a portion of the wide median at the intersection, and to create an east leg that the Church could extend to connect to their parking lot. A conceptual drawing of the improvements is attached. This represents the first step, for design, of a bigger, future project with ODOT to construct the proposed improvements, and will follow a model developed for a similar project with ODOT at 12th Avenue NE and High Meadows Drive.

DISCUSSION:

The on-call contract allows for task orders up to \$50,000. Since the cost for this work, a lump sum amount of \$130,000, exceeds this amount, this separate contract, K-2223-143, is proposed for approval.

Funding for these services are available in two accounts. The Capital Projects Fund, New Traffic Signals, Design (50590076-46201; Project TR0064B) contains \$35,000. The General Fund, Public Works Traffic Control Division, Professional Consultant-Design (10550223-44002) has \$98,500 in allocated funds available. To fund the design for this project, staff requests the transfer of the balance in the General Fund, Traffic Control Consultant-Design account into the Capital Fund, New Traffic Signals project (Account 50590076-46201; Project TR0064B). The activity in these two accounts is illustrated in the table below showing both the beginning balance in each account along with the ending balance at completion of the transfer.

Losing Account				Gaining Account			
Account	Name	Beginning Balance	Ending Balance	Account	Name	Beginning Balance	Ending Balance
10550223-44002	Professional Services Consultant Design	\$98,500	\$0.00	50590076-46201 (TR0064B)	Flood/Venture Signal (Design)	\$35,000	\$133,500

RECOMMENDATION NO. 1:

Staff recommends approval of Contract K-2223-143, between the City of Norman and Garver, LLC, for the engineering design services on the Flood Avenue at Venture Drive intersection improvement project in the amount of \$130,000.

RECOMMENDATION NO. 2:

Staff recommends the transfer of \$98,500 from Professional Services Consultant Design (10550223-44002) to Project TR0064B, Flood/Venture Signalization, Design.

**AGREEMENT FOR PROFESSIONAL SERVICES
FLOOD AVE AT VENTURE DR SIGNALIZATION AND INTERSECTION
IMPROVEMENTS**

THIS AGREEMENT is entered into between The City of Norman (OWNER) and Garver, LLC. (CONSULTANT) for the following reasons:

1. The OWNER intends to install a traffic signal at the intersection of Flood Avenue and Venture Drive (the PROJECT); and,
2. The OWNER requires certain design services, including preparation of detailed construction plans, in connection with the PROJECT (the SERVICES); and,
3. The CONSULTANT is prepared to provide the SERVICES.

In consideration of the promises contained in this AGREEMENT, the OWNER and the CONSULTANT agree as follows:

ARTICLE 1 - EFFECTIVE DATE

The effective date of this AGREEMENT shall be the _____.

ARTICLE 2 - GOVERNING LAW

This AGREEMENT shall be governed by the laws of the State of Oklahoma.

ARTICLE 3 - SCOPE OF SERVICES

The CONSULTANT shall provide the SERVICES described in **Attachment A, Scope of Services**.

ARTICLE 4 - SCHEDULE

The CONSULTANT shall exercise its reasonable efforts to perform the SERVICES described in **Attachment A, Scope of Services** to be completed by the _____, or 270 days from receipt of Notice to Proceed.

ARTICLE 5 - COMPENSATION

The OWNER shall pay the CONSULTANT in accordance with **Attachment B, Compensation**. Invoices shall be due and payable upon receipt. The OWNER shall give prompt written notice of any disputed amount and shall pay the remaining amount.

ARTICLE 6 - OWNER'S RESPONSIBILITIES

The OWNER shall be responsible for all matters described in **Attachment C, Owner's Responsibilities**. The OWNER hereby represents that it owns the intellectual property rights in any plans, documents or other materials provided by the OWNER to the CONSULTANT. If the OWNER does not own the intellectual property rights in such plans, documents or other materials, prior to providing same to the CONSULTANT, the OWNER shall obtain a license or right to use, including the right to sublicense to the CONSULTANT. The OWNER hereby grants the CONSULTANT the right to use the intellectual property associated with plans, documents or other materials it owns or has the right to use for the limited purpose of performing the SERVICES. The

OWNER represents that the CONSULTANT's use of such documents will not infringe upon any third parties' rights.

ARTICLE 7 - STANDARD OF CARE

The same degree of care, skill, and diligence shall be exercised in the performance of the SERVICES as is ordinarily possessed and exercised by a member of the same profession, currently practicing, under similar circumstances. No other warranty, express or implied, is included in this AGREEMENT or in any drawing, specification, report, opinion, or other instrument of service, in any form or media, produced in connection with the SERVICES.

ARTICLE 8 - INDEMNIFICATION AND LIABILITY

Indemnification. To the extent permitted by law, including the Constitution of the State of Oklahoma, the CONSULTANT and the OWNER each hereby agree to defend, indemnify, and hold harmless the other party, its officers, servants, and employees, from and against any and all liability, loss, damage, cost, and expense (including attorneys' fees and accountants' fees) caused by an error, omission, or negligent act of the indemnifying party or its authorized agents or representatives in the performance of SERVICES under this AGREEMENT. The CONSULTANT and the OWNER each agree to promptly serve notice on the other party of any claims arising hereunder, and shall cooperate in the defense of any such claims. This indemnity is not limited except as provided by applicable Oklahoma law. The acceptance by OWNER or its representatives of any certification of insurance providing for coverage other than as required in this Agreement to be furnished by the CONSULTANT shall in no event be deemed a waiver of any of the provisions of this indemnity provision. None of the foregoing provisions shall deprive the OWNER of any action, right, or remedy otherwise available to the OWNER at common law.

Survival. The terms and conditions of this ARTICLE shall survive completion of the SERVICES, or any termination of this Agreement.

ARTICLE 9 - INSURANCE

During the performance of the SERVICES under this Agreement, the CONSULTANT shall maintain the following insurance:

- a) General Liability Insurance, with a limit of \$1,000,000 per occurrence and \$2,000,000 annual aggregate.
- b) Automobile Liability Insurance, with a combined single limit of \$1,000,000 for each person and \$1,000,000 for each accident.
- c) Workers' Compensation Insurance in accordance with statutory requirements and Employers' Liability Insurance, with a limit of \$500,000 for each occurrence.
- d) Professional Liability Insurance, with a limit of \$1,000,000 per claim and annual aggregate.

The CONSULTANT shall, upon written request, furnish the OWNER certificates of insurance which shall include a provision that such insurance shall not be canceled without at least thirty days' written notice to the OWNER. The OWNER shall require all project contractors to include the OWNER, the CONSULTANT, and its parent company, affiliated and subsidiary entities, directors, officers and employees, as additional insureds on their General and Automobile Liability

insurance policies, and to indemnify both the OWNER and the CONSULTANT, each to the same extent.

ARTICLE 10 - LIMITATIONS OF RESPONSIBILITY

The CONSULTANT shall not be responsible for; (a) construction means, methods, techniques, sequences, procedures, or safety precautions and programs in connection with the PROJECT that are outside of CONSULTANT's reasonable control and/or the **Scope of Services** set forth in **Attachment A**; (b) the failure of any contractor, subcontractor, vendor, or other PROJECT participant, not under contract to or otherwise under the control of the CONSULTANT, to fulfill contractual responsibilities to the OWNER or to comply with federal, state, or local laws, regulations, and codes; or (c) procuring permits, certificates, and licenses required for any construction unless such procurement responsibilities are specifically assigned to the CONSULTANT in **Attachment A, Scope of Services**. In the event the OWNER requests the CONSULTANT to execute any certificates or other documents, the proposed language of such certificates or documents shall be submitted to the CONSULTANT for review at least 15 days prior to the requested date of execution. The CONSULTANT shall not be required to execute any certificates or documents that in any way would, in CONSULTANT's sole judgment; (a) increase the CONSULTANT's legal or contractual obligations or risks beyond the terms of this AGREEMENT; (b) require knowledge, services or responsibilities beyond the scope of this AGREEMENT; or (c) result in the CONSULTANT having to certify, guarantee or warrant the existence of conditions which existence the CONSULTANT cannot reasonably ascertain.

ARTICLE 11 - OPINIONS OF COST AND SCHEDULE

Because the CONSULTANT has no control over the cost of labor, materials, or equipment furnished by others, or over the resources provided by others to meet project schedules, the CONSULTANT's opinion of probable costs and of project schedules shall be made on the basis of experience and qualifications as a practitioner of its profession. The CONSULTANT does not guarantee that proposals, bids, or actual project costs will not vary from the CONSULTANT's cost estimates or that actual schedules will not vary from the CONSULTANT's projected schedules.

ARTICLE 12 - REUSE OF DOCUMENTS

All documents, including, but not limited to, plans, drawings, and specifications prepared by the CONSULTANT as deliverables pursuant to the **Attachment A, Scope of Services** are instruments of service in respect to the PROJECT. They are not intended or represented to be suitable for reuse by the OWNER or others on modifications or extensions of the PROJECT or on any other project. Any reuse without prior written verification or adaptation by the CONSULTANT for the specific purpose intended will be at the OWNER's sole risk and without liability or legal exposure to the CONSULTANT.

ARTICLE 13 - OWNERSHIP OF DOCUMENTS AND INTELLECTUAL PROPERTY

Except as otherwise provided herein, documents, drawings, and specifications prepared by the CONSULTANT and furnished to the OWNER as part of the SERVICES shall become the property of the OWNER; provided, however, that the CONSULTANT shall have the unrestricted right to their use. The CONSULTANT shall retain its copyright and ownership rights in its design, drawing details, specifications, data bases, computer software, and other proprietary property.

Intellectual property developed, utilized, or modified in the performance of the SERVICES shall remain the property of the CONSULTANT.

ARTICLE 14 - TERMINATION AND SUSPENSION

This AGREEMENT may be terminated by either party upon written notice in the event of substantial failure by the other party to perform in accordance with the terms of this AGREEMENT; provided, however, the nonperforming party shall have 14 calendar days from the receipt of the termination notice to cure or to submit a plan for cure acceptable to the other party. The OWNER may terminate or suspend performance of this AGREEMENT for the OWNER's convenience upon written notice to the CONSULTANT. The CONSULTANT shall terminate or suspend performance of the SERVICES on a schedule acceptable to the OWNER, and the OWNER shall pay the CONSULTANT for all the SERVICES performed. Upon restart of suspended SERVICES, an equitable adjustment shall be made to the CONSULTANT's compensation and the project schedule.

ARTICLE 15 - DELAY IN PERFORMANCE

Neither the OWNER nor the CONSULTANT shall be considered in default of this AGREEMENT for delays in performance caused by circumstances beyond the reasonable control of the nonperforming party. For purposes of this AGREEMENT, such circumstances include, but are not limited to, abnormal weather conditions; floods; earthquakes; fire; epidemics; war, riots, and other civil disturbances; strikes, lockouts, work slowdowns, and other labor disturbances; sabotage; judicial restraint; and delay in or inability to procure permits, licenses, or authorizations from any local, state, or federal agency for any of the supplies, materials, accesses, or services required to be provided by either the OWNER or the CONSULTANT under this AGREEMENT. The CONSULTANT shall be granted a reasonable extension of time for any delay in its performance caused by any such circumstances. Should such circumstances occur, the nonperforming party shall, within a reasonable time of being prevented from performing, give written notice to the other party describing the circumstances preventing continued performance and the efforts being made to resume performance of this AGREEMENT.

ARTICLE 16 – NOTICES

Any notice required by this AGREEMENT shall be made in writing to the address specified below:

OWNER:

David Riesland
Transportation Engineer
City of Norman
P.O. Box 370
Norman, OK 73070
(405) 217-7762

CONSULTANT:

Garver, LLC.
Nicci Tiner, PE, PTOE
Vice President
4701 Northshore Drive
North Little Rock, Arkansas 72118
(501) 376-3633

Nothing contained in this ARTICLE shall be construed to restrict the transmission of routine communications between representatives of the OWNER and the CONSULTANT.

ARTICLE 17 - DISPUTES

In the event of a dispute between the OWNER and the CONSULTANT arising out of or related to this AGREEMENT, the aggrieved party shall notify the other party of the dispute within a reasonable time after such dispute arises. If the parties cannot thereafter resolve the dispute, each party shall nominate a senior officer of its management to meet to resolve the dispute by direct negotiation or mediation. Should such negotiation or mediation fail to resolve the dispute, either party may pursue resolution of the dispute as allowed by applicable law and regulation. During the pendency of any dispute, the parties shall continue diligently to fulfill their respective obligations hereunder.

ARTICLE 18 - EQUAL EMPLOYMENT OPPORTUNITY

The CONSULTANT hereby affirms its support of affirmative action and that it abides by the provisions of the "Equal Opportunity Clause" of Section 202 of Executive Order 11246 and other applicable laws and regulations, including the City of Norman's policies and provisions. The CONSULTANT affirms its policy to recruit and hire employees without regard to race, age, color, religion, sex, sexual preference/orientation, gender identity or expression, marital status or familial status, including marriage to a person of the same sex, citizen status, national origin or ancestry, place of birth, presence of a disability or status as a Veteran of the Vietnam era or any other legally protected status. It is the CONSULTANT's policy to treat employees equally with respect to compensation, advancement, promotions, transfers and all other terms and conditions of employment. The CONSULTANT further affirms completion of applicable governmental employer information reports including the EEO-1 and VETS-1 00 reports, and maintenance of a current Affirmative Action Plan as required by Federal regulations.

ARTICLE 19 - WAIVER

A waiver by either the OWNER or the CONSULTANT of any breach of this AGREEMENT shall be in writing. Such a waiver shall not affect the waiving party's rights with respect to any other or further breach.

ARTICLE 20 - SEVERABILITY

The invalidity, illegality, or unenforceability of any provision of this AGREEMENT or the occurrence of any event rendering any portion or provision of this AGREEMENT void shall in no way affect the validity or enforceability of any other portion or provision of this AGREEMENT. Any void provision shall be deemed severed from this AGREEMENT, and the balance of this

AGREEMENT shall be construed and enforced as if it did not contain the particular portion or provision held to be void.

ARTICLE 21 - INTEGRATION

This AGREEMENT, including **Attachments A, B, and C** incorporated by this reference, represents the entire and integrated AGREEMENT between the OWNER and the CONSULTANT. It supersedes all prior and contemporaneous communications, representations, and agreements, whether oral or written, relating to the subject matter of this AGREEMENT.

ARTICLE 22 - SUCCESSORS AND ASSIGNS

The OWNER and the CONSULTANT each binds itself and its successors, executors, administrators, permitted assigns, legal representatives and, in the case of a partnership, its partners, to the other party to this AGREEMENT and to the successors, executors, administrators, permitted assigns, legal representatives, and partners of such other party in respect to all provisions of this AGREEMENT.

ARTICLE 23 - ASSIGNMENT

Neither the OWNER nor the CONSULTANT shall assign any rights or duties under this AGREEMENT without the prior written consent of the other party; provided, however, the CONSULTANT may assign its rights to payment without the OWNER's consent. Unless otherwise stated in the written consent to an assignment, no assignment will release or discharge the assignor from any obligation under this AGREEMENT. Nothing contained in this ARTICLE shall prevent the CONSULTANT from engaging independent consultants, associates and subcontractors to assist in the performance of the SERVICES.

ARTICLE 24 - NO THIRD PARTY RIGHTS

The SERVICES provided for in this AGREEMENT are for the sole use and benefit of the OWNER and the CONSULTANT. Nothing in this AGREEMENT shall be construed to give any rights or benefits to anyone other than the OWNER and the CONSULTANT.

IN WITNESS WHEREOF, OWNER and Garver, LLC. have executed this AGREEMENT.

DATED this ____th day of _____, 2023.

The City of Norman
(OWNER)

Signature _____

Name _____

Title _____

Date _____

Attest:

City Clerk

Garver, LLC.
(CONSULTANT)

Signature Nicci Tiner

Name Nicci Tiner

Title Vice President

Date 4-24-23

Attest:

[Signature]
Vice President

Approved as to form and legality this ____ day of _____ 2023.

City Attorney

ATTACHMENT A SCOPE OF SERVICES

Article 3 of the AGREEMENT is amended and supplemented to include the following agreement of the parties. CONSULTANT shall, except as otherwise provided for herein, furnish all Engineering services, labor, equipment, and incidentals (SERVICES) as required for this AGREEMENT.

DESCRIPTION OF PROJECT

The CONSULTANT is to provide SERVICES in connection with the include surveying, design and preparation of construction plans, specifications and bid package, and technical assistance throughout the design and construction of the intersection improvements and signalization at Flood Avenue and Venture Drive. Generally, the scope of services consists of coordinating with the city and ODOT; construction plans for the improvements, and construction assistance. The Owner will provide a fiber optic interconnection plan if needed.

DESIGN SERVICES

The following design services shall align with the tasks set forth in **Attachment C – Compensation**.

1. Site Visit

Engineer will conduct a site visit with the Owner to determine key issues such as location of the controller, power source, and Owner preferences. Existing marked and visible utility locations will be noted so they can be incorporated into the plans.

2. Surveying

The survey limits will include Right of Way to Right of Way and extend 800 feet west along Venture Drive, 250 feet east for a turn-out for a future driveway, and 400 feet north and south along Flood Avenue from the Flood Avenue and Venture Drive intersection. Topographic Survey will include the section line, platted Right of Way lines, and all above-ground, visible improvements lying within the Right of Way for Flood Avenue and Venture Drive for the Project Area. Five (5) benchmarks will be set along the alignment. The improvements will include all curb lines, access drives, sidewalks, paving materials, traffic/lane striping, fences, retaining walls, signs, utilities as marked by OKIE with atlas map assistance, overhead wire heights at the immediate intersection area, elevation grid with one-foot contours and all significant, above-ground observations within the Project Area, for traffic signal design purposes.

3. Preliminary Plans

The Preliminary design phase submittal will include 60% construction plans for review by the Owner. This submittal will not include technical specifications. Plans will be developed to City of Norman and Oklahoma Department of Transportation (ODOT) Standards.

4. Final Plans

Once the Engineer receives comments from the Preliminary Plans, final design will begin. The final plans will include the construction plans and specifications, quantity calculations, and opinion of probable construction cost. The Engineer will also make any needed plan changes as a result of the Owners review.

ADDITIONAL SERVICES NOT INCLUDED

- Redesign for the Owner's convenience or due to changed conditions after previous alternate direction and/or approval.
- Submittals or deliverables in addition to those listed herein.
- Coordination or design of any utilities relocation.
- Geotechnical
- Construction materials testing.
- Title II services.
- Construction administration and inspection.
- Front end sections of construction contract documents.
- Plans for temporary construction easement for the contractor's equipment and storage of material during construction.
- Environmental Handling and Documentation.



Exhibit B
City of Norman
Flood Ave & Venture Dr
Garver Hourly Rate Schedule: July 2022 - June 2024

Classification	Rates	Classification	Rates
Engineers / Architects		Resource Specialists	
E-1	\$ 128.00	RS-1	\$ 103.00
E-2	\$ 149.00	RS-2	\$ 142.00
E-3	\$ 179.00	RS-3	\$ 201.00
E-4	\$ 209.00	RS-4	\$ 262.00
E-5	\$ 255.00	RS-5	\$ 329.00
E-6	\$ 314.00	RS-6	\$ 404.00
E-7	\$ 424.00	RS-7	\$ 460.00
Planners		Environmental Specialists	
P-1	\$ 154.00	ES-1	\$ 103.00
P-2	\$ 193.00	ES-2	\$ 136.00
P-3	\$ 240.00	ES-3	\$ 165.00
P-4	\$ 268.00	ES-4	\$ 204.00
P-5	\$ 309.00	ES-5	\$ 256.00
Designers		ES-6	\$ 313.00
D-1	\$ 120.00	ES-7	\$ 401.00
D-2	\$ 140.00	ES-8	\$ 453.00
D-3	\$ 167.00	Project Controls	
D-4	\$ 193.00	PC-1	\$ 106.00
Technicians		PC-2	\$ 145.00
T-1	\$ 93.00	PC-3	\$ 185.00
T-2	\$ 119.00	PC-4	\$ 237.00
T-3	\$ 144.00	PC-5	\$ 289.00
T-4	\$ 182.00	PC-6	\$ 355.00
Surveyors		PC-7	\$ 456.00
S-1	\$ 58.00	Administration / Management	
S-2	\$ 76.00	AM-1	\$ 74.00
S-3	\$ 102.00	AM-2	\$ 100.00
S-4	\$ 146.00	AM-3	\$ 139.00
S-5	\$ 193.00	AM-4	\$ 176.00
S-6	\$ 220.00	AM-5	\$ 217.00
2-Man Crew (Survey)	\$ 221.00	AM-6	\$ 267.00
3-Man Crew (Survey)	\$ 278.00	AM-7	\$ 321.00
2-Man Crew (GPS Survey)	\$ 242.00	M-1	\$ 513.00
3-Man Crew (GPS Survey)	\$ 300.00		
Construction Observation			
C-1	\$ 113.00		
C-2	\$ 145.00		
C-3	\$ 177.00		
C-4	\$ 218.00		
C-5	\$ 260.00		

Exhibit B

City of Norman Flood Ave & Venture Dr

FEE SUMMARY

	Title I Service	Estimated Fees
<i>Preliminary Design</i>		\$ 78,100.00
Lump Sum	Roadway Preliminary Design	\$ 46,000.00
Lump Sum	Water & Sanitary Sewer Preliminary	\$ 6,400.00
Lump Sum	Signalization Preliminary Design	\$ 25,700.00
<i>Final Design</i>		\$ 46,200.00
Lump Sum	Roadway Final Design	\$ 26,400.00
Lump Sum	Water & Sanitary Sewer Final Design	\$ 9,400.00
Lump Sum	Signalization Final Design	\$ 10,400.00
Lump Sum	Bidding Services	\$ 5,700.00
	Total for Title I Service	\$ 130,000.00
Fee Type	Lump Sum	

City of Norman
Flood Ave & Venture Dr

ROADWAY PRELIMINARY DESIGN

WORK TASK DESCRIPTION	E-6	E-4	E-3	E-1	T-2	AM-2
	\$314.00	\$209.00	\$179.00	\$128.00	\$119.00	\$100.00
	hr	hr	hr	hr	hr	hr
1. Project Management						
Administration and Coordination	1					
Quality Control Review	1		2			
Submittals to Client			1			
Subtotal - Project Management	2	0	3	0	0	0
2. Civil Engineering						
Vertical Geometrics Revisions	1		1			
Driveway and Entrances			2		4	
Preliminary Drainage Design	1		2			
Preliminary Plans						
Title Sheet			1		2	
Pay Items and Notes			1		2	
Typical Sections			4		4	
Right of Way Map			1		2	
Plan & Profile Sheets (2 Sheets)			16		40	
Cross Sections (6 Sheets)			8		20	
Drainage Improvements			1			
Striping Plans			1		4	
Signing Plans			1		4	
Coordination with Geotechnical Subconsultant						
Coordination with Utility Companies	2		2			
Coordination and Meetings with Owner	2		2			
Preliminary Quantities			4			
Opinion of Probable Construction Cost	1		1			
Exhibits for Public Meeting			1		4	
Subtotal - Civil Engineering	7	0	49	0	86	0

Hours	9	0	52	0	86	0
Salary Costs	\$ 2,826.00	\$ -	\$ 9,308.00	\$ -	\$ 10,234.00	\$ -

SUBTOTAL - SALARIES:	\$ 22,368.00
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DIRECT NON-LABOR EXPENSES

Document Printing/Reproduction/Assembly	\$	132.00
Postage/Freight/Courier	\$	-
Office Supplies/Equipment	\$	-
Communications	\$	-
Survey Supplies	\$	-
Aerial Photography	\$	-
GPS Equipment	\$	-
Computer Modeling/Software Use	\$	-
Traffic Counting Equipment	\$	-
Locator/Tracer/Thermal Imager Equipment	\$	-
Travel Costs	\$	-

SUBTOTAL - DIRECT NON-LABOR EXPENSES:	\$	132.00
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SUBTOTAL: \$ 22,500.00

Topographical Survey	\$23,500.00
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SUBCONSULTANTS FEE: \$23,500.00

TOTAL FEE: \$ 46,000.00

Exhibit B**City of Norman
Flood Ave & Venture Dr****WATER & SANITARY SEWER PRELIMINARY DESIGN**

WORK TASK DESCRIPTION	E-6	E-1	T-1	AM-1			
	\$314.00	\$128.00	\$93.00	\$74.00	\$0.00	\$0.00	\$0.00
	hr	hr	hr	hr	hr	hr	hr
1. Project Management							
Administration and Coordination	2	4		1			
Subtotal - Project Management	2	4	0	1	0	0	0
2. Civil Engineering							
Waterline Relocation Plans							
Plan & Profile Sheets (Estimated 2 Sheets)	1	8	12				
Pay Items/Notes and Quantities		2	2				
Details		2	2				
QC Review	1						
Sanitary Sewer Relocation Plans							
Plan & Profile Sheets (Estimated 0 Sheet)							
Pay Items/Notes and Quantities							
Details							
QC Review							
Meetings/Coordination with City		2					
Utility Coordination/Meetings		2	4				
Opinion of Probable Construction Cost	1	2					
Subtotal - Civil Engineering	3	18	20	0	0	0	0
Hours	5	22	20	1	0	0	0
Salary Costs	\$ 1,570.00	\$ 2,816.00	\$ 1,860.00	\$ 74.00	\$ -	\$ -	\$ -

SUBTOTAL - SALARIES: **\$ 6,320.00**

DIRECT NON-LABOR EXPENSES

Document Printing/Reproduction/Assembly	\$ 80.00
Postage/Freight/Courier	\$ -
Office Supplies/Equipment	\$ -
Communications	\$ -
Survey Supplies	\$ -
Aerial Photography	\$ -
GPS Equipment	\$ -
Computer Modeling/Software Use	\$ -
Traffic Counting Equipment	\$ -
Locator/Tracer/Thermal Imager Equipment	\$ -
Travel Costs	\$ -

SUBTOTAL - DIRECT NON-LABOR EXPENSES: **\$ 80.00**

SUBTOTAL: **\$ 6,400.00**

SUBCONSULTANTS FEE: **\$ -**

TOTAL FEE: **\$ 6,400.00**

Exhibit B**City of Norman
Flood Ave & Venture Dr****SIGNALIZATION PRELIMINARY DESIGN**

WORK TASK DESCRIPTION	E-6	E-4	E-1
	\$314.00	\$209.00	\$128.00
	hr	hr	hr
1. Project Management			
Administration and Coordination	8		
Quality Control Review	8		
Submittals to Client	8		
Subtotal - Project Management	24	0	0
1. Preliminary Signal Plans			
Signalization Plans	4	24	58
Technical Provisions	1	4	8
Quantities and OPCC	1	4	8
Subtotal - Preliminary Signal Plans	6	32	74

Hours **30** **32** **74**

Salary Costs \$ 9,420.00 \$ 6,688.00 \$ 9,472.00

SUBTOTAL - SALARIES: \$ 25,580.00

DIRECT NON-LABOR EXPENSES

Document Printing/Reproduction/Assembly	\$ 120.00
Postage/Freight/Courier	\$ -
Office Supplies/Equipment	\$ -
Communications	\$ -
Survey Supplies	\$ -
Aerial Photography	\$ -
GPS Equipment	\$ -
Computer Modeling/Software Use	\$ -
Traffic Counting Equipment	\$ -
Locator/Tracer/Thermal Imager Equipment	\$ -
Travel Costs	\$ -

SUBTOTAL - DIRECT NON-LABOR EXPENSES: \$ 120.00

SUBTOTAL: \$ 25,700.00

SUBCONSULTANTS FEE: \$ -

TOTAL FEE: \$ 25,700.00

City of Norman
Flood Ave & Venture Dr

ROADWAY FINAL DESIGN

WORK TASK DESCRIPTION	E-6	E-4	E-3	E-1	T-2	AM-2
	\$314.00	\$209.00	\$179.00	\$128.00	\$119.00	\$100.00
	hr	hr	hr	hr	hr	hr
1. Project Management						
Administration and Coordination	1					
Quality Control Review	2		2			
Submittals to Client			1			
Subtotal - Project Management	3	0	3	0	0	0
2. Civil Engineering						
Final Drainage Design	1		2			
Final Plans						
Title Sheet			1		1	
Pay Items and Notes			1		1	
Typical Sections			1		2	
Storm Water Management Plan			2		1	
Survey Data Sheet			1		4	
Plan & Profile Sheets (2 Sheets)			10		30	
Cross Sections (6 Sheets)			10		20	
Construction Sequencing			2		4	
Driveways			2		4	
Drainage Area Map			1		2	
Drainage Improvements			2		4	
Intersection Details (2 Sheets)			8		12	
Striping Plans			1		2	
Signing Plans			1		2	
Typical Details			1		2	
Erosion Control Plans			2		4	
Final Review/Walkthrough with City	2		2			
Coordination with Utility Companies	2		2			
Coordination and Meetings with Owner	2		2			
Specifications/Contract Documents	1		1			
Quantities			4			
Opinion of Probable Construction Cost	1		1			

Hours	12	0	63	0	95	0
Salary Costs	\$ 3,768.00	\$ -	\$ 11,277.00	\$ -	\$ 11,305.00	\$ -

SUBTOTAL - SALARIES:	\$ 26,350.00
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DIRECT NON-LABOR EXPENSES

Document Printing/Reproduction/Assembly	\$	50.00
Postage/Freight/Courier	\$	-
Office Supplies/Equipment	\$	-
Communications	\$	-
Survey Supplies	\$	-
Aerial Photography	\$	-
GPS Equipment	\$	-
Computer Modeling/Software Use	\$	-
Traffic Counting Equipment	\$	-
Locator/Tracer/Thermal Imager Equipment	\$	-
Travel Costs	\$	-

SUBTOTAL - DIRECT NON-LABOR EXPENSES:	\$	50.00
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SUBTOTAL: \$ 26,400.00

SUBCONSULTANTS FEE: \$ -

TOTAL FEE:	\$ 26,400.00
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Exhibit B**City of Norman
Flood Ave & Venture Dr****WATER & SANITARY SEWER FINAL DESIGN**

WORK TASK DESCRIPTION	E-6	E-1	T-1	AM-1			
	\$314.00	\$128.00	\$93.00	\$74.00	\$0.00	\$0.00	\$0.00
	hr	hr	hr	hr	hr	hr	hr
1. Project Management							
Administration and Coordination	1	4		1			
Subtotal - Project Management	1	4	0	1	0	0	0
2. Civil Engineering							
Waterline Relocation Plans							
Plan & Profile Sheets (Estimated 2 Sheets)	1	10	10				
Pay Items/Notes and Quantities		2	2				
Details		2	2				
QC Review	1	2					
Sanitary Sewer Relocation Plans							
Plan & Profile Sheets (Estimated 0 Sheet)							
Pay Items/Notes and Quantities							
Details							
QC Review							
Meetings/Coordination with City		4					
Utility Coordination/Meetings	1	2	2				
DEQ Permitting							
Water Distribution Engineering Report Form	1	8	0				
Sanitary Sewer Engineering Report Form							
Address ODEQ Review Comments	1	2					
Construction Contract Documents	1	2	2				
Opinion of Probable Construction Cost	1	2					
Subtotal - Civil Engineering	7	36	18	0	0	0	0
3. Structural Engineering							
Retaining Wall Layout/Elevations							
Bridge							
Structural Details							
Structural Specifications							
Subtotal - Structural Engineering	0	0	0	0	0	0	0
Hours	8	40	18	1	0	0	0
Salary Costs	\$ 2,512.00	\$ 5,120.00	\$ 1,674.00	\$ 74.00	\$ -	\$ -	\$ -

SUBTOTAL - SALARIES: \$ 9,380.00**DIRECT NON-LABOR EXPENSES**

Document Printing/Reproduction/Assembly	\$ 20.00
Postage/Freight/Courier	\$ -
Office Supplies/Equipment	\$ -
Communications	\$ -
Survey Supplies	\$ -
Aerial Photography	\$ -
GPS Equipment	\$ -
Computer Modeling/Software Use	\$ -
Traffic Counting Equipment	\$ -
Locator/Tracer/Thermal Imager Equipment	\$ -
Travel Costs	\$ -

SUBTOTAL - DIRECT NON-LABOR EXPENSES: \$ 20.00**SUBTOTAL: \$ 9,400.00****SUBCONSULTANTS FEE: \$ -****TOTAL FEE: \$ 9,400.00**

Exhibit B**City of Norman
Flood Ave & Venture Dr****SIGNALIZATION FINAL DESIGN**

WORK TASK DESCRIPTION	E-6	E-4	E-1
	\$314.00	\$209.00	\$128.00
	hr	hr	hr
1. Project Management			
Administration and Coordination	4		
Quality Control Review	4		
Meetings & Submittals	4		
Subtotal - Project Management	12	0	0
2 Final Signal Plans			
Address Preliminary Comments	2	6	12
Update Quantiities and OPC	1	4	4
Finalize Plans	1	4	2
Subtotal - Final Signal Plans	4	14	18

Hours **16** **14** **18**

Salary Costs \$ 5,024.00 \$ 2,926.00 \$ 2,304.00

SUBTOTAL - SALARIES: **\$ 10,254.00**

DIRECT NON-LABOR EXPENSES

Document Printing/Reproduction/Assembly	\$ 146.00
Postage/Freight/Courier	\$ -
Office Supplies/Equipment	\$ -
Communications	\$ -
Survey Supplies	\$ -
Aerial Photography	\$ -
GPS Equipment	\$ -
Computer Modeling/Software Use	\$ -
Traffic Counting Equipment	\$ -
Locator/Tracer/Thermal Imager Equipment	\$ -
Travel Costs	\$ -

SUBTOTAL - DIRECT NON-LABOR EXPENSES: **\$ 146.00**

SUBTOTAL: **\$ 10,400.00**

SUBCONSULTANTS FEE: **\$ -**

TOTAL FEE: **\$ 10,400.00**

City of Norman
Flood Ave & Venture Dr

BIDDING SERVICES

	JBC	BDM				
WORK TASK DESCRIPTION	E-6	E-3	E-2	E-1	T-1	AM-2
	\$314.00	\$179.00	\$149.00	\$128.00	\$93.00	\$100.00
	hr	hr	hr	hr	hr	hr
1. Project Management						
Administration and Coordination	2	4				
Submittals to Client		2				
Subtotal - Project Management	2	6	0	0	0	0
2. Civil Engineering						
Construction Plans						
Addendums/Inquiries	1	6		2		
Pre-Bid Meeting	2	2				
Bid Opening		1				
Prepare bid tabulation		1				2
Evaluate bids and recommend award	1	2				
Subtotal - Civil Engineering	4	12	0	2	0	2

Hours	6	18	0	2	0	2
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Salary Costs	\$ 1,884.00	\$ 3,222.00	\$ -	\$ 256.00	\$ -	\$ 200.00
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SUBTOTAL - SALARIES: \$ 5,562.00

DIRECT NON-LABOR EXPENSES

Document Printing/Reproduction/Assembly	\$	138.00
Postage/Freight/Courier	\$	-
Office Supplies/Equipment	\$	-
Communications	\$	-
Survey Supplies	\$	-
Aerial Photography	\$	-
GPS Equipment	\$	-
Computer Modeling/Software Use	\$	-
Traffic Counting Equipment	\$	-
Locator/Tracer/Thermal Imager Equipment	\$	-
Travel Costs	\$	-

SUBTOTAL - DIRECT NON-LABOR EXPENSES:	\$ 138.00
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SUBTOTAL: \$ 5,700.00

SUBCONSULTANTS FEE: \$ -

TOTAL FEE: \$ 5,700.00

ATTACHMENT C OWNER'S RESPONSIBILITIES

ARTICLE 6 of the AGREEMENT is amended and supplemented to include the following agreement of the parties.

OWNER'S RESPONSIBILITIES

1. The OWNER shall furnish to the CONSULTANT all available information pertinent to PROJECT including turning movement counts, previous reports, construction plans and any other data relative to design and construction of the PROJECT.
2. The OWNER shall be responsible for all permit fees.
3. The OWNER shall provide a fiber optic interconnection plan if needed.
4. The OWNER shall examine all studies, reports, sketches, estimates specifications, plan drawings, proposals and any other documents presented by the CONSULTANT and render in writing decisions pertaining thereto within a reasonable time so as not to delay the SERVICES of the CONSULTANT.
5. The OWNER shall designate in writing a person to act as its representative in respect to the work to be performed under this AGREEMENT, and such person shall have complete authority to transmit instructions, receive information, interpret, and define the OWNER's policies and decisions with respect to materials, equipment, elements and systems pertinent to the services covered by this AGREEMENT.



Suggested Intersection Modifications with the Signalization of the Intersection of Flood Avenue and Venture Drive

File Attachments for Item:

24. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF CONTRACT K-2223-150: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND COX COYLE INVESTMENTS, L.L.C., IN THE AMOUNT OF \$33,000 FOR THE PURCHASE OF REAL ESTATE LOCATED AT 218 SOUTH LAHOMA AVENUE AND BUDGET APPROPRIATION TO COVER VARIOUS CLOSING AND DUE DILIGENCE COSTS AS OUTLINED IN THE STAFF REPORT.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 5/09/2023

REQUESTER: Shawn O'Leary, Director of Public Works

PRESENTER: Elisabeth Muckala, Asst. City Attorney

ITEM TITLE: CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF CONTRACT K-2223-150: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND COX COYLE INVESTMENTS, L.L.C., IN THE AMOUNT OF \$33,000 FOR THE PURCHASE OF REAL ESTATE LOCATED AT 218 SOUTH LAHOMA AVENUE AND BUDGET APPROPRIATION TO COVER VARIOUS CLOSING AND DUE DILIGENCE COSTS AS OUTLINED IN THE STAFF REPORT.

BACKGROUND:

Areas along the Imhoff Creek channel are recognized as significant flood concern areas and are prone to flash flooding that inundates roads and properties. The portion of the Imhoff Creek channel from Andrews Park south to Lindsey Street have historically flooded and are frequently featured in news reports for their dramatic images of firefighters standing thigh deep in the flood waters in the middle of the street, of cars stranded and filled with water, and of houses damaged. Some of the oldest neighborhoods in Norman were built along this corridor before floodplains were identified and regulated by the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA). The neighborhood along Lahoma was mostly developed in the early 1930s at the same time that the Works Progress Administration channel was built to better control the flow of this creek.

Continued upstream development in the watershed over the next nine decades, along with changes to weather patterns leading to more short duration, high intensity storms has only served to exacerbate these conditions. In particular, there are properties along South Lahoma Avenue that have been identified as repetitive loss properties under FEMA guidelines and the City of Norman Flood Hazard Ordinance. Repetitive loss is defined by FEMA as structures that flood frequently and strain the National Flood Insurance Fund (NFIP). In fact, repetitive loss properties are the biggest draw on the Fund. FEMA has paid almost \$3.5 billion dollars in claims for repetitive loss properties. These properties not only increase the NFIP's annual losses and the need for borrowing; but they drain funds needed to prepare for catastrophic events. Community leaders and residents are also concerned with the repetitive loss problem because residents' lives are disrupted and may be threatened by the continual flooding.

Over the years, there have been a number of efforts aimed at addressing repetitive losses. Federal, state and local flood control and storm-water management projects have been aimed at reducing the risks. Norman has identified in the Norman 2025 Comprehensive Land Use Plan and the Storm Water Master Plan, to “protect environmentally sensitive lands that are generally the least suitable for development, especially flood prone areas” In 2000, City Council began appropriating funds into the Greenbelt Acquisition Fund. Further, in Resolution R-1011-93, the Norman City Council established criteria for prioritizing the use of Greenbelt Acquisition Funds, including the protection, preservation, and restoration of natural flood plains throughout Norman which serve to protect life and property from damage. However, in recent years, the Greenbelt Acquisition Funds have been diminished.

In 2011, the City purchased five properties adjacent to the south of 820 and 822 E. Main Street that were in the process of being foreclosed. These five properties were in the floodplain and the structures were entirely within the floodway. The properties were purchased using Greenbelt Acquisition Funds. After the purchase, the homes were demolished and sod was installed. In 2015, after historic rainfall, two property owners with properties adjacent to these five came forward and offered to sell their lots to the City so that they would also be demolished and have sod installed. Council approved contracts in 2015 to purchase these properties and remove the structures from the floodway.

DISCUSSION:

In June 2022, several homes along South Lahoma Avenue were flooded. 218 South Lahoma Avenue was one of the properties affected by this flooding. It was determined that the home located on this property met the threshold for a substantially damaged structure under the City Flood Hazard Ordinance. The Flood Hazard Ordinance calls for the substantially damaged property to be brought up to current building requirements in a flood hazard zone. These modifications would include raising the entire structure by approximately 4-5 feet in elevation, and would represent a significant cost to the property owner. After reviewing the requirements, the property owner approached the City about purchasing the property so that it could be dedicated to creating stormwater storage in the Imhoff Creek floodplain. City staff was able to verify with the FEMA Community Rating System (CRS) coordinator that this purchase, with development restrictions on the deed, would qualify for credits through this FEMA program that could potentially lower the City’s overall CRS rating. A lowering in the CRS rating would lower NFIP insurance rates for all citizens of Norman as well as potentially qualifying the City for additional grant funding opportunities.

Contract K-2223-150 provides for the purchase of 218 S. Lahoma Avenue for a purchase price of \$33,000. This amount is believed to be significantly below the market value for the property, as this amount constitutes less than 35% of the amount paid when the property was purchased in December of 2019. The contract calls for a closing by July 24, 2023, leaving nearly three months (if needed) for the City to perform title inspections and other due diligence to ensure the property meets the purposes for which it is being purchased. The customary closing expenses attributable to the City are estimated to total no more than \$5,000, including the cost to perform an American Land and Title Association title survey.

Following approval of this item, Staff will begin the due diligence process and proceed as quickly to closing as possible. After due diligence and before final closing, the Owner will demolish the

structure and remove all debris from the lot, and the City's purchase will be for the property "as-is" in that cleared condition. The City will take ownership under a restricted deed precluding future development, so that the property may comply with FEMA's Community Rating System (CRS) guidelines allowing for Open Space Preservation (OSP) and Deed Restriction (DR) credits.

Following closing, this parcel will become the responsibility of the Stormwater Maintenance Division to maintain, including mowing and cleanup following storm events. The property will not be used for any development.

Funds for this acquisition, due diligence activities such as surveying and associated closing costs are available in Drainage Miscellaneous-Other (Account 50599967-46001; Project DR0025).

RECOMMENDATION:

City staff recommends approval of Contract K-2223-150, a contract for the purchase of 218 South Lahoma Avenue via a restricted warranty deed, to be held and preserved for the purpose of mitigating future flooding events and obtaining CRS OSP and DR credits.

CONTRACT FOR THE SALE OF REAL ESTATE

This contract is entered into between **Cox Coyle Investments, LLC**, an Oklahoma Limited Liability Company located at 4501 SE 110th St., Oklahoma City, OK 73165 ("Seller") and the City of Norman, located at 201 W. Gray St. Norman, OK 73069 ("Buyer").

Upon approval of this Contract by both Seller and Buyer, evidenced by their signatures hereto a valid and binding contract of sale shall exist, the terms and conditions of which are as follows:

1. SALE. Seller agrees to sell and convey to Buyer by restricted Warranty Deed, in the form attached hereto, and Buyer agrees to purchase the following described real estate (the "Property") located in Cleveland County, Oklahoma together with all improvements thereon, if any, in their present condition, ordinary wear and tear expected, and including the following personal property:

Legal Description:

Lot Seven (7), in Block Two (2), of EAGLETON ADDITION, to the City of Norman, Cleveland County, Oklahoma, according to the recorded plat thereof.

Property Address: **218 South Lahoma Avenue, Norman, OK 73072**

2. PURCHASE PRICE. The total purchase price is THIRTY-THREE THOUSAND AND NO/100 DOLLARS (\$33,000.00) payable by Buyer in cash cashier's check, certified check, or electronic funds upon delivery of deed (the "Closing"). There shall be no Earnest payment required by this Contract.

3. TITLE: Upon full and complete payment as specified and fulfillment of all the stipulations herein, the Seller shall execute a deed of conveyance, in the form attached hereto as **Exhibit A**, with the usual covenants and warranty to the Buyer together with abstract showing merchantable title in and to the Property.

4. TAXES AND PRORATIONS.

(A) The Seller shall pay in full:

(i) all special assessments against the Property upon the date of Closing, whether or not payable in installments;

(ii) all taxes, other than general ad valorem taxes for the current calendar year which are a lien on the Property upon the date of Closing; and

(iii) the cost of any item of workmanship or material furnished on or prior to the date of Closing which is or may become a lien on the Property.

(B) Unless otherwise specified in paragraph B, the following items shall be prorated between Seller and the Buyer as of the date of Closing:

(i) rents, if any, and;

(ii) general ad valorem taxes for the current calendar year, provided that, if the amount of such taxes has not been fixed, the proration shall be based upon the rate of levy for the previous calendar year. As Buyer is a public entity, under no circumstances shall Buyer be responsible for the payment of any ad valorem taxes charged to the Property after the date of Closing.

5. CONDITION OF PROPERTY. As of the date of this Contract, a structure exists upon the Property. The Purchase Price agreed to in Paragraph 2 of this agreement is inclusive of an agreed amount for Seller to fully demolish and remove all structures, pavement, concrete, asphalt, and/or gravel from the Property prior to Closing. At Closing, the Seller shall deliver the Property to Buyer with all structures fully demolished and removed and all pavement, asphalt, concrete, and/or gravel removed. Excepting this and any warranties provided in Exhibit A hereto, the Buyer agrees to accept the Property "AS-IS" in its present condition.

6. CLOSING AND ASSOCIATED COSTS. The Closing shall be held on or before **July 24, 2023**. If valid title objections require correction, Closing shall be extended for 30 days. Unless otherwise agreed in writing, possession shall be transferred at Closing. Unless otherwise provided herein, Seller and Buyer shall each pay its respective share of Closing costs.

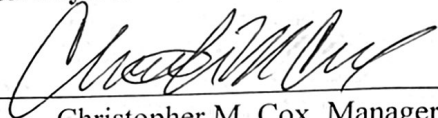
7. BREACH OR FAILURE TO CLOSE. If any Party breaches any provision of this Contract, the other Party may provide notice of its intent to terminate this provision. If, for any reason prior to closing the City determines the Property is no longer suitable or desirable, the City may provide notice of its termination this Contract.

8. SPECIAL CONDITIONS. None.

9. EFFECT: This Contract shall be executed in duplicate and, when executed by both Seller and Buyer, shall be binding upon and in and inure to the benefit of Seller and Buyer, their heirs, legal representatives, successors and assigns. This Contract sets forth the complete understanding of Seller and Buyer and supersedes all previous negotiations, representations and agreements between them and their agents. This Contract can only be amended or modified by a written agreement signed by Seller and Buyer. In executing this Contract, both Seller and Buyer agree to the terms of the Receipt contained below.

Approved by Seller this ____ day of April, 2023

Cox Coyle Investments, LLC



Christopher M. Cox, Manager

Address: 4501 SE 110th St.
Oklahoma City, OK 73165

Approved by Buyer this ____ day of April, 2023

City of Norman

Larry Heikkila, Mayor

ATTEST: _____
Brenda Hall, City Clerk

Approved as to form and legality this ____
day of April, 2023.

City Attorney's Office

Marci Page, notary

signed before me April 19, 2023 by Christopher M Cox.



*State of Oklahoma
County of Cleveland*

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT **Cox Coyle Investments, LLC, an Oklahoma Limited Liability Company (“Grantor”)**, in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto the **City of Norman, Oklahoma, a Municipal Corporation (“City”)**, the fee simple title in and to the following described real property and premises, and including all right, title and interest in and to the airspace, light and view above the surface of the lands herein described, reserving and excepting the mineral interests, therein, to-wit:

All of Lot Seven (7), in Block Two (2), of EAGLETON ADDITION, to the City of Norman, Cleveland County, Oklahoma, according to the recorded plat thereof (“Property”).

All bearings contained in this description are based on the Oklahoma State Plane Coordinate System and are not astronomical bearings.

Together with all improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same. The reservation and exception of mineral rights herein does not include rock, gravel, sand and other road building materials.

To have and to hold said described premises unto said City, its heirs and assigns forever, free clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature, **EXCEPT THAT the Property is currently and must remain vacant of all structures. The City shall not, nor may any future owner, construct any new buildings on the Property. This restriction shall run as a covenant with the land and may not be removed by any act of the City or private party, but may instead only be removed by entry of an order by a court of competent jurisdiction for just cause.**

Signed and delivered this _____ day of _____, 2023.

COX COYLE INVESTMENTS, LLC

By: _____
Name: Chris Cox
Title: Manager

REPRESENTATIVE ACKNOWLEDGEMENT

STATE OF _____, COUNTY OF _____, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this _____ day of _____, 2023, personally appeared **Chris Cox** of **Cox Coyle Investments, LLC**, as its **Manager**, and to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal the day and year last above written.

My Commission Expires: _____ Notary Public: _____

Approved as to form and legality this _____ day of _____, 2023.

City Attorney

Approved and accepted by the City of Norman, this _____ day of _____, 2023.

ATTEST: _____
City Manager

City Clerk
SEAL:

File Attachments for Item:

25. CONSIDERATION OF ADOPTION, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-130: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, TRANSFERRING \$60,000 FROM THE LINDSEY STREET/HIGHWAY 9 WAYFINDING CONSTRUCTION ACCOUNT AND \$90,000 FROM THE 718 N. PORTER ARCHITECTURAL AND ENGINEERING ACCOUNT TO BE USED TO FUND THE FESTIVAL STREET BOLLARDS PILOT PROJECT ON CAMPUS CORNER.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/09/2023

REQUESTER: Katherine Coffin

PRESENTER: David Riesland, Transportation Engineer

ITEM TITLE: CONSIDERATION OF ADOPTION, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-130: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, TRANSFERRING \$60,000 FROM THE LINDSEY STREET/HIGHWAY 9 WAYFINDING CONSTRUCTION ACCOUNT AND \$90,000 FROM THE 718 N. PORTER ARCHITECTURAL AND ENGINEERING ACCOUNT TO BE USED TO FUND THE FESTIVAL STREET BOLLARDS PILOT PROJECT ON CAMPUS CORNER.

BACKGROUND:

The Traffic Control Division has assisted the Norman Police Department and the University of Oklahoma Police Department with the deployment of signs and barricades to close streets in various areas for University of Oklahoma home football games for a number of years. At the point of physical closure, the setup has always consisted of Type III barricades with sandbags. The deployment of Type III barricades can be cumbersome for staff and awkward for pedestrians to navigate between going to and from the stadium.

Closing a street using Type III Barricades involves the close spacing of the barricades across the roadway in an attempt to discourage vehicular traffic from entering the restricted area. The intent of the closures is to restrict vehicular access but to allow pedestrian access. The close spacing of the barricades can make it difficult for pedestrians and/or wheelchairs to navigate between the barricades in order to enter the vehicular restricted area.

The proposed bollards are seen as an option, at the point of closure, to allow easier pedestrian access without compromising vehicular restrictions.

DISCUSSION:

Recently, staff has been in conversation with the Business and Community Affairs (BACA) Committee regarding the use of bollards in Norman as part of special events. A BACA meeting in March included some discussion regarding the costs and types of bollards that might be considered. A BACA meeting in April laid out the specifics of a potential pilot project in Campus Corner. Specifically, bollards could be installed on Asp Avenue near the White Street intersection, on Asp Avenue near the Boyd Street intersection, on Buchanan Street near the

Boyd Street intersection, on Buchanan Street near the White Street intersection, and on White Street near the Buchanan Street intersection (a location map is attached).

Two types of bollards were discussed in these meetings with BACA. One was a removable bollard that involved opening the cover over the hole in the street and inserting the bollard into the hole with the majority of the bollard remaining above the street level. The other type of bollard was a “retractable” bollard that would store inside the hole in the street when not in use. It would be raised when needed for a closure. The retractable bollard was determined to be the preferred bollard type due to the need for off-site storage of bollards, the enhanced safety afforded by the deeper hole, and the relative ease of deployment.

A total of 36 bollards are needed (8 on Asp Avenue near White Street, 8 on Asp Avenue near Boyd Street, 6 on Buchanan Street near Boyd Street, 8 on Buchanan Street near White Street, and 6 on White Street near Buchanan Street). Installation will involve some preparation of each street segment in order to receive the bollard installations. First, utility atlases will be created to determine the best location for bollards at each location. Second, a strip of concrete will be added to accommodate each row of bollards. Third, a hole for each bollard will be drilled into the excavated area for each section of bollards. Finally, the bollards will be installed in each hole once the concrete has cured. The estimated cost for creation of the Festival Street Bollard Pilot Project is expected to be \$150,000. The price is broken down into \$33,000 for the bollards and \$117,000 for the street preparation work.

The Finance Department has created the Festival Street Bollard Pilot Project, Construction Account (50596688-46101; TC0284) to track expenses.

Two projects have been identified, with available funding, proposed to be re-allocated to fund this Pilot Project. One is the Lindsey St/SH9 Wayfinding, Construction (TR0114 – 50596611-46101) which has a balance of \$261,060. Bids were recently received for the installation of the Phase 2 Wayfinding signs at a cost of \$175,100. This will leave a balance of \$85,960 in this account. It is suggested that \$60,000 of this balance be re-allocated to the Festival Street Bollard Pilot Project. The other account identified by the Finance Department as having funds available for transfer to the Pilot Bollard Project is the Design account for the City’s recently-acquired property at 718 N. Porter (Account 50193365-46201; Project BG0082). Council allocated these funds at the time the City intended to re-purpose the property for City use. The Council has since decided to sell the property to the Cleveland County Health Department, with the sale proceeds being used for the Adult Wellness and Education facility. The remaining \$90,000 estimated to be needed for the Festival Street Bollard Pilot Project is proposed to be re-allocated from the 718 Porter project. The recommended project funding re-allocations are summarized in the following table:

Losing Account			Gaining Account		
Account	Beg. Balance	End. Balance	Account	Beg. Balance	End. Balance
TR0114 (Wayfinding)	\$85,960	\$25,960	TC0284 (Festival Street Bollards Pilot)	\$0	\$60,000
BG0082 (718 N. Porter A&E)	\$200,000	\$110,000	TC0284 (Festival Street Bollards Pilot)	\$60,000	\$150,000

With approval of Resolution R-2223-130, staff will order the retractable bollards and begin pulling the utility information together in order to finalize a contractor assignment to prepare each street to receive the bollards and to drill holes for each bollard.

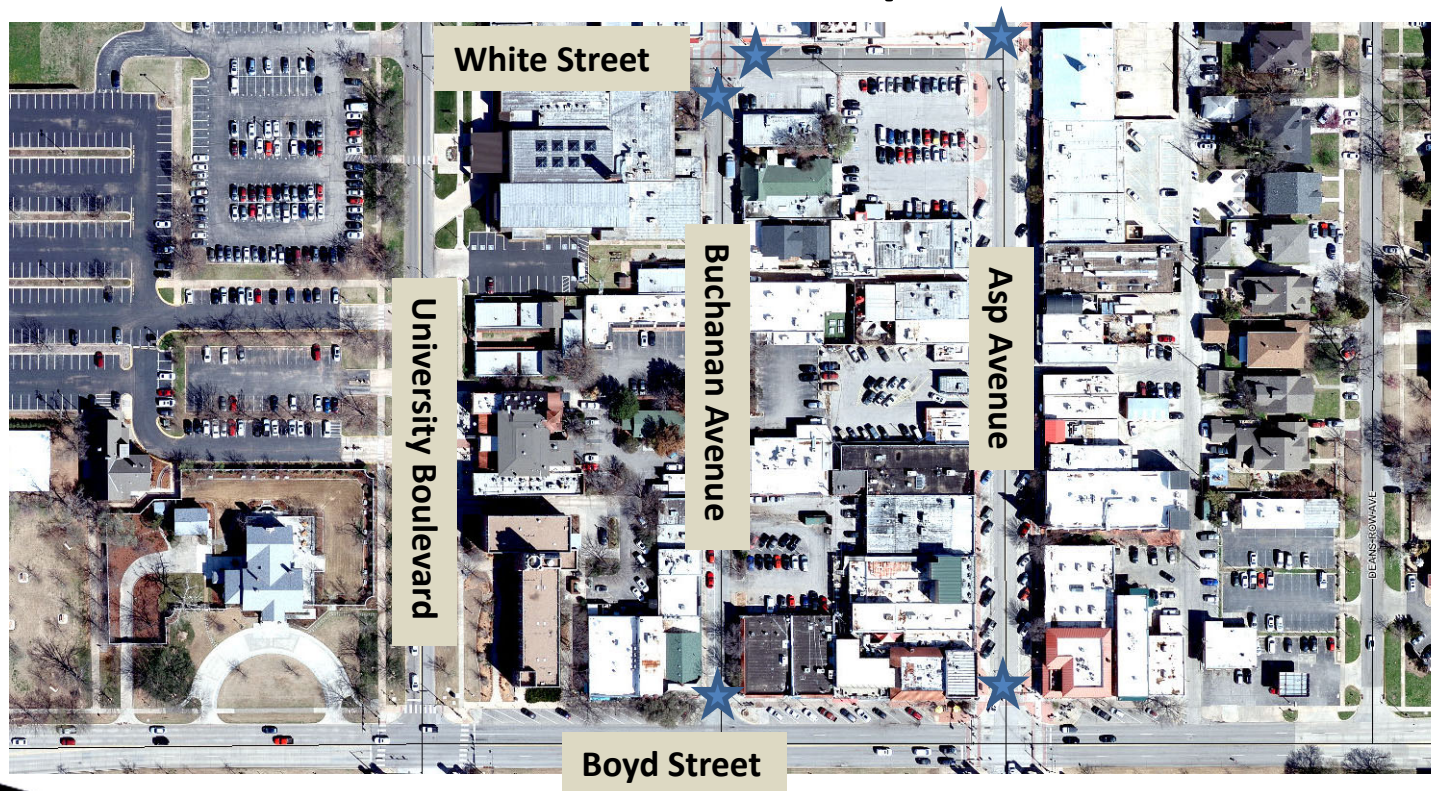
RECOMMENDATION NO. 1:

Staff recommends approval of Resolution R-2223-130.

RECOMMENDATION NO. 2:

Staff recommends the re-allocation of \$60,000 from Lindsey Street/SH9 Wayfinding and \$90,000 from 718 N. Porter, Design to the Festival Street Bollard Pilot Project.

Pilot Location—Campus Corner



★ Location of Festival Street Bollards

Resolution

R-2223-130

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, TRANSFERRING \$60,000 FROM THE LINDSEY STREET/HIGHWAY 9 WAYFINDING CONSTRUCTION ACCOUNT AND \$90,000 FROM THE 718 NORTH PORTER ARCHITECTURAL AND ENGINEERING ACCOUNT TO BE USED TO FUND THE FESTIVAL STREET BOLLARDS PILOT PROJECT ON CAMPUS CORNER.

- § 1. WHEREAS, the Traffic Control Division has assisted the Norman Police Department and the University of Oklahoma Police Department with the deployment of signs and barricades to close street in various areas for the University of Oklahoma home football games for a number of years; and
- § 2. WHEREAS, the deployment of Type III barricades can be cumbersome for staff and awkward for pedestrians going to and from the stadium; and
- § 3. WHEREAS, the Business and Community Affairs (BACA) Committee has had discussions regarding the use of bollards in Norman as a part of special events; and
- § 4. WHEREAS, the BACA Committee met in April and laid out the specifics of a potential pilot project on Campus Corner that would cost an estimated \$150,000 for 36 bollards and the street preparation work.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

- § 5. That the following appropriations be made for the reason as stated above:

<u>Gaining Account Name</u>	<u>Losing Account Name</u>	<u>Amount</u>
Project TC0284, Festival Street Bollards Pilot Project, Construction (50596688-46101)	Project TR0114, Lindsey St/Hwy 9 Wayfinding Project, Construction (50596611-46101)	\$60,000
Project TC0284, Festival Street Bollards Pilot Project, Construction (50596688-46101)	Project BG0082, 718 N. Porter Design (50193365-46201)	\$90,000

PASSED AND ADOPTED this 9th day of May, 2023.

Mayor

ATTEST:

City Clerk



File Attachments for Item:

26. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-132: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA FOR APPROPRIATION OF FUNDS IN THE AMOUNT OF \$33,897 FROM THE REIMBURSEMENTS-MISCELLANEOUS RISK MANAGEMENT ACCOUNT TO REPLENISH THE MISCELLANEOUS SERVICES-UNINSURED LOSSES ACCOUNT.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/09/2023

REQUESTER: Clint Mercer, Chief Accountant

PRESENTER: Clint Mercer, Chief Accountant

TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-132: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA FOR APPROPRIATION OF FUNDS IN THE AMOUNT OF \$33,897 FROM THE REIMBURSEMENTS-MISCELLANEOUS RISK MANAGEMENT ACCOUNT TO REPLENISH THE MISCELLANEOUS SERVICES-UNINSURED LOSSES ACCOUNT.

BACKGROUND:

City vehicles are involved in accidents during the course of work. The City Attorney's Office works to collect insurance proceeds from non-employee individuals who are deemed to be at fault. Those collections are received into the Reimbursements-Miscellaneous Risk Management (account 439-365264) revenue account.

DISCUSSION:

So far during Fiscal Year 2023, the City has received \$33,896.92 in insurance reimbursements. The City pays for repairs to these vehicles from Miscellaneous Services-Uninsured Losses (account 43330104-44798) which receives an annual budget appropriation of \$28,123. These funds have been depleted in the current fiscal year and additional repairs are needed to damaged vehicles.

RECOMMENDATION:

Staff recommends the approval of Resolution R-2223-132 for the appropriation of \$33,897 from revenue account Reimbursements-Miscellaneous Risk Management (account 439-365264) to be deposited into Miscellaneous Services-Uninsured Losses (account 43330104-44798).

Resolution

R-2223-132

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$33,897 FROM THE REIMBURSEMENTS-MISCELLANEOUS RISK MANAGEMENT ACCOUNT TO REPLENISH THE MISCELLANEOUS SERVICES-UNINSURED LOSSES ACCOUNT TO MAKE ADDITIONAL REPAIRS TO DAMAGED CITY VEHICLES.

- § 1. WHEREAS, the City collects insurance proceeds from non-employee individuals who are deemed to be at fault in accidents with City vehicles and deposits those proceeds into the Reimbursements-Miscellaneous Risk Management account; and
- § 2. WHEREAS, the City has currently received \$33,896.92 in insurance reimbursements in FYE 2023; and
- § 3. WHEREAS, the City uses funds from the Miscellaneous Services-Uninsured Losses account to repair City vehicles that were involved in accidents during the course of work; and
- § 4. WHEREAS, in FYE 2023 the City budgeted \$28,123 to the Miscellaneous Services-Uninsured Losses account but it has since been depleted and additional funds are needed in order to make additional City vehicle repairs; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

- § 5. That the following appropriation be made for reason as stated above:

Account Name	Losing Account	Gaining Account	Amount
Miscellaneous Services-Uninsured Losses	439-365264	43330104-44798	\$33, 897

PASSED AND ADOPTED this 9th day of May, 2023.

Mayor

ATTEST:

City Clerk



File Attachments for Item:

27. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-135: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$20,000 FROM THE GENERAL FUND BALANCE TO BE USED FOR WESTWOOD PARK RESTAURANT AND CONCESSIONS OPERATIONS FOR THE REMAINDER OF FYE 2023.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/09/2023

REQUESTER: Veronica Tracy, Recreation Manager

PRESENTER: Jason Olsen, Director of Parks and Recreation

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-135: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$20,000 FROM THE GENERAL FUND BALANCE TO BE USED FOR WESTWOOD PARK RESTAURANT AND CONCESSIONS OPERATIONS FOR THE REMAINDER OF FYE 2023.

BACKGROUND:

The Recreation Division operates a year-round restaurant at Westwood Park Golf Course, The Turn Grill, and a seasonal concession at the Westwood Family Aquatic Center. Over the past year, the Division has experienced a 26% food cost increase. The Division is requesting an appropriation now to begin the aquatic and high golf participation seasons with adequate food supply.

DISCUSSION:

Each year, funds are allocated in the amount of \$60,000 for food supplies at Westwood Family Aquatic Center and \$60,000 for food supplies at The Turn Grill, which were 80% expended by April of this fiscal year. Staff has seen a 26% increase in food costs in the fiscal year 2022-2023 (FYE 23) relative to FYE 22 and, as such, has requested and received a base budget increase for FY 24 to combat rising food costs.

The budget increase will be effective July 1, 2024. It will significantly assist in finishing concessions and restaurant operations for the aquatics and high golf participation season but will not impact the current funding shortfall. All funds appropriated for food supplies will be depleted before the end of FYE 23, and additional funds are needed for the rest of the fiscal year. Staff has been closely tracking food costs and has estimated an additional \$20,000 will be necessary to begin the season.

In order to operate both The Turn Grill and Westwood Family Aquatic Center Concessions and pay for the increase in food costs, staff proposes to appropriate \$20,000 from the General Fund balance (account 10-29000) to the Westwood Park Fund, \$10,000 to be allocated to Other Supplies- Concessions Supplies (account 29770035-43128) and \$10,000 to Other Supplies- Concession Pool (account 29770035-43131).

RECOMMENDATION:

Staff recommends adopting Resolution R-2223-135 to appropriate \$20,000 from the General Fund balance (account 10-29000) to the Westwood Park Fund, \$10,000 to be allocated to Other Supplies- Concessions Supplies (account 29770035-43128) and \$10,000 to Other Supplies- Concession Pool (account 29770035-43131).

Resolution

R-2223-135

A RESOLUTION OF THE NORMAN CITY COUNCIL AND THE NORMAN MUNICIPAL AUTHORITY APPROPRIATING \$20,000 FROM THE GENERAL FUND BALANCE TO BE USED FOR THE WESTWOOD PARK RESTAURANT AND CONCESSIONS OPERATIONS FOR THE REMAINDER OF FYE 2023.

- § 1. WHEREAS, the Parks and Recreation Division operates a year-round restaurant at the Golf Course and seasonal concessions at the Aquatic Center; and
- § 2. WHEREAS, by April of fiscal year 2023, 80% of the budget for food supplies at both the restaurant and concession at Westwood Park had been expended; and
- § 3. WHEREAS, the Parks and Recreation Division determined that this was caused by a 26% increase in the cost of food supplies in FYE 2023; and
- § 4. WHEREAS, both the restaurant and concession at Westwood Park will need additional funding in order to begin this season with an adequate food supply.

NOW, THEREFORE, BE IT RESOLVED BY THE NORMAN CITY COUNCIL AND THE NORMAN MUNICIPAL AUTHORITY:

- § 5. That the following appropriation be made from the General Fund for the reason as stated above:

Account Name	Losing Account	Gaining Account	Amount
Other Supplies-Concessions Supplies	10-29000	29770035-43128	\$10,000
Other Supplies-Concessions Pool	10-29000	29770035-43131	\$10,000

PASSED and ADOPTED this 9th day of May, 2023.

Mayor/Chairman

ATTEST:

City Clerk/Secretary



File Attachments for Item:

28. CONDUCTING AND CLOSING A PUBLIC HEARING FOR CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE PROPOSED FOURTH YEAR ACTION PLAN FOR THE FORTY-EIGHTH YEAR NORMAN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION WHICH INCLUDES THE 2023 HOME PROGRAM TOTALING \$1,400,424 TO BE SUBMITTED TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/09/2023

REQUESTER: Lisa D. Krieg

PRESENTER: Lisa D. Krieg; CDBG Grants Manager

ITEM TITLE: CONDUCTING AND CLOSING A PUBLIC HEARING FOR CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE PROPOSED FOURTH YEAR ACTION PLAN FOR THE FORTY-EIGHTH YEAR NORMAN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION WHICH INCLUDES THE 2023 HOME PROGRAM TOTALING \$1,400,424 TO BE SUBMITTED TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).

BACKGROUND:

On April 28, 2020 the Norman City Council approved the 2020-2024 Consolidated Plan which is a comprehensive planning approach to identify and address the needs of low-to-moderate income residents of Norman. The Consolidated Plan provides a basis and strategy for the use of federal funds granted to the City of Norman by the U.S. Department of Housing and Urban Development (HUD) under the Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) programs. While the Consolidated Plan serves as a planning document meeting the federal government statutory requirements in 24CFR 91.200-91.230, the Annual Action Plan is the mechanism where the programs and projects are authorized and funded. This Annual Action Plan covers the period beginning July 1, 2023 through June 30, 2024 (2022 Federal Budget). The U.S. Department of Housing and Urban Development (HUD) defines the City of Norman as an entitlement community due to its population and demographics. As an entitlement community, the City of Norman receives an annual formula allocation of Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) funding dependent upon funding in the Federal Budget. Programs and activities described in this plan are intended to primarily benefit low and moderate-income residents of the City of Norman, neighborhoods with high concentrations of low-income and moderate-income residents, and the city as a whole.

This plan is the product of public outreach, public hearings, and consultation with multiple agencies that serve the needs of low and moderate-income residents of Norman and agencies that serve the needs of special populations. The Fourth Year Action Plan for the 48th Year Community Development Block Grant Program (\$941,659) and the 2023 HOME Program (\$458,765) includes the proposed use of funds with references to the Five-Year Consolidated Plan Objectives and expected performance outcomes, and totals \$1,400,424

A complete draft of this document was made available for public review beginning April 12, 2023.

DISCUSSION:

The Fourth Year Action Plan is based upon research which utilized existing documents, and the recommendations of the Community Development Policy Committee as a result of a formal citizen participation process. This process included multiple interactions with interested parties and also opportunities for citizen participation from the general public. This year these interactions were conducted in person and included neighborhood meetings for the seven target neighborhoods; multiple individual and focus group meetings where specific information regarding public services, public facilities, housing, homelessness, and economic development/anti-poverty were discussed; in January 2023, the annual Community Dialogue on housing and community development needs was held where issues that affect low and moderate income citizens were discussed in addition to the election of Policy Committee Representatives. The CDBG Policy Committee met six times and included an extensive review of the previous Action Plan's and the current Consolidated Plan's Goals and Objectives and discussed the information that was assembled from the Community Dialogue, neighborhood meetings and focus groups.

The CDBG and HOME projects proposed include housing rehabilitation and related housing projects at \$419,689. The housing related projects include housing rehabilitation and accessibility modifications in addition to staff support for these programs. In efforts to increase the supply of affordable housing, the entire \$458,765 of the HOME Investment Partnerships will be programmed to allow for development and partnership with a Community Housing Development Organization. New to this year's Action Plan is the focus on revitalization efforts for two specific neighborhoods, Original Townsite and First Courthouse. This grant proposal is in compliance with the statutory caps for Administration and Public Services. All projects are listed in the attached 2023-2024 Fourth Year Action Plan.

A thirty-day comment period on the proposed Action Plan ends on May 12, 2023. After approval by the Norman City Council, the Fourth Year (2023-2024) Action Plan will be forwarded to the Department of Housing and Urban Development for review.

Funds for CDBG and HOME projects have been included in the FYE 2024 City of Norman annual budget.

RECOMMENDATION:

Approval of the Fourth Year Action Plan which includes the Forty-Eighth Year Community Development Block Grant Program and the 2023 HOME Program are recommended as proposed.

Community Development Block Grant and
HOME Investment Partnerships Programs

Fourth Year Action Plan

City of Norman

FYE24

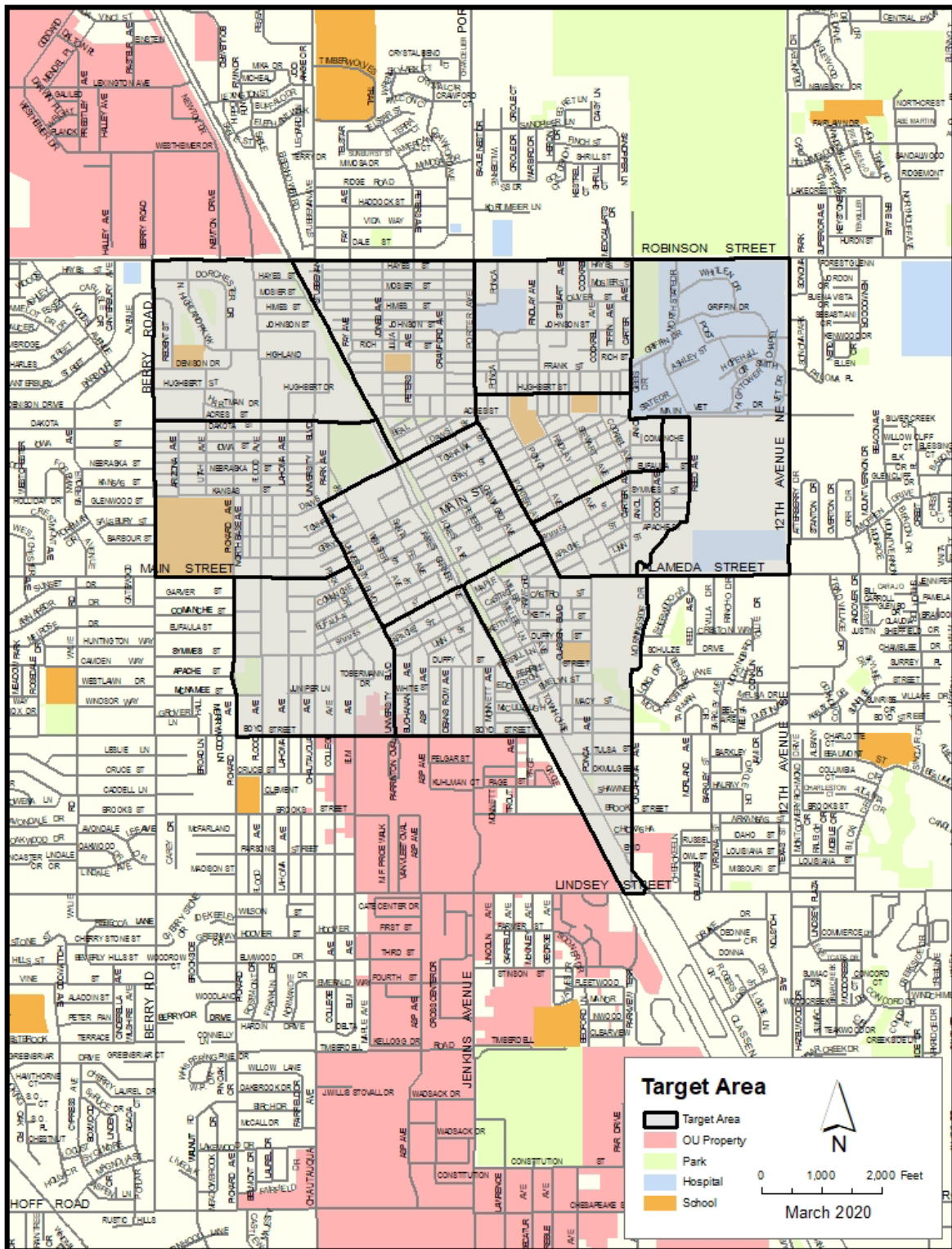
EXECUTIVE SUMMARY

AP-05 EXECUTIVE SUMMARY - 24 CFR 91.200(C), 91.220(B)

1. Introduction

Norman is a diverse and multifaceted city that provides many of the amenities of a large metropolitan area, while still maintaining a strong sense of community. Located in central Oklahoma, Norman is just 15 minutes south of Oklahoma City, the state capital. The total area within the main body of Norman is 189 square miles. Norman offers a rich and fascinating history, a wide range of cultural experiences and nationally recognized educational institutions. Norman is also home to the University of Oklahoma which has an enrollment of 31,000 students. As of the 2020 U.S. Census, Norman was home to approximately 128,026 people, of whom thirty-one percent were members of minority groups. According to the same survey, the median income of households in Norman was \$57,786 and 18.8% of individuals were in poverty. There are 53,446 households in Norman, and the percentage of households who earn less than 80% of the area median income and are therefore classified as low-or moderate-income by HUD was 42.8% ??of the city-wide population for whom household income could be determined. Consolidated Plan funds will be targeted toward these low and moderate income neighborhoods or toward activities that benefit all residents of the city who are low or moderate income.

The Strategic Plan lays out the direction the City intends to take in the distribution of the Community Development Block Grant and HOME funding for the 2020-2024 planning period. The priorities listed were determined through consultation with citizens, service providers and other City of Norman departments. Some of the programs will be targeted to individual households who qualify for the programs according to their income status (individual or direct benefit). Other programs are directed towards particular areas within Norman where the median income of the census blocks groups meets the HUD standards for area benefit. This standard states the median household income of 51% of households in the area is at or below 80% of MFI. The City's goals and objectives were identified and developed through the context of eligible uses of HUD funding and are listed below and summarized in Section SP-45.



CDBG Target Area

Annual Action Plan
2023

2

2022-2023 Budget Summary needs updating but I don't have it

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

The City of Norman undertook a significant public input and planning process during the year leading up to the submission of the Consolidated Plan in 2020. The implementation of these goals is proposed to be continued with this Annual Action Plan. Public input was obtained through focus groups, formal and informal meetings, and public hearings. The Consolidated Plan contained a range of goals, objectives, and outcomes formulated to address needs identified for homelessness, affordable housing, non-housing community development, barriers to affordable housing, lead based paint hazards, institutional structure, and coordination. The overall goals included:

Housing Rehabilitation

Homelessness

Community Development

Affordable Housing

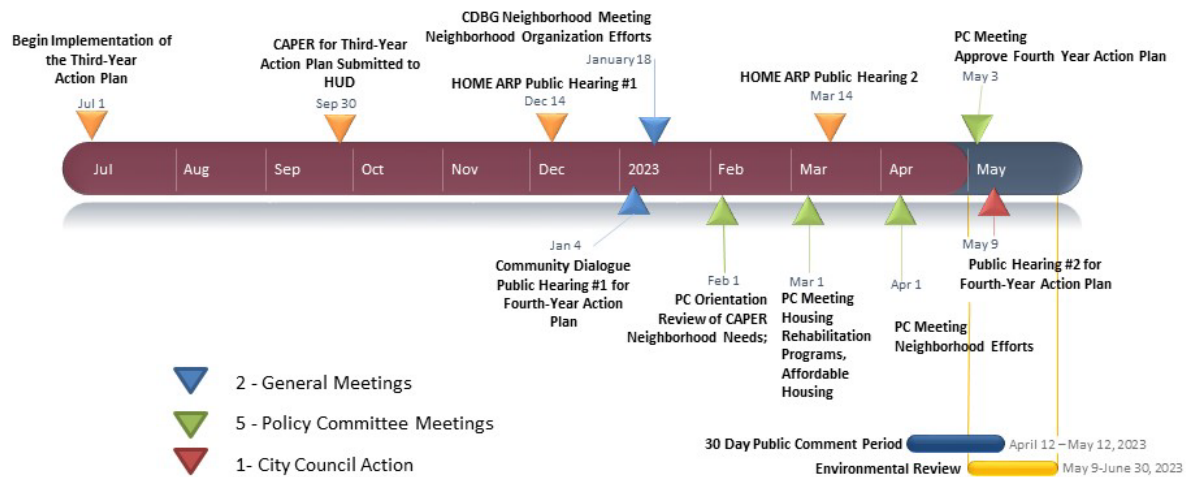
3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

The City of Norman has a long history of successful programs funded through the Community Development Block Grant and HOME Investment Partnerships Program. Of particular importance to the health of the city have been programs that address the condition of the housing stock. The City of Norman has successfully funded housing rehabilitation activities targeting lower income and elderly households unable to properly maintain their homes. By working actively with local homeless service providers, the City of Norman has been able to facilitate the expansion of both the stock of units/beds available to homeless persons and services aimed at helping those persons find employment, housing, health care services, and educational opportunities. Details of past performance can be found in the City's Consolidated Annual Performance and Evaluation Report (CAPER).

4. Summary of Citizen Participation Process and consultation process

Citizen Participation Process City of Norman Action Plan Year 4



5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

No Public Comments have been received as of the printing date (April 25, 2023). All comments received during the comment period will be included and forwarded with this application to HUD for consideration.

6. Summary of comments or views not accepted and the reasons for not accepting them

All Public Comments that are received will be accepted and forwarded to HUD.

7. Summary

Based on the needs of the community the City of Norman continues to concentrate these resources towards the provision of affordable housing. This strategy allows for the rehabilitation of owner occupied low and moderate-income properties, modifications to improve the accessibility of both owner and renter residential units, and the utilization of HOME funds to increase the inventory of affordable housing. Included within the broad scope of affordable housing is the focus on the elimination of homelessness in our community. The CDBG Policy Committee will continue to reaffirm this strategy before each funding cycle, and funding decisions will be based upon the relevancy of the strategy.

This Third Year Action-Plan includes projects with objectives and outcomes that address the five-year Consolidated Plan priority needs and meet or exceed the Consolidated Plan goals. For more details about the Consolidated Plan, please refer to the City of Norman website at www.normanok.gov. The Action Plan goals are summarized throughout the plan by:

HUD Objectives - Decent Housing, Suitable Living Environment, and Expansion of Economic Opportunities; and

HUD Outcome - Increases to Availability/Accessibility, Affordability, and Sustainability

This Action Plan supports one or more Consolidated Plan Goals and one or more priority needs.

PR-05 LEAD & RESPONSIBLE AGENCIES – 91.200(B)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	Lisa D. Krieg	CDBG/Grants Division, Planning and CD
HOME Administrator	Lisa D. Krieg	CDBG/Grants Division, Planning and CD

Table 1 – Responsible Agencies

Narrative (optional)

The CDBG/Grants Division is located within the Planning and Community Development Department.

Consolidated Plan Public Contact Information

The City of Norman 2020-2024 Consolidated Plan and the Fourth Year Action Plan may be viewed at Normanok.gov or a copy requested by contacting Tara Reynolds at 405-366-5322.

AP-10 CONSULTATION – 91.100, 91.200(B), 91.215(L)

1. Introduction

The following information is comprised of the agencies that have served on committees, provided direct input or provided input via other means, CDBG, HOME, and CoC-funded sub-recipients, and delivered the CDBG and HOME services directly. The Consolidated Plan and Action Plan process is a year-round accumulation of reports, discussions, analysis, and observations. All the agencies/groups listed below have had a part in the final product as well as decisions and discussions that happen year-round.

Provide a concise summary of the jurisdiction’s activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(I))

The City of Norman has a very strong commitment to agency coordination, and because of this commitment and the effort to bring community agencies and providers together this has been very successful. Because of the effort to bring all stakeholders to the table, there is a strong knowledge of community resources among the agencies, resulting in a very strong referral network, very effective discussions regarding needs analysis and service delivery resulting in minimal duplication of services.

Although the Norman Housing Authority is not formally affiliated with the City of Norman, they work closely with the City of Norman and service providers to organize resources from the federal government to address the housing needs of the City’s lowest income households. Through the Continuum of Care process, the City of Norman maintains relationships with mental health providers, homeless shelter and service providers, and other governmental agencies with specific responsibilities for homeless individuals and families. This system provides a forum for assisting these agencies grow and meet the needs of their own targeted clientele. The City of Norman also participates in a variety of other coalitions that seek to address other issues that relate to housing and service needs.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

The City of Norman, the City of Moore, and the surrounding Cleveland County area comprise the Norman/Cleveland County Continuum of Care (CoC) designated as OK-504. In the past, the City of Norman was designated as the Collaborative Applicant. In April of 2022 Thunderbird Clubhouse transitioned into the role of the Collaborative Applicant with the assistance of the City of Norman. The CoC Steering Committee encompasses 88 members with an elected Executive Committee having 18 members. The Executive Committee meets on a monthly schedule with the entire Steering Committee meeting semi-annually. The City of Norman staff works actively with the Executive Committee and other designated committees in the identification of needs and coordination of resources. In the past, the City of Norman has often brought CDBG and HOME resources to the table to supplement CoC initiatives and to serve as a local government pass through when required by funders.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

As a voting member of the Continuum of Care Executive Committee, the City of Norman is directly involved with all CoC activities including the allocation of ESG resources. The Norman/Cleveland County CoC has developed and adopted governance documents including conflict of interest policies. The documents which were developed in consultation with the City of Norman, establish guidelines for the evaluation of outcomes and performance standards that are performed by the COC.

The Oklahoma City Continuum of Care is located adjacent to the Norman/Cleveland County CoC and because both represent a common metropolitan area and thus share a commonality in the homeless population. Regular collaboration between the two entities occurs and the common HMIS system is utilized which facilitates identification of the mobile segment of this population.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities

Table 2 – Agencies, groups, organizations who participated

1	Agency/Group/Organization	City of Norman
	Agency/Group/Organization Type	Other government - Local Grantee Department
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development Anti-poverty Strategy Lead-based Paint Strategy Non-Housing Community Development
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	As a voting member of the CoC Executive Committee, the City of Norman is directly involved with all CoC activities including the allocation of ESG resources. The Norman/Cleveland County CoC has developed and adopted governance documents including conflict of interest policies. The documents which were developed in consultation with the City of Norman, establish guidelines for the evaluation of outcomes and performance standards that are performed by the COC. The Oklahoma City Continuum of Care is located adjacent to the Norman/Cleveland County CoC and because both represent a common metropolitan area and thus share a commonality in the homeless population. Regular collaboration between the two entities occurs and the common HMIS system is utilized which facilitates identification of the mobile segment of this population.

2	Agency/Group/Organization	Norman Housing Authority
	Agency/Group/Organization Type	PHA
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Norman Housing Authority was included on the staff technical team that collected and analyzed data as well as assisted in community outreach. The outcomes will be accurate data on participants served through the housing authority, and coordinated efforts on future affordable housing projects. NHA staff also assisted in significant outreach activities to low income households served through the NHA.
3	Agency/Group/Organization	United Way of Norman
	Agency/Group/Organization Type	Housing Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-Victims of Domestic Violence Services-homeless Services-Health Services-Education Services-Employment Service-Fair Housing Services - Victims Business and Civic Leaders

	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Economic Development Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Provides analysis and needs assessments via grant application to nonprofit entities in Norman. The Agency was consulted through in person conversations to assist in identifying future service and facility needs
4	Agency/Group/Organization	City of Norman Parks Department
	Agency/Group/Organization Type	Other government - Local
	What section of the Plan was addressed by Consultation?	Non-Housing Community Development
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The department was consulted through in person conversations to assist in identifying future facility needs in the implementation of the Parks Master Plan as it relates to the Neighborhood Parks in the CDBG target area.
5	Agency/Group/Organization	Central Oklahoma Community Mental Health Center/Griffin Memorial Hospital
	Agency/Group/Organization Type	Services-Persons with Disabilities Services-Health Health Agency Publicly Funded Institution/System of Care Major Employer
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs

	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Consultation included participation in the CoC activities, Point in Time data collection. The agency was a participant in the creation and implementation of the Built for Zero programs. Active in regional planning for the CoC. Provides input on sheltered, unsheltered homeless and homeless gaps analysis.
6	Agency/Group/Organization	AGING SERVICES INC
	Agency/Group/Organization Type	Services-Elderly Persons Services-Persons with Disabilities
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Non-Homeless Special Needs Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Agency was consulted through in person conversations to assist in identifying future service and facility needs. The anticipated outcome includes assistance in the City identifying service and facility needs and goals for the Action Plan.
7	Agency/Group/Organization	Salvation Army
	Agency/Group/Organization Type	Services-homeless
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Agency was consulted through in person conversations as well as community forums to assist in identifying future service and facility needs. The anticipated outcome includes assistance in the City identifying service and facility needs and goals for the Action Plan.

8	Agency/Group/Organization	NORMAN AFFORDABLE HOUSING CORPORATION, INC.
	Agency/Group/Organization Type	Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Market Analysis Economic Development Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Agency was consulted through in person conversations as well as community forums to assist in identifying future service and facility needs. The anticipated outcome includes assistance in the City identifying service and facility needs and goals for the Action Plan.

9	Agency/Group/Organization	Thunderbird Clubhouse
	Agency/Group/Organization Type	Housing Services - Housing Services-Persons with Disabilities Services-homeless Services-Health Services-Employment
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Agency was consulted through in person conversations as well as community forums to assist in identifying future service and facility needs. The anticipated outcome includes assistance in the City identifying service and facility needs and goals for the Action Plan.

10	Agency/Group/Organization	Food and Shelter, Inc.
	Agency/Group/Organization Type	Housing Services - Housing Services-homeless
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Agency was consulted through in person conversations as well as community forums to assist in identifying future service and facility needs. The anticipated outcome includes assistance in the City identifying service and facility needs and goals for the Action Plan.
11	Agency/Group/Organization	Norman CHDO 2015
	Agency/Group/Organization Type	Housing CHDO
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Market Analysis
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Norman 2015 CHDO is a relatively new CHDO approved for participation. Consultation has included analysis of affordable housing designed for those with a physical disability as they developed the Vicksburg Project. Additional consultation occurred as they developed in partnership with the University of Oklahoma, College of Architecture, the Hughbert Street Project. The most recent project included the construction of three single family infill properties which meet the City of Norman Visitability Standards.

Identify any Agency Types not consulted and provide rationale for not consulting

All service providers and agencies that provide services directly pertaining to the Consolidated Planning process have been involved in some type of consultation. Some have been consulted during other meetings and other forums. There have been no agencies left off of communication efforts or meeting invitations. The City of Norman works very hard to ensure strong and positive community collaboration.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Thunderbird Clubhouse, Inc.	Coordination in terms of homeless program delivery and strategic planning. Technical assistance to grantees, support to applicants.
Norman Land Use and Transportation Plan	City of Norman	Long-Range Comprehensive Plan. Overlap in the transportation plan occurs with land use and transportation issues in the low-income areas or areas serving low-income citizens. CDBG funds are used for sidewalk/street repair and public facility projects, all affected by the ability to reach the designated agency or area.
PHA 5 Year Plan	Norman Housing Authority	The 5-Year Plan addresses specific maintenance and planning needs of the Norman Housing Authority, which has a major role in addressing the housing needs of Norman.

Table 3 – Other local / regional / federal planning efforts

Narrative (optional)

The lead agency for the Consolidated Plan as well as each Action Plan is the CDBG/Grants Division of the Planning and Community Development Department of the City of Norman. The division and department oversaw the development of the plan. Two advisory boards performed key roles:

The Community Development Policy Committee: Purpose: To develop and propose community development strategy and policy; to recommend allocation of CDBG and HOME funds. The 18 committee members are drawn from the low and moderate income neighborhoods in the CDBG Target Area and the community at large.

The Continuum of Care Executive Committee: Purpose: To implement the community's plan for homeless services; to make policy recommendations regarding addressing homelessness; to make regular reports to the community on the progress towards elimination of homelessness. The 18 committee members are drawn from the following community resources: housing and other service providers; current or formerly homeless individuals; faith leaders; and researchers.

AP-12 PARTICIPATION – 91.105, 91.200(C)

1. Summary of citizen participation process/Efforts made to broaden citizen participation
Summarize citizen participation process and how it impacted goal-setting

The lead agency for the Consolidated Plan is the CDBG/Grants Division of the Planning and Community Development Department of the City of Norman. The division and department oversaw the development of the plan. Two advisory boards performed key roles:

The Community Development Policy Committee: Purpose: To develop and propose community development strategy and policy; to recommend allocation of CDBG and HOME funds. The 18 committee members are drawn from the low and moderate income neighborhoods in the CDBG Target Area and the community at large.

The Continuum of Care Executive Committee: Purpose: To implement the community's plan for homeless services; to make policy recommendations regarding addressing homelessness; to make regular reports to the community on the progress towards elimination of homelessness. The 88 Oversight Committee members are drawn from the following community resources: housing and other service providers; current or formerly homeless individuals; faith leaders; and researchers. An 18-member Executive Committee, a Data Committee consisting of 8 members and also a Governance Committee with 8 members oversee all activities of the Continuum.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
	Public Hearing	<p>Persons with disabilities</p> <p>Non-targeted/broad community</p> <p>Residents of Public and Assisted Housing</p>	<p>The Community Dialogue Public Hearing was held on January 5, 2022. Invitations were directed to every Social Service Agency in Norman utilizing the United Way of Norman and the Continuum of Care mailing lists. Invitations were also sent to households who have participated in the CDBG process in the past including the target neighborhoods. In addition to advertising on the City of Norman media outlets, a legal notice was placed in the Norman Transcript announcing the meeting. A total attendance of 12 individuals was recorded at the in-person meeting held at the Norman Public Library Central.</p>	<p>Comments were directed at overall needs of the low income and special needs populations of Norman. The discussion emphasis other than the impact of the Corona Virus was placed on transportation and affordable housing.</p>	<p>No written comments were received and all verbal comments were duly recorded and considered.</p>	

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
2	Internet Outreach	CDBG Target Neighborhoods	To allow for input from the residents of the CDBG Target Area, a Virtual Neighborhood Meeting was held whereas persons could take a short survey utilizing Survey Monkey on the needs and concerns of their neighborhood. In addition, there was an opportunity for direct correspondence with staff. Survey was available for six weeks and multiple announcements made directing residents to the URL.	Comments ranged from park repairs, code compliance issues, property crime and the increase presence of persons who are experiencing homelessness in the core area. Issues needing response from other City Departments were forwarded. Many respondents indicated the desire for the possibility of neighborhood organization.	All comments recorded.	
3	Internet Outreach	Non-Profits	A survey was conducted utilizing United Way mailing list, CoC mailing list and newspaper article to allow for non-profits in Norman to identify unmet needs in general and directly attributable to the Corona Virus.	Responses identified PPE needs and unbudgeted costs for provision of PPE and increased IT needs such as infrastructure and website modifications to allow for remote delivery of services.	All comments recorded.	

Table 4 – Citizen Participation Outreach

EXPECTED RESOURCES

AP-15 EXPECTED RESOURCES – 91.220(C)(1,2)

Introduction

The priorities and accomplishment goals outlined in this document are based on assumptions about future funding levels for the Consolidated Plan programs. In all cases, the City of Norman has used the presumption of level-funding of each program at Federal Fiscal Year 2020 levels as outlined below. Because these programs are subject to annual Congressional appropriations as well as potential changes in funding distribution formulas or the number of communities eligible to receive entitlement grants, the accomplishment projections and planned activities are subject to change with availability of funding.

Fiscal Year 2023 provided a modest increase in CDBG Entitlement and HOME Investment Partnerships funding.

CARES act funding was also provided to assist in addressing the COVID-19 Crisis.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 4				Expected Amount Available Remainder of ConPlan	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$	\$	
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	941,659	0	2,792,359	3,734,018	941,659	The City of Norman will continue to derive strategies and priorities for housing and community development cooperatively with public and private entities as well as community groups.

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 4				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	458,765	0	1,274,763	1,733,528	458,765	The City of Norman will continue to derive strategies and priorities for housing and community development cooperatively with public and private entities as well as community groups.

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

CDBG and HOME funding will leverage a significant amount of additional resources including federal, state, and local funding. The City of Norman Social and Voluntary Services Commission annually funds \$225,000 in social services through local general revenue. CDBG funds and social service funding are often provided to similar agencies and implemented to maximize funds available and build agency capacity for services. HOME funding often leverages significant investment from private entities

The U.S. Department of Housing and Urban Development (HUD) requires that the Participating Jurisdictions (PJs) that receive HOME funding match \$.25 of every dollar. The matching requirement mobilizes community resources in support of affordable housing. The City of Norman expects to receive approximately \$400,000 in HOME funding for FY2023 and beyond, requiring an annual match requirement of \$100,000. HUD allows cities to rollover excess match from previous years and to date the City of Norman has banked over 2.8 million dollars of excess match.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

The Oklahoma Department of Mental Health and Substance Abuse Services is collaborating with the City of Norman on the possible redevelopment of Griffin Memorial Hospital (GMH). GMH is located within the CDBG Target Area and as part of the redevelopment; land and or structures could be utilized to meet these identified needs. In addition, Norman Regional Hospital has recently announced the concentration of their activities at the Tecumseh Campus and a potential redevelopment of the Porter Avenue Campus which is located within the CDBG Target Area.

ANNUAL GOALS AND OBJECTIVES

AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Housing Rehabilitation	2020	2024	Affordable Housing	Community Wide	Need for Housing Rehabilitation Housing and Services for Persons with Special Need	CDBG: \$419,689	Rental units rehabilitated: 20 Emergency Repair Projects; 15 Accessibility Projects; Habitat Ramp Activities; and Neighborhood Initiatives Programs including Exterior Property Maintenance

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
2	Affordable Rental/Owner Housing	2020	2024	Affordable Housing	Community Wide	Availability of Affordable Rental Units Housing and Services for Persons with Special Need Housing and Services for the Homeless	CDBG: \$140,000 HOME: \$413,765	Rental units constructed: 2 Household Housing Unit; Down-Payment Assistance; Acquisition of Property for affordable housing, this may include rehabilitation and/or construction.
3	Homelessness	2020	2024	Homeless	Community Wide	Housing and Services for Persons with Special Need	No new funding, will utilize existing funding to continue programmed efforts	Public service activities for Low/Moderate Income Housing Benefit: 30 Households Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
4	Neighborhood Initiatives	2023	2024	Community Development	Original Townsite and First Courthouse Neighborhoods 400272002.002	Need for Housing Rehabilitation; Affordable Housing; and Community Development	In addition to affordable housing, community development was identified as a priority. To address this priority, a new position will be added to concentrate revitalization efforts in two of the block grant neighborhoods. This initiative, coined Neighborhood Initiatives, will include an exterior property maintenance program, a tree program, neighborhood organization, and a down payment assistance program (HOME Funded).	Housing Rehabilitation: 20 units; DPA 4 Units
4	Community Development	2020	2024	Non-Housing Community Development	2020-2024 Target Area	Public Improvements	No new funding, will utilize existing funding to continue programmed efforts	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 1000

Table 6 – Goals Summary

Goal Descriptions

1	Goal Name	Housing Rehabilitation
	Goal Description	
2	Goal Name	Affordable Rental/Owner Housing
	Goal Description	
3	Goal Name	Homelessness
	Goal Description	
4	Goal Name	Community Development
	Goal Description	

PROJECTS

AP-35 PROJECTS – 91.220(D)

Introduction

The following projects were prioritized by the City of Norman Policy Committee after evaluating the resources that are available and the unmet needs of the community.

Projects

#	Project Name
1	Administration
2	Housing Rehabilitation
3	Public Services
4	Community Development
5	Development of Affordable Housing

Table 7 - Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

Currently the immediate need is for affordable rental housing as the low and very low income households compete for affordable units with the student population from the University of Oklahoma. As a part of the update to the City of Norman Comprehensive Plan, a dedicated Housing Market Analysis and Housing Strategic Plan is currently under contract. These efforts will assist in development of strategies that the City of Norman can undertake to address this issue.

AP-38 PROJECT SUMMARY

Project Summary Information

1	Project Name	Administration
	Target Area	Community Wide
	Goals Supported	All
	Needs Addressed	All
	Funding	CDBG: \$187,850; HOME: \$45,000
	Description	Administration of the CDBG and HOME Investment Partnerships Program including Fair Housing Activities
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	Beneficiaries are aggregated within the individual activities that will be undertaken
	Location Description	Community-Wide
	Planned Activities	Administration of the CDBG and HOME Program
2	Project Name	Housing Rehabilitation
	Target Area	Community Wide; A Neighborhood Initiative Effort will be made in two CDBG Target Neighborhoods with enhanced rehabilitation activities.
	Goals Supported	Housing Rehabilitation
	Needs Addressed	Need for Housing Rehabilitation Housing and Services for Persons with Special Need
	Funding	CDBG: \$419,689
	Description	Housing Rehabilitation activities including Program Delivery
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	35 households will receive rehabilitation assistance.
	Location Description	Accessibility Modifications and Emergency Repair Projects are available city-wide.

	Planned Activities	Emergency Repair and Accessibility Modification Activities
3	Project Name	CDBG Neighborhood Initiative
	Target Area	Original Townsite and First Courthouse Neighborhoods
	Goals Supported	Housing Rehabilitation; Community Development
	Needs Addressed	Housing Rehabilitation, Public Improvements
	Funding	CDBG \$194,120 HOME \$60,000
	Description	Efforts concentrated in two-LMI Target Neighborhoods. Small public improvements, Exterior Property Maintenance and Down Payment Assistance Program to increase homeownership opportunities.
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	843 households reside in the targeted neighborhoods; Goal is 20 Exterior Property Maintenance Grants and 4 Down Payment Assistance Grants.
	Location Description	400272002.002
	Planned Activities	Public Improvements, Exterior Property Maintenance, Neighborhood Organization
4	Project Name	Development of Affordable Housing
	Target Area	Community Wide
	Goals Supported	Affordable Rental/Owner Housing
	Needs Addressed	Availability of Affordable Rental Units Housing and Services for Persons with Special Need Housing and Services for the Homeless
	Funding	CDBG: \$941,659 HOME: \$458,765
	Description	Acquisition of property with or without rehabilitation
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	Acquisition of two sites for Affordable Housing opportunities

	Location Description	Community Wide
	Planned Activities	Acquisition of property with or without rehabilitation; rehabilitation of existing units or new construction of renter or owner occupied affordable units

AP-50 GEOGRAPHIC DISTRIBUTION – 91.220(F)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

The majority of projects planned are Direct Benefit activities. A limited number of Target Area (Area Benefit) projects are proposed.

Geographic Distribution

Target Area	Percentage of Funds
Community Wide	80
2020-2024 Target Area	20

Table 8 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

Rationale behind allocating investments geographically include ensuring the City of Norman is affirmatively furthering fair housing with housing programs offered city wide with qualification based upon the applicant's income for a direct benefit. The designated CDBG Target Area consists of contiguous block groups in the core of Norman with 51% or more of the population at 80% or below AMI, in order to ensure the achievement of a CDBG National Objective. While there are other areas in the City of Norman that meet this low-mod income criterion the infrastructure needs are minimal compared to the Target Area.

AFFORDABLE HOUSING

AP-55 AFFORDABLE HOUSING – 91.220(G)

Introduction

The City of Norman will support a variety of affordable projects including rehabilitation (owner and rental), acquisition, and the production of new units.

One Year Goals for the Number of Households to be Supported	
Homeless	2
Non-Homeless	43
Special-Needs	15
Total	60

Table 9 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	2
The Production of New Units	2
Rehab of Existing Units	58
Acquisition of Existing Units	0
Total	62

Table 10 - One Year Goals for Affordable Housing by Support Type

AP-60 PUBLIC HOUSING – 91.220(H)

Introduction

The City of Norman and the Norman Housing Authority have a very viable working relationship, and the partnership between agencies spans beyond Consolidated Plan items. The Norman Housing Authority sees the community as a big picture and not just in relation to the services they provide. Successful partnerships between the Norman Housing Authority and the community will only continue to become stronger.

Actions planned during the next year to address the needs to public housing

HOME funds will be utilized for Tenant Based Rental Assistance for the Built for Zero Program. These TBRA funds will be administered in conjunction with the vouchers the Norman Housing Authority has provided for this effort.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

Efforts to increase participation by public housing residents are ongoing with planned activities at each site to encourage participation. The Residents Council is very active and participates fully in all decision making.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

The Housing Authority of the City of Norman (OK-139) is designated as a High Performing Housing Authority.

Discussion

The provision of HOME funds for TBRA is a program that has improved each year since the inception and is tied with the Coordinated Case Management Process. It is anticipated that this partnership will continue but will be re-evaluated annually for performance and consideration of potential reduction of HOME funds allocated. Currently there are ample funds available in the M22 award to continue without additional funding from M23.

AP-65 HOMELESS AND OTHER SPECIAL NEEDS ACTIVITIES – 91.220(I)

Introduction

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The Cleveland County Continuum of Care has adopted the use of the VI-SPDAT assessment tool. This tool is instrumental in assessing unsheltered individuals needs and assigning a vulnerability index to them. It is this information that the Coordinated Case Management Team reviews in determining the placement into permanent housing. This tool is utilized by all the homeless service provider's year around; and this effort is also concentrated during the operation of a winter warming shelter and the January point-in-time count. OK504 collaborates closely with the Oklahoma City CoC and as they are currently developing an alternative to the VI-SPDAT, OK504 will align with the eventual assessment tool once released.

Addressing the emergency shelter and transitional housing needs of homeless persons

The City of Norman plans to support the efforts of the Continuum of Care homeless service provider's efforts to provide emergency and transitional housing needs for households who are experiencing homelessness.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

As mentioned previously, case management is the most effective method of assisting all homeless (chronic, individuals, families with children, veterans, and unaccompanied youth) both obtain housing and remain housed. The City of Norman's Annual Action Plan contributes to helping homeless persons make the transition to permanent supportive housing and independent living by providing funds for Housing Start-up Kits and dedicated TBRA funding provided by the HOME program will be used to increase the funding that is available for permanent housing.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

As mentioned previously, case management is the most effective method of assisting all homeless (chronic, individuals, families with children, veterans, and unaccompanied youth) both obtain housing and remain housed. The City of Norman's Annual Action Plan contributes to helping homeless persons make the transition to permanent supportive housing and independent living by providing funds for Housing Start-up Kits and dedicated TBRA funding provided by the HOME program will be used to increase the funding that is available for permanent housing.

The City of Norman assists in the coordination of many of these efforts with the Continuum of Care. The CoC monitors the discharge planning policies of the systems of care and attempts to intervene when these policies result in the potential for homelessness. The CoC also coordinates the Emergency Solutions Grant Program in that it evaluates the funding priorities related to prevention activities and sets the levels of assistance.

Discussion

Norman prides itself in a decades-long track record of successful partnerships among public and private sector entities in regard to homelessness and other special needs activities. The Consolidated Plan delivery system is an example of this. Communication and cooperation between the City of Norman's Grants Division and the partner agencies and organizations that administer activities is strong. Staff has worked closely with the organizations involved with the Consolidated Plan programs to improve regulatory compliance, monitoring, cooperation and partnership among agencies, and technical capacity of organizations involved with project delivery.

The City of Norman's Strategic Plan Goals contribute to helping persons make the transition to permanent housing and independent living by supporting and in certain instances providing funding to facilities operated by agencies that serve these populations and by expanding housing options available to these populations. The City of Norman Social and Voluntary Services Commission administers over \$225,000 annually in local government revenue to assist social service providers serving these populations.

AP-75 BARRIERS TO AFFORDABLE HOUSING – 91.220(J)

Introduction:

The City of Norman will continue to provide the Analysis of Impediments to Fair Housing (AI). Past and present AI's have indicated that Norman has done well in avoiding systematic impediments to fair housing choice, although affordability remains an important challenge. City ordinances, regulations, administrative policies, procedures and practices do not impede housing choice.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

A review of the City of Norman housing policy indicates there are no institutional barriers to obtain affordable housing. The city has adopted the 2015 International Codes (Building, Residential, Fire, Mechanical, Plumbing and Fuel Gas); the 2006 Energy Code; and the 2015 National Electrical Code. The 2015 International Property Maintenance Code that has been adopted as the minimum housing code is similar to the requirements of HUD's Housing Quality Standards. The minimum housing code is enforced through pro-active code compliance for the exterior of the properties while the interior is enforced on a complaint basis. The city does not impose rent controls. Regulations that are designed to protect the health, safety, and welfare of citizens may affect the cost of housing. However, these regulations are not designed to discourage the availability of affordable housing. Therefore, the City of Norman does not propose actions or reform steps to remove or restructure such policies in the coming five-year period.

Discussion:

The primary obstacle to meeting all of the identified needs, including those identified as affordable housing activities is the general lack of funding resources available to the public and private agencies who serve low and moderate income residents.

AP-85 OTHER ACTIONS – 91.220(K)

Introduction:

This Annual Action Plan provides a basis and strategy for the use of federal funds granted to the City of Norman by the U.S. Department of Housing and Urban Development (HUD) under the Community Development Block Grant (CDBG) and Home Investment Partnerships Program (HOME). This Action Plan covers the period beginning July 1, 2023 through June 30, 2024. Programs and activities described in this plan are intended to primarily benefit low and moderate-income residents of the City of Norman, neighborhoods with a high concentration of low-income and moderate-income residents, and the city as a whole.

Actions planned to address obstacles to meeting underserved needs

The primary obstacle to meeting all of the identified needs, including those identified as high priorities is the general lack of funding resources available to the public and private agencies who serve low and moderate income residents. Norman, due to being an entitlement community, is not eligible for state CDBG or HOME funding. Since no state dollars are available for community development activities, the city's general fund is based upon sales tax revenues and has been stretched. This leaves little room for expansion of community development funding at the local level. Furthermore, the City of Norman's entitlement grants have been reduced over the last several years further limiting the funds available to address the needs in the community. Staff continues to look for other funding opportunities to leverage projects and priorities in the Consolidated Plan.

Actions planned to foster and maintain affordable housing

The City of Norman will continue to work with Norman Affordable Housing Corporation (NAHC) in efforts to provide affordable housing. NAHC is a 501(c)(3) that is sponsored by the Norman Housing Authority. NAHC works very closely with the designated Community Development Housing Organization for the City of Norman, CHDO 2015. The City of Norman will be releasing an RFP for a consultant to develop a Strategic Housing Plan for the City. Within this plan, a focus will be on furthering the ability to encourage the development of Affordable Housing.

Actions planned to reduce lead-based paint hazards

The City of Norman will continue to reduce the number of units containing lead-based paint hazards, primarily through its housing rehabilitation programs. Each rehabilitation project is required to be lead-safe upon completion of rehabilitation activities. The City of Norman will continue to utilize a licensed risk assessor to provide lead hazard evaluation for projects requiring an assessment.

Actions planned to reduce the number of poverty-level families

One purpose of the Consolidated Plan Programs and other initiatives in Norman is to reduce the number of persons in poverty. The emphasis in Norman is to help people rise out of poverty, rather than temporarily easing their situation. Although essential short-term direct aid such as emergency food and shelter is provided, the strongest community support is for programs to address the root causes of poverty and assisting people in becoming self-sufficient in the long-term. Two key components of helping people attain self-sufficiency are employment and housing. Examples of programs that directly influence people's ability to escape poverty include job education and placement services as well as housing advocacy, homeless prevention and rental assistance. Projects that indirectly affect poverty include those that improve the community at-large and provide transportation and child care services that help people access employment and services. CDBG, HOME, CoC and State ESG funds are often used as matching funds for other grants that also contribute to reducing the number of families living in poverty. Thus, the power of these federal dollars is leveraged to a greater extent. Recognizing that limited Consolidated Plan dollars should be focused where the need is greatest; Norman gives preference to projects that directly benefit low and moderate income residents or serve low and moderate income neighborhoods over those that will benefit the city as a whole. This strategy will ensure that scarce resources are directed to best serve those who have the greatest need, including those areas with the greatest concentration of poverty. In addition to Consolidated Plan programs, a number of other public, private, and partnership initiatives have been designed to assist in the reduction of poverty rates including the Cleveland County Workforce Development Program.

Actions planned to develop institutional structure

The Planning and Community Development Department, Grants Division is the lead agency of the City in the development of the Consolidated Plan and Annual Action Plans. The Staff provides fiscal and regulatory oversight of all CDBG and HOME funding. The Norman City Council acts as the final authority for the appropriation of funds for Annual Action Plan activities under the Consolidated Plan grant programs, following recommendations of the CDBG Policy Committee. In addition, the City provides opportunities to the maximum extent possible, to women and minority owned business enterprises for contract bids and services. The City of Norman encourages inclusion in the list of approved bidders for minority and women-owned businesses, and actively works to recruit new contractors into the programs administered.

Actions planned to enhance coordination between public and private housing and social service agencies

To accomplish these goals, the City of Norman will work closely with the Norman Housing Authority on administration of their Tenant Based Rental Assistance (TBRA) to cover the activity of Rental Housing Subsidies through the HOME program. CHDO 2015, Inc., the City of Norman CHDO, will be the agency primarily working towards the goal of Construction of Housing objectives. The City of Norman Housing Rehabilitation staff will administer the Exterior Property Maintenance Program, Emergency Repair Program, and the Accessibility Modification Program through the City of Norman using local licensed contractors. Social service agencies will offer tenant and rental assistance as well as consultation, and will provide programing to move people from the shelter situation into housing of a more permanent nature.

Discussion:

Norman prides itself on a decades-long track record of successful partnerships among public and private sector entities. The Consolidated Plan delivery system is an example of this. Communication and cooperation between the City of Norman's Grants Division and the partner agencies and organizations that administer activities is strong. City of Norman staff has worked closely with the organizations involved in Consolidated Plan programs to improve regulatory compliance, monitoring, cooperation and partnerships among agencies, and technical capacity of organizations involved in project delivery.

PROGRAM SPECIFIC REQUIREMENTS

AP-90 Program Specific Requirements – 91.220(I)(1,2,4)

Introduction:

The CDBG Policy Committee has made allocation recommendations for CDBG and HOME funding for the 2023-2024 Program Year based upon evaluation of the identified needs of the low and moderate income populations of Norman. This Action Plan is a piece of an overall Consolidated Plan and the goals are all based upon the Strategy. Program Income is minimal and when received is returned if possible to the particular activity which generated the income, and therefore not considered as part of the allocation process.

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	0

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	100.00%

HOME Investment Partnership Program (HOME)

Reference 24 CFR 91.220(l)(2)

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:

The City of Norman does not plan any additional investment beyond eligible uses of HOME funds identified in 92.205.

A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

A very limited down payment assistance program is being implemented with the Target Area. To guarantee the required period of affordability a subordinate mortgage (5 year term, forgiven 20% on anniversary of mortgage annually) will be executed as part of the property purchase and filed at the Cleveland County Courthouse. This document will remain in effect for a period of five years from date of purchase. Staff will monitor the residency requirements to insure that in addition to the mortgage the property remains owner occupied. In the case of a default, the remaining balance of the mortgage will be due and payable.

2. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:

All units that are acquired or developed with HOME funds for the purpose of the provision of affordable housing are secured by a deed restriction filed at the Cleveland County Courthouse that is in effect for the required period of affordability. Monitoring of these units in ongoing with no identification of troubled units identified.

Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

There are no plans to utilize HOME funds to refinance existing debt secured by multi-family housing rehabilitated with HOME funds. The City of Norman will subordinate CDBG and HOME funds as requested by property owners refinancing debt that meet the program requirements. The City of Norman has adopted subordination requirements that provide flexibility for property owners while insuring the affordability of the property is maintained.

The City of Norman will continue to utilize their HOME allocation to provide TBRA funds as well as the provision of funds for the development of affordable housing, both rental and owner occupied when feasible.

- Encourage landlords to accept tenants with poor or criminal history.
- Support agencies that provide housing stabilization services.
- Promote collaboration with community based providers.

As mentioned above, job education and job placement services are very important, and are a key component in any anti-poverty strategy. in addition, case management as a whole for those who are in need of assistance is

extremely important, as in many circumstances short-term financial assistance really does not solve the problem, and often times it is not even a temporary fix. In addition to Consolidated Plan programs, a number of other public, private, and partnership initiatives have been designed to assist in the reduction of poverty rates.

The overall goals of the reduction of poverty will be addressed by the collaboration between agencies to ensure gaps in services and funding are addressed, while maintaining the utilization of each funding source.

2023 (FYE24) COMMUNITY DEVELOPMENT BLOCK GRANT

CDBG 23 (FYE 24) Budget **\$941,659**

\$ 187,850.00 Admin, Planning & MFHC (\$15,000)

\$188,331 cap

\$194,120 Neighborhood Initiatives

\$72,899 Project Staff Delivery Costs

\$121,221 Mid-Main Projects

Housing Rehabilitation

\$419,689

\$204,070 Housing Rehabilitation

Rehab Delivery Costs

\$215,619 Rehab Projects

Capital Projects

\$140,000

\$100,000 Norman Affordable Housing

Acquisition of Property

\$40,000 Habitat for Humanity

Acquisition of Property

\$941,659

2023 (FYE24) HOME INVESTMENT PARTNERSHIPS

HOME 23 Budget **\$458,765**

\$45,000 Administration (\$15,000 MFHC)

\$45,875 cap

\$70,000 Community Housing Development Corporation

\$68,816 minimum

\$283,765 Affordable Housing Development

\$60,000 Mid-Main Homebuyer Program

\$458,765

\$1,400,424

Application for Federal Assistance SF-424		
* 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application		
* 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision		
* If Revision, select appropriate letter(s): <input type="text"/> * Other (Specify): <input type="text"/>		
* 3. Date Received: <input type="text"/>		4. Applicant Identifier: <input type="text"/>
5a. Federal Entity Identifier: <input type="text"/>		5b. Federal Award Identifier: <input type="text"/>
State Use Only:		
6. Date Received by State: <input type="text"/>		7. State Application Identifier: <input type="text"/>
8. APPLICANT INFORMATION:		
* a. Legal Name: <input type="text" value="City of Norman OK"/>		
* b. Employer/Taxpayer Identification Number (EIN/TIN): <input type="text" value="73-6005350"/>		* c. UEI: <input type="text" value="MTD4M7LKSKJ4"/>
d. Address:		
* Street1: <input type="text" value="201 W. Gray"/>		
Street2: <input type="text"/>		
* City: <input type="text" value="Norman"/>		
County/Parish: <input type="text"/>		
* State: <input type="text" value="OK: Oklahoma"/>		
Province: <input type="text"/>		
* Country: <input type="text" value="USA: UNITED STATES"/>		
* Zip / Postal Code: <input type="text" value="73069-7108"/>		
e. Organizational Unit:		
Department Name: <input type="text"/>		Division Name: <input type="text"/>
f. Name and contact information of person to be contacted on matters involving this application:		
Prefix: <input type="text" value="Ms."/>		* First Name: <input type="text" value="Lisa"/>
Middle Name: <input type="text"/>		
* Last Name: <input type="text" value="Krieg"/>		
Suffix: <input type="text"/>		
Title: <input type="text" value="CDBG Grants Manager"/>		
Organizational Affiliation: <input type="text"/>		
* Telephone Number: <input type="text" value="405-366-5464"/>		Fax Number: <input type="text"/>
* Email: <input type="text" value="lisa.krieg@normanok.gov"/>		

Application for Federal Assistance SF-424*** 9. Type of Applicant 1: Select Applicant Type:**

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

U.S. Department of Housing and Urban Development

11. Catalog of Federal Domestic Assistance Number:

14.239

CFDA Title:

HOME Investment Partnerships Program

*** 12. Funding Opportunity Number:**

* Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

*** 15. Descriptive Title of Applicant's Project:**

Fourth Year Action Plan - City of Norman OK

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant OK 004

* b. Program/Project OK 004

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:

* a. Start Date: 07/01/2023

* b. End Date: 06/30/2024

18. Estimated Funding (\$):

* a. Federal	458,765.00
* b. Applicant	
* c. State	
* d. Local	
* e. Other	
* f. Program Income	
* g. TOTAL	458,765.00

* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?

☐ a. This application was made available to the State under the Executive Order 12372 Process for review on☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.☒ c. Program is not covered by E.O. 12372.

* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)

☐ Yes☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 18, Section 1001)

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: Mr.

* First Name: Larry

Middle Name:

* Last Name: Heikkila

Suffix:

* Title: Mayor

* Telephone Number: 405-366-5402

Fax Number:

* Email: mayor@normanok.gov

* Signature of Authorized Representative:

* Date Signed: 05/09/2023

Application for Federal Assistance SF-424

* 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application		* 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision		* If Revision, select appropriate letter(s): <div style="border: 1px solid black; height: 15px; width: 100%;"></div> * Other (Specify): <div style="border: 1px solid black; height: 15px; width: 100%;"></div>	
* 3. Date Received: <div style="border: 1px solid black; height: 15px; width: 100%;"></div>		4. Applicant Identifier: <div style="border: 1px solid black; height: 15px; width: 100%;"></div>			
5a. Federal Entity Identifier: <div style="border: 1px solid black; height: 15px; width: 100%;"></div>			5b. Federal Award Identifier: <div style="border: 1px solid black; height: 15px; width: 100%;"></div>		
State Use Only:					
6. Date Received by State: <div style="border: 1px solid black; height: 15px; width: 100%;"></div>		7. State Application Identifier: <div style="border: 1px solid black; height: 15px; width: 100%;"></div>			
8. APPLICANT INFORMATION:					
* a. Legal Name: <div style="border: 1px solid black; padding: 2px;">City of Norman OK</div>					
* b. Employer/Taxpayer Identification Number (EIN/TIN): <div style="border: 1px solid black; padding: 2px;">73-6005350</div>			* c. UEI: <div style="border: 1px solid black; padding: 2px;">MTD4M7LKSKJ4</div>		
d. Address:					
* Street1: <div style="border: 1px solid black; padding: 2px;">201 W. Gray</div>		<div style="border: 1px solid black; height: 15px; width: 100%;"></div>			
Street2: <div style="border: 1px solid black; height: 15px; width: 100%;"></div>		<div style="border: 1px solid black; height: 15px; width: 100%;"></div>			
* City: <div style="border: 1px solid black; padding: 2px;">Norman</div>		<div style="border: 1px solid black; height: 15px; width: 100%;"></div>			
County/Parish: <div style="border: 1px solid black; height: 15px; width: 100%;"></div>		<div style="border: 1px solid black; height: 15px; width: 100%;"></div>			
* State: <div style="border: 1px solid black; padding: 2px;">OK: Oklahoma</div>		<div style="border: 1px solid black; height: 15px; width: 100%;"></div>			
Province: <div style="border: 1px solid black; height: 15px; width: 100%;"></div>		<div style="border: 1px solid black; height: 15px; width: 100%;"></div>			
* Country: <div style="border: 1px solid black; padding: 2px;">USA: UNITED STATES</div>		<div style="border: 1px solid black; height: 15px; width: 100%;"></div>			
* Zip / Postal Code: <div style="border: 1px solid black; padding: 2px;">73069-7108</div>		<div style="border: 1px solid black; height: 15px; width: 100%;"></div>			
e. Organizational Unit:					
Department Name: <div style="border: 1px solid black; height: 15px; width: 100%;"></div>			Division Name: <div style="border: 1px solid black; height: 15px; width: 100%;"></div>		
f. Name and contact information of person to be contacted on matters involving this application:					
Prefix: <div style="border: 1px solid black; padding: 2px;">Ms.</div>		* First Name: <div style="border: 1px solid black; padding: 2px;">Lisa</div>			
Middle Name: <div style="border: 1px solid black; height: 15px; width: 100%;"></div>		<div style="border: 1px solid black; height: 15px; width: 100%;"></div>			
* Last Name: <div style="border: 1px solid black; padding: 2px;">Krieg</div>		<div style="border: 1px solid black; height: 15px; width: 100%;"></div>			
Suffix: <div style="border: 1px solid black; height: 15px; width: 100%;"></div>		<div style="border: 1px solid black; height: 15px; width: 100%;"></div>			
Title: <div style="border: 1px solid black; padding: 2px;">CDBG Grants Manager</div>					
Organizational Affiliation: <div style="border: 1px solid black; height: 15px; width: 100%;"></div>					
* Telephone Number: <div style="border: 1px solid black; padding: 2px;">405-366-5464</div>			Fax Number: <div style="border: 1px solid black; height: 15px; width: 100%;"></div>		
* Email: <div style="border: 1px solid black; padding: 2px;">lisa.krieg@normanok.gov</div>					

Application for Federal Assistance SF-424*** 9. Type of Applicant 1: Select Applicant Type:**

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

U.S. Department of Housing and Urban Development

11. Catalog of Federal Domestic Assistance Number:

14.218

CFDA Title:

Community Development Block Grant

*** 12. Funding Opportunity Number:**

* Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

*** 15. Descriptive Title of Applicant's Project:**

Fourth Year Action Plan - City of Norman OK

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant OK 004

* b. Program/Project OK 004

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:

* a. Start Date: 07/01/2023

* b. End Date: 06/30/2024

18. Estimated Funding (\$):

* a. Federal	941,659.00
* b. Applicant	
* c. State	
* d. Local	
* e. Other	
* f. Program Income	
* g. TOTAL	941,659.00

* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?

☐ a. This application was made available to the State under the Executive Order 12372 Process for review on☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.☒ c. Program is not covered by E.O. 12372.

* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)

☐ Yes☒ No

If "Yes", provide explanation and attach

Add Attachment

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21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 18, Section 1001)

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix:

Mr.

* First Name:

Larry

Middle Name:

* Last Name:

Heikkila

Suffix:

* Title:

Mayor

* Telephone Number:

405-366-5402

Fax Number:

* Email:

mayor@normanok.gov

* Signature of Authorized Representative:

* Date Signed:

05/09/2023

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE Larry Heikkila, Mayor
APPLICANT ORGANIZATION City of Norman	DATE SUBMITTED 05/09/2023

SF-424D (Rev. 7-97) Back

ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4040-0009
Expiration Date: 02/28/2025

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
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7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
19. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
 	Larry Heikkila, Mayor
APPLICANT ORGANIZATION	DATE SUBMITTED
City of Norman	05/09/2023

Standard Form 424B (Rev. 7-97) Back

CITY OF NORMAN

Community Development Block Grant
and HOME Investment Partnerships Programs
Fourth Year Action Plan
Lisa Krieg



What is a Consolidated Plan?

Item 28.

- 5 year plan required by HUD for CDBG Entitlement Communities
- Serves as a framework for a community-wide dialogue to identify housing and community development priorities that align and focus the funding from the formula block grant programs.
- Identifies Community Needs
- Establishes funding priorities for the City of Norman CDBG and HOME Programs

Consolidated Plan Goals

- Maintain an adequate supply of permanent, quality affordable housing
- Assist special needs populations with social service and housing needs
- Reduce homelessness
- Continue commercial and residential revitalization efforts in low-income neighborhoods

Annual Action Plan and the Consolidated Plan

Item 28.

- Current Consolidated Plan approved in April 2020 and is in effect from July 2020 through June 2025.
- Consolidated Plan is carried out utilizing Annual Action Plans
- The Annual Action Plan provides a concise summary of the actions, activities, and federal and non-federal resources utilized for the Plan

The City of Norman

CDBG and HOME Funds

Item 28.

Community Development Block Grant (CDBG), FYE2024 \$941,659 (\$14,453 increase)

Federal Program to improve low to moderate income households and neighborhoods by creating or enhancing:

- decent housing
- suitable living environment
- economic opportunities

HOME Investment Partnerships (HOME), FYE2024 \$458,765 (\$27,868 increase)

Federal program to create affordable housing for low to moderate income households

Since 1978, over 53 million dollars has been provided to the City of Norman by these programs.

Update on CARES Act Funds

HUD CDBG-CV, \$1,273,256

Remaining Balances

- Rent Assistance \$230,000
- Homeless Start Up Assistance \$25,000
- Housing Liaison \$80,000
- Administration \$30,000

ODOC CDBG-CV, \$1,516,500

Remaining Balances

- Rent Assistance \$0
- Childcare Assistance \$50,000
- Nutrition Assistance \$330,000

Citizen Participation Process

City of Norman Action Plan Year 4

Item 28.



Current HUD Low/Mod Income Limits

- HUD Defines Low to Moderate Income Households as households whose gross annual income is less than 80% of the median family income (MFI) for the community (2022 Median Income for Norman is \$58,111). These limits determine eligible areas for neighborhood projects.
- Each CDBG and HOME program that is a direct benefit program is based upon the 80% MFI.

Household Size	80% Median
1 Person	\$45,850
2 Persons	\$52,400
3 Persons	\$58,950
4 Persons	\$65,500

ANNUAL ACTION PLAN

A summary of the actions, activities, and programs that will take place during the year to address the needs and objectives identified in the 5 year Consolidated Plan (May 2020) and includes the following:

- A summary of annual objectives
- An approved Citizen Participation Plan
- Proposed accomplishments for each activity
- The proposed method of distributing funds
- Required HUD Certifications

City of Norman CDBG Program 2023-2024 Budget

Total Budget \$941,659

- \$187,850 Administration and Planning (20% cap \$188,331)
- \$419,689 Housing Rehabilitation
- \$194,120 Neighborhood Initiatives Program
- \$140,000 Affordable Housing Acquisition

CDBG Target Area

Eleven Block Groups Included
73% are Low and Moderate Households
(ACS 2011-2015)



Item 28.

Housing Rehabilitation

\$419,689 FYE24

Item 28.

- \$200,000 Prior Years funding available.
- Owner Occupied Exterior Property Maintenance Program
 - (80% MFI only within the CDBG Target Area).
- Owner Occupied Emergency Repair Program (80% MFI).
- Accessibility Modification Program (Owner and Renter 80% MFI).



Community Development Projects and Acquisition \$140,000 FYE24

Item 28.

- \$100,000 Acquisition of Property for Norman Affordable Housing Corporation for Affordable Housing
- \$40,000 Acquisition of Property for Habitat for Humanity

City of Norman HOME Program

Item 28.

2023-2024 Budget

Total Budget \$458,765

- \$ 45,000 Administration (10% max)
- \$ 70,000 CHDO Set-Aside (15% min)
- \$283,765 Affordable Housing Development - will partner with a non-profit developer to increase the supply of affordable housing in Norman.
- \$ 60,000 Down-Payment Assistance Program

Next Steps

- City Council Approval of Fourth Year Action Plan
- Submittal of Consolidated Plan & Action Plan to HUD by May 15, 2023
- Grant Funds Available July 1, 2023

QUESTIONS?

More Info at:

www.NormanOK.gov



File Attachments for Item:

29. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-109: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO REMOVE PART OF LOT TEN (10) OF SECTION TWO (2), TOWNSHIP EIGHT (8) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, FROM THE SPECIAL PLANNING AREA ONE (1) DESIGNATION WHILE RETAINING THE COMMERCIAL DESIGNATION. (2516 BRIGGS STREET)



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/09/2023

REQUESTER: Plant Life, L.L.C.

PRESENTER: Jane Hudson, Director of Planning & Community Development

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-109: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO REMOVE PART OF LOT TEN (10) OF SECTION TWO (2), TOWNSHIP EIGHT (8) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, FROM THE SPECIAL PLANNING AREA ONE (1) DESIGNATION WHILE RETAINING THE COMMERCIAL DESIGNATION. (2516 BRIGGS STREET)

ITEM: Plant Life, L.L.C. requests amendment of the NORMAN 2025 Land Use & Transportation Plan to remove Special Planning Area 1 (SPA-1), retaining Commercial Designation, for 0.53 acres of property located at 2516 Briggs Street.

SUMMARY OF REQUEST: The applicant is proposing the development of a storage building for his landscaping business's equipment on this 0.53 acre parcel. The proposed development will include a 50' by 65' storage building in the northeast portion of the lot. This development proposal requires rezoning from R-1, Single Family Dwelling District, to C-2, General Commercial District. This proposal also requires a NORMAN 2025 Land Use and Transportation Plan amendment to remove Special Planning Area 1 (SPA-1), while retaining the existing Commercial Designation. SPA-1 requires the unified ownership of all parcels within the Special Planning Area prior to redevelopment. The applicant does not own the adjacent properties so the unified development is not possible.

NORMAN 2025 PLAN CITATION: SPECIAL PLANNING AREAS 1 AND 2

Existing Conditions. Special Planning Areas 1 and 2 are situated on the west side of 24th Avenue SW, between Briggs Street and State Highway 9 and directly east of and adjacent to Interstate 35. Both of these areas are primarily residential in nature but have been surrounded over time by an assortment of commercial activities. Most of the remaining residential structures date back several decades. Access to these areas is limited to 24th Avenue SW. Despite adjacent property residential zoning, actual existing land uses include a mixture of commercial (including landscaping/nurseries, auto and small engine repair, retail and services) and are designated as Commercial on the NORMAN 2025 Plan. Many of the homes in this area are on small lots, while a number of homes in both areas are located on very large lots.

Although sanitary sewer is in close proximity for some, most of the residential properties are on individual septic systems. The continued expansion and construction of Interstate 35 and the continuing intrusion of commercial uses into the area are creating a less than desirable residential environment in this area.

Proposed Land Uses. All of these areas are projected to become commercial per the SPA 1 on the NORMAN 2025. Provision for this use is recommended if certain conditions are met.

NORMAN 2025 Required Development Conditions.

1. Consolidation of properties into unified ownership for each area prior to its redevelopment.
2. Provision of a master redevelopment plan prior to any rezoning or platting.
3. Provision of all city services and infrastructure adequate to accommodate full buildout.

STAFF ANALYSIS: For changes in classification under the NORMAN 2025 Land Use and Transportation Plan, the following information is forwarded for consideration.

The role of the NORMAN 2025 Plan in the City's ongoing and diverse planning activities states the document must be flexible, and that it is updated and amended periodically. The Plan defines the desired land use patterns for use and development of all private sector properties. This Plan will serve as a policy guide for zoning and planning requests as they are presented to the Planning Commission and City Council.

1. ***Has there been a change in circumstances resulting from development of the properties in the general vicinity which suggest that the proposed change will not be contrary to the public interest?***

The subject property and surrounding properties to the south and east are designated as Commercial, within Special Planning Area 1 (SPA-1), as shown in the NORMAN 2020 and continued in the NORMAN 2025.

Briggs Street is designated as Commercial and the properties located within SPA-1 are required to meet the following conditions to allow for the redevelopment of this area:

- Consolidation of properties into unified ownership for each area prior to its redevelopment.
- Provision of a master redevelopment plan prior to any rezoning or platting.
- Provision of all city services and infrastructure adequate to accommodate full build out.

Since the time when this property and the surrounding properties were placed in SPA-1 with the adoption of the NORMAN 2020 and the NORMAN 2025 Plan, this area has yet to redevelop. Generally, between Briggs Street and Thunderbird Lodge on the west side of 24th Avenue S.W., SPA-1 is comprised of vacant lots, single-family dwellings, and commercial buildings that have remained the same for decades. To the north of the subject property, Sooner Legends Motel was recently demolished and is now a vacant

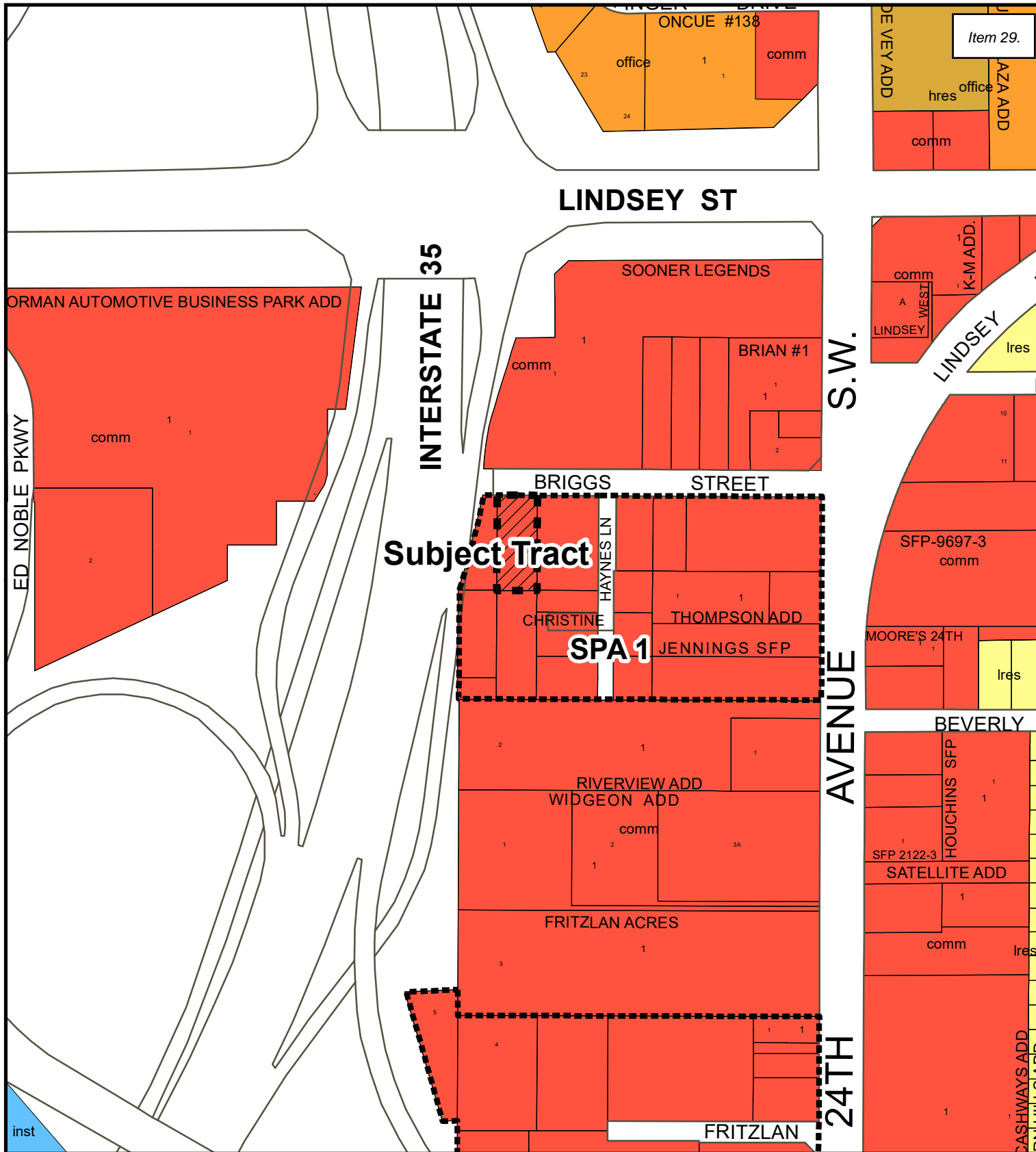
lot. Other notable changes in the past two decades includes the addition of Landers Collision & Glass and Locke Supply Company to the south of SPA-1.

2. ***Is there a determination that the proposed change would not result in adverse land use or adverse traffic impacts to surrounding properties or the vicinity?***

Surrounding properties are designated as Commercial per the NORMAN 2025 Plan. As mentioned above, properties within SPA-1 have remained unchanged. The proposed change to a private storage building would not be out of character for this area as there are storage buildings that currently exist along the 24th Avenue S.W. corridor between W. Lindsey Street and State Highway 9. In addition, directly north along Briggs Street are vacant lots zoned and designated for commercial uses. Traffic impacts for the proposed use are negligible as there will be no patrons. No traffic study is required by Public Works.

CONCLUSION: Staff forwards this request for amendment of the NORMAN 2025 Land Use Plan to remove Special Planning Area 1 (SPA-1) and retain Commercial Designation as Resolution No. R-2223-109 for consideration by City Council.

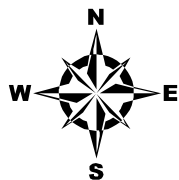
At their meeting of April 13, 2023, the Planning Commission unanimously recommended adoption of Resolution No. R-2223-109, by a vote of 9-0.



Norman 2025 Land Use Plan



Map Produced by the City of Norman
Geographic Information System.
The City of Norman assumes no
responsibility for errors or omissions
in the information presented.

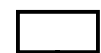


March 3, 2023

0 150 300 Ft.



Subject Tract



Zoning

602

R-2223-109

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO REMOVE PART OF LOT TEN (10) OF SECTION TWO (2), TOWNSHIP EIGHT (8) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, FROM THE SPECIAL PLANNING AREA ONE (1) DESIGNATION WHILE RETAINING THE COMMERCIAL DESIGNATION. (2516 Briggs Street)

- § 1. WHEREAS, the Council of the City of Norman recognizes citizens' concerns about the future development of Norman; and
- § 2. WHEREAS, the City Council at its meeting of November 16, 2004, reviewed and adopted the NORMAN 2025 Land Use and Transportation Plan, with an effective date of December 16, 2004; and
- § 3. WHEREAS, Plant Life, L.L.C. has requested that the following described property be moved from the Special Planning Area 1 Designation while retaining the Commercial Designation for the hereinafter described property, to wit:

A part of Lot 10 (being NE/4 of NE/4) of Section Two (2), Township Eight (8) North, Range Three (3) West of the Indian Meridian, described as follows: Beginning at a point 660 feet South and 699.6 feet West of the Northeast corner of said Lot 10; Thence South 247.5 feet; Thence West 92.4 feet; Thence North 247.5 feet; thence East 92.4 feet to the place of beginning, except a strip of land 30 feet in width along the North side of the above described land to be used for road and public utility usage.

Containing 0.53 acres, more or less.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

- § 4. That the Council of the City of Norman recognizes the need to control the future growth of the City of Norman; and, that after due consideration has determined that the requested amendment to the NORMAN 2025 Land Use and Transportation Plan should be adopted, and does hereby approve the requested designation.

PASSED AND ADOPTED this _____ day of _____, 2023.

(Mayor)

ATTEST:

(City Clerk)

RESOLUTION NO. R-2223-109

ITEM NO. 3

STAFF REPORT

ITEM: Plant Life, L.L.C. requests amendment of the NORMAN 2025 Land Use & Transportation Plan to remove Special Planning Area 1 (SPA-1), retaining Commercial Designation, for 0.53 acres of property located at 2516 Briggs Street.

SUMMARY OF REQUEST: The applicant is proposing the development of a storage building for his landscaping business's equipment on this 0.53 acre parcel. The proposed development will include a 50' by 65' storage building in the northeast portion of the lot. This development proposal requires rezoning from R-1, Single Family Dwelling District, to C-2, General Commercial District. This proposal also requires a NORMAN 2025 Land Use and Transportation Plan amendment to remove Special Planning Area 1 (SPA-1), while retaining the existing Commercial Designation. SPA-1 requires the unified ownership of all parcels within the Special Planning Area prior to redevelopment. The applicant does not own the adjacent properties so the unified development is not possible.

STAFF ANALYSIS: For changes in classification under the NORMAN 2025 Land Use and Transportation Plan, the following information is forwarded for consideration.

The role of the NORMAN 2025 Plan in the City's ongoing and diverse planning activities states the document must be flexible, and that it is updated and amended periodically. The Plan defines the desired land use patterns for use and development of all private sector properties. This Plan will serve as a policy guide for zoning and planning requests as they are presented to the Planning Commission and City Council.

1. *Has there been a change in circumstances resulting from development of the properties in the general vicinity which suggest that the proposed change will not be contrary to the public interest?*

The subject property and surrounding properties to the south and east are designated as Commercial, within Special Planning Area 1 (SPA-1), as shown in the NORMAN 2020 and continued in the NORMAN 2025.

Briggs Street is designated as Commercial and the properties located within SPA-1 are required to meet the following conditions to allow for the redevelopment of this area:

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Since the time when this property and the surrounding properties were placed in SPA-1 with the adoption of the NORMAN 2020 and the NORMAN 2025 Plan, this area has yet to redevelop. Generally, between Briggs Street and Thunderbird Lodge on the west

side of 24th Avenue S.W., SPA-1 is comprised of vacant lots, single-family dwelling commercial buildings that have remained the same for decades. To the north of the subject property, Sooner Legends Motel was recently demolished and is now a vacant lot. Other notable changes in the past two decades includes the addition of Landers Collision & Glass and Locke Supply Company to the south of SPA-1.

2. ***Is there a determination that the proposed change would not result in adverse land use or adverse traffic impacts to surrounding properties or the vicinity?***

Surrounding properties are designated as Commercial per the NORMAN 2025 Plan. As mentioned above, properties within SPA-1 have remained unchanged. The proposed change to a private storage building would not be out of character for this area as there are storage buildings that currently exist along the 24th Avenue S.W. corridor between W. Lindsey Street and State Highway 9. In addition, directly north along Briggs Street are vacant lots zoned and designated for commercial uses. Traffic impacts for the proposed use are negligible as there will be no patrons. No traffic study is required by Public Works.

CONCLUSION: Staff forwards this request for amendment of the NORMAN 2025 Land Use Plan to remove Special Planning Area 1 (SPA-1) and retain Commercial Designation as Resolution No. R-2223-109 for consideration by Planning Commission and recommendation to City Council.



CITY OF NORMAN, OK PLANNING COMMISSION MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069
Thursday, April 13, 2023 at 6:30 PM

MINUTES

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 13th day of April, 2023.

Notice and agenda of the meeting were posted at the Norman Municipal Building and online at <https://norman-ok.municodemeetings.com> at least twenty-four hours prior to the beginning of the meeting.

* * *

Chair Erica Bird called the meeting to order at 6:30 p.m.

ROLL CALL

PRESENT

Cameron Brewer
Steven McDaniel
Liz McKown
Kevan Parker
Erica Bird
Doug McClure
Jim Griffith
Maria Kindel
Michael Jablonski

A quorum was present.

STAFF PRESENT

Jane Hudson, Director, Planning & Community Development
Lora Hoggatt, Planning Services Manager
Melissa Navarro, Planner I
Colton Wayman, Planner I
Anais Starr, Planner II
Jack Burdett, Subdivision Development Coordinator
David Riesland, Transportation Engineer
Beth Muckala, Assistant City Attorney
Bryce Holland, Multimedia Specialist
Roné Tromble, Admin. Tech. IV

* * *

NON-CONSENT ITEMS**NORMAN 2025 and General Commercial Zoning**

3. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of Resolution No. R-2223-109: Plant Life, L.L.C. requests amendment of the NORMAN 2025 Land Use & Transportation Plan to remove Special Planning Area 1 (SPA-1), retaining Commercial Designation, for 0.53 acres of property located at 2516 Briggs Street.

ITEMS SUBMITTED FOR THE RECORD:

1. NORMAN 2025 Map
2. Staff Report

3. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of Ordinance No. O-2223-28: Plant Life, L.L.C. requests rezoning from R-1, Single Family Dwelling District, to C-2, General Commercial District for 0.53 acres of property located at 2516 Briggs Street.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Site Plan

PRESENTATION BY STAFF: Mr. Wayman reviewed the staff report, a copy of which is filed with the minutes.

Mr. Jablonski asked why SPA-1 had a requirement for all the property to be under one ownership before it could be developed. Mr. Wayman did not know.

PRESENTATION BY THE APPLICANT: The applicant, Stephen Lewis, 501 Manor Hill Court, did not have a presentation, but was available to answer questions.

Ms. Kindel asked about the green space. Mr. Lewis responded that everything other than the building and pad will be landscape-driven. It will not be a nursery. They will install a tree line in the front.

Mr. Parker asked if everything will be stored inside. Mr. Lewis responded affirmatively.

Ms. Bird asked if they considered a PUD, which would be more specific to the use. Mr. Lewis responded that a PUD was suggested, but they already had the paperwork filled out for C-2. He noted that there is not sewer service to the site.

PUBLIC PARTICIPATION: None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Mr. Brewer thinks the use is fine, but rezoning to C-2 opens it up for potential future concerns. Ms. Bird added it is nice to see something that has been a vacant piece of land have some use along the highway.

Motion made by McDaniel, Seconded by Brewer, to recommend adoption of Resolution No. R-2223-109 and Ordinance No. O-2223-28 to City Council.

Voting Yea: Brewer, McDaniel, McKown, Parker, Bird, McClure, Griffith, Kindel, Jablonski

The motion carried by a vote of 9-0

*

File Attachments for Item:

30. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-28 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE PART OF LOT TEN (10) OF SECTION TWO (2), TOWNSHIP EIGHT (8) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT AND PLACE THE SAME IN THE C-2, GENERAL COMMERCIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (2516 BRIGGS STREET)



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/09/2023

REQUESTER: Plant Life, L.L.C.

PRESENTER: Jane Hudson, Director of Planning & Community Development

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-28 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE PART OF LOT TEN (10) OF SECTION TWO (2), TOWNSHIP EIGHT (8) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT AND PLACE THE SAME IN THE C-2, GENERAL COMMERCIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (2516 BRIGGS STREET)

PROJECT OVERVIEW:

The applicant is requesting a rezoning from R-1, Single Family Dwelling District, to C-2, General Commercial District, for property located at 2516 Briggs Street. The applicant is proposing a private storage building to store landscaping equipment for his landscaping business. In 1963, City Council adopted Ordinance No. 1514 placing this property in the R-1, Single Family Dwelling District. The property is currently vacant.

PROCEDURAL REQUIREMENTS:

GREENBELT MEETING: GB 23-03, March 21, 2023

This item was placed on the consent docket for the Greenbelt Commission. No comments were made to be forwarded to Planning Commission.

PRE-DEVELOPMENT MEETING: PD 23-06, March 23, 2023

No neighbors attended the meeting.

ZONING ORDINANCE CITATION:**CHAPTER 36-525 – C-2, GENERAL COMMERCIAL DISTRICT**

General Description. This commercial district is intended for the conduct of personal and business services and the general retail business of the community. Persons living in the community and in the surrounding trade territory require direct and frequent access. Traffic generated by the uses will be primarily passenger vehicles and only those trucks and commercial vehicles required for stocking and delivery of retail goods.

STAFF ANALYSIS:

The site is currently zoned R-1, Single Family Dwelling District, and the applicant is proposing to rezone to C-2, General Commercial District. The general area contains residential, commercial, and industrial uses with vacant parcels intermixed. Notable businesses in the area include Locke Supply Company, Morningstar Storage, and Spartan Pool & Patio.

The applicant's proposal is to build a private storage building for his landscaping business equipment. The applicant will comply with all City requirements, including exterior appearance and landscaping requirements. In addition, the applicant will maintain a fence to screen from adjacent lots zoned for single-family development per City screening requirements. All equipment and materials will be stored in the proposed building and not outside per the C-2, General Commercial District, zoning requirements.

ACCESS/PARKING: Non-residential properties in the City do not have minimum parking requirements. The applicant proposes a 30' by 45' pad for parking, with access off Briggs Street. No sidewalks exist adjacent to the property or are proposed as part of this proposal. The applicant seeks exemptions from the requirements of a sidewalk and curb and gutter paving.

SITE PLAN: A 50' by 65' storage building is proposed on the northeastern portion of the lot. The building will observe a 5' side yard setback to the east and a 30' front yard setback to the north. A 30' by 45' pad is proposed for off-street parking to the north of the proposed building. Screening will be required along portions of the property that are adjacent to lots zoned for single-family development.

EXISTING ZONING: The subject property is currently zoned R-1, Single Family Dwelling District.

ALTERNATIVES/ISSUES:

IMPACTS: The properties directly north of the subject parcel are zoned C-2, General Commercial District, including vacant and commercial uses. Adjacent to the property and directly south is a vacant lot zoned R-1, Single Family Dwelling District. Directly east of the property are single-family homes located on Briggs Street – all zoned R-1, Single Family Dwelling District. Other non-residential properties on 24th Avenue S.W. and Briggs Street are currently zoned C-2, General Commercial District, PUD, Planned Unit Development (O-9798-28), or I-1, Light Industrial District.

OTHER AGENCY COMMENTS:

FIRE DEPARTMENT: No comments.

PUBLIC WORKS/ENGINEERING: There is no sanitary sewer to serve the property. The applicant will be required to go through ODEQ for a private system. The applicant intends to go through the Short Form Plat process. The applicant seeks exemptions through City Council from the requirements of a sidewalk and curb and gutter paving.

TRAFFIC ENGINEER: No comments.

UTILITIES: No comments.

CONCLUSION:

Staff forwards this request for rezoning from R-1, Single Family Dwelling District to C-2, General Commercial District as Ordinance 2223-28 for consideration by City Council. At their meeting of April 13, 2023, the Planning Commission unanimously recommended adoption of Ordinance O-2223-28, by a vote of 9-0.

O-2223-28

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE PART OF LOT TEN (10) OF SECTION TWO (2), TOWNSHIP EIGHT (8) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT AND PLACE THE SAME IN THE C-2, GENERAL COMMERCIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (2516 Briggs Street)

- § 1. WHEREAS, Plant Life, L.L.C. has made application to have the property described below removed from the R-1, Single Family Dwelling District, and to have the same placed in the C-2, General Commercial District; and
- § 2. WHEREAS, said application has been referred to the Planning Commission of said City and said body has, after conducting a public hearing as required by law, considered the same and recommended that the same should be granted and an ordinance adopted to effect and accomplish such rezoning; and
- § 3. WHEREAS, the City Council of the City of Norman, Oklahoma, has thereafter considered said application and has determined that said application should be granted and an ordinance adopted to effect and accomplish such rezoning.

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

- § 4. That Section 36-201 of the Code of the City of Norman, Oklahoma, is hereby amended so as to remove the following described property from the R-1, Single Family Dwelling District, and to place the same in the C-2, General Commercial District, to wit:

A part of Lot 10 (being NE/4 of NE/4) of Section Two (2), Township Eight (8) North, Range Three (3) West of the Indian Meridian, described as follows: Beginning at a point 660 feet South and 699.6 feet West of the Northeast corner of said Lot 10; Thence South 247.5 feet; Thence West 92.4 feet; Thence North 247.5 feet; thence East 92.4 feet to the place of beginning, except a strip of land 30 feet in width along the North side of the above described land to be used for road and public utility usage.

Containing 0.53 acres, more or less.

Ordinance No. O-2223-28

Page 2

§ 5. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ADOPTED this _____ day of

NOT ADOPTED this _____ day of

_____, 2023.

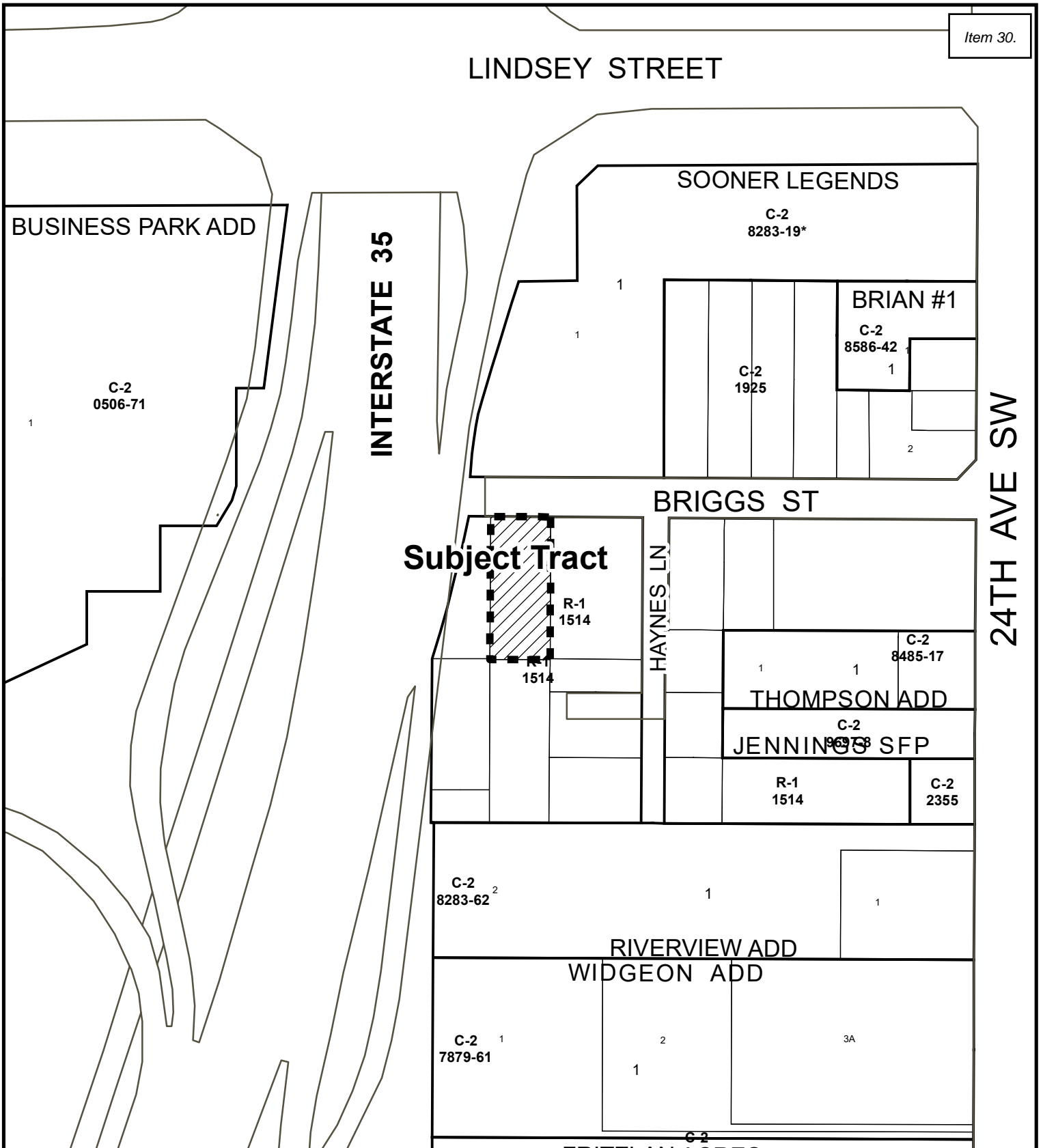
_____, 2023.

(Mayor)

(Mayor)

ATTEST:

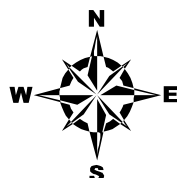
(City Clerk)



Location Map



Map Produced by the City of Norman
Geographic Information System.
The City of Norman assumes no
responsibility for errors or omissions
in the information presented.

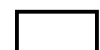


February 3, 2023

0 100 200 Ft.



Subject Tract



Zoning



ORDINANCE NO. O-2223-28

ITEM NO. 4

STAFF REPORT**GENERAL INFORMATION**

APPLICANT	Plant Life, LLC
REQUESTED ACTION	Rezoning to C-2, General Commercial District
EXISTING ZONING	R-1, Single Family Dwelling District
SURROUNDING ZONING	North: C-2, General Commercial District East: R-1, Single Family Dwelling District South: R-1, Single Family Dwelling District West: R-1, Single Family Dwelling District
LOCATION	2516 Briggs Street
WARD	2
CORE AREA	No
AREA/SF	20,000 square feet, more or less
PURPOSE	Allow for a storage building
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Vacant East: Single-family residential South: Vacant West: Vacant
LAND USE PLAN DESIGNATION	Commercial – Special Planning Area 1
GROWTH AREA DESIGNATION	Current Urban Service Area

PROJECT OVERVIEW: The applicant is requesting a rezoning from R-1, Single Dwelling District, to C-2, General Commercial District, for property located at 2516 Briggs Street. The applicant is proposing a private storage building to store landscaping equipment for his landscaping business. In 1963, City Council adopted Ordinance No. 1514 placing this property in the R-1, Single Family Dwelling District. The property is currently vacant.

PROCEDURAL REQUIREMENTS:

GREENBELT MEETING: GB 23-03, March 21, 2023

This item was placed on the consent docket for the Greenbelt Commission. No comments were made to be forwarded to Planning Commission.

PRE-DEVELOPMENT MEETING: PD 23-06, March 23, 2023

No neighbors attended the meeting.

ZONING ORDINANCE CITATION: CHAPTER 36-525 – C-2, GENERAL COMMERCIAL DISTRICT

General Description. This commercial district is intended for the conduct of personal and business services and the general retail business of the community. Persons living in the community and in the surrounding trade territory require direct and frequent access. Traffic generated by the uses will be primarily passenger vehicles and only those trucks and commercial vehicles required for stocking and delivery of retail goods.

NORMAN 2025 PLAN CITATION: SPECIAL PLANNING AREAS 1 AND 2

Existing Conditions. Special Planning Areas 1 and 2 are situated on the west side of 24th Avenue SW, between Briggs Street and State Highway 9 and directly east of and adjacent to Interstate 35. Both of these areas are primarily residential in nature but have been surrounded over time by an assortment of commercial activities. Most of the remaining residential structures date back several decades. Access to these areas is limited to 24th Avenue SW. Although the predominate zoning in both of these areas remains R-1 (single family residential), actual existing land uses include a mixture of commercial (including landscaping/nurseries, auto and small engine repair, retail and services). Many of the homes in this area are on small lots, while a number of homes in both areas are located on very large lots.

Although sanitary sewer is in close proximity for some, most of the residential properties are on individual septic systems. The continued expansion and construction of Interstate 35 and the continuing intrusion of commercial uses into the area are creating a less than desirable residential environment in this area.

Proposed Land Uses. All of these areas are projected to become commercial per the SPA 1 on the NORMAN 2025. Provision for this use is recommended if certain conditions are met.

NORMAN 2025 Required Development Conditions.

1. Consolidation of properties into unified ownership for each area prior to its redevelopment.
2. Provision of a master redevelopment plan prior to any rezoning or platting.
3. Provision of all city services and infrastructure adequate to accommodate full buildout.

STAFF ANALYSIS: The site is currently zoned R-1, Single Family Dwelling District, and the applicant is proposing to rezone to C-2, General Commercial District. The general area contains residential, commercial, and industrial uses with vacant parcels intermixed. Notable businesses in the area include Locke Supply Company, Morningstar Storage, and Spartan Pool & Patio.

The applicant's proposal is to build a private storage building for his landscaping business equipment. The applicant will comply with all City requirements, including exterior appearance and landscaping requirements. In addition, the applicant will maintain a fence to screen from adjacent lots zoned for single-family development per City screening requirements. All equipment and materials will be stored in the proposed building and not outside per the C-2, General Commercial District, zoning requirements.

ACCESS/PARKING: Non-residential properties in the City do not have minimum parking requirements. The applicant proposes a 30' by 45' pad for parking, with access off Briggs Street. No sidewalks exist adjacent to the property or are proposed as part of this proposal. The applicant seeks exemptions from the requirements of a sidewalk and curb and gutter paving.

SITE PLAN: A 50' by 65' storage building is proposed on the northeastern portion of the lot. The building will observe a 5' side yard setback to the east and a 30' front yard setback to the north. A 30' by 45' pad is proposed for off-street parking to the north of the proposed building. Screening will be required along portions of the property that are adjacent to lots zoned for single-family development.

EXISTING ZONING: The subject property is currently zoned R-1, Single Family Dwelling District.

ALTERNATIVES/ISSUES:

IMPACTS: The properties directly north of the subject parcel are zoned C-2, General Commercial District, including vacant and commercial uses. Adjacent to the property and directly south is a vacant lot zoned R-1, Single Family Dwelling District. Directly east of the property are single-family homes located on Briggs Street – all zoned R-1, Single Family Dwelling District. Other non-residential properties on 24th Avenue S.W. and Briggs Street are currently zoned C-2, General Commercial District, PUD, Planned Unit Development (O-9798-28), or I-1, Light Industrial District.

This property's NORMAN 2025 Land Use Plan designation is currently Commercial, within Special Planning Area 1 (SPA-1). As cited above, SPA-1 requires the unified ownership of all parcels within the Special Planning Area prior to redevelopment. The applicant seeks to remove the subject property from Special Planning Area 1 to allow for the proposed storage building. Surrounding properties, including those zoned R-1, Single Family Dwelling District, are designated as Commercial on the NORMAN 2025 Plan. Those parcels directly to the east, west, and south are also within SPA-1.

OTHER AGENCY COMMENTS:

FIRE DEPARTMENT: No comments.

PUBLIC WORKS/ENGINEERING: There is no sanitary sewer to serve the property. The applicant will be required to go through ODEQ for a private system. The applicant intends to

go through the Short Form Plat process. The applicant seeks exemptions through City Council from the requirements of a sidewalk and curb and gutter paving.

TRAFFIC ENGINEER: No comments.

UTILITIES: No comments.

CONCLUSION: Staff forwards this request for rezoning from R-1, Single Family Dwelling District to C-2, General Commercial District as Ordinance No. 2223-28 for consideration by the Planning Commission and a recommendation to City Council.



CITY OF NORMAN, OK PLANNING COMMISSION MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069
Thursday, April 13, 2023 at 6:30 PM

MINUTES

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 13th day of April, 2023.

Notice and agenda of the meeting were posted at the Norman Municipal Building and online at <https://norman-ok.municodemeetings.com> at least twenty-four hours prior to the beginning of the meeting.

* * *

Chair Erica Bird called the meeting to order at 6:30 p.m.

ROLL CALL

PRESENT

Cameron Brewer
Steven McDaniel
Liz McKown
Kevan Parker
Erica Bird
Doug McClure
Jim Griffith
Maria Kindel
Michael Jablonski

A quorum was present.

STAFF PRESENT

Jane Hudson, Director, Planning & Community Development
Lora Hoggatt, Planning Services Manager
Melissa Navarro, Planner I
Colton Wayman, Planner I
Anais Starr, Planner II
Jack Burdett, Subdivision Development Coordinator
David Riesland, Transportation Engineer
Beth Muckala, Assistant City Attorney
Bryce Holland, Multimedia Specialist
Roné Tromble, Admin. Tech. IV

* * *

NON-CONSENT ITEMS**NORMAN 2025 and General Commercial Zoning**

3. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of Resolution No. R-2223-109: Plant Life, L.L.C. requests amendment of the NORMAN 2025 Land Use & Transportation Plan to remove Special Planning Area 1 (SPA-1), retaining Commercial Designation, for 0.53 acres of property located at 2516 Briggs Street.

ITEMS SUBMITTED FOR THE RECORD:

1. NORMAN 2025 Map
2. Staff Report

3. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of Ordinance No. O-2223-28: Plant Life, L.L.C. requests rezoning from R-1, Single Family Dwelling District, to C-2, General Commercial District for 0.53 acres of property located at 2516 Briggs Street.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Site Plan

PRESENTATION BY STAFF: Mr. Wayman reviewed the staff report, a copy of which is filed with the minutes.

Mr. Jablonski asked why SPA-1 had a requirement for all the property to be under one ownership before it could be developed. Mr. Wayman did not know.

PRESENTATION BY THE APPLICANT: The applicant, Stephen Lewis, 501 Manor Hill Court, did not have a presentation, but was available to answer questions.

Ms. Kindel asked about the green space. Mr. Lewis responded that everything other than the building and pad will be landscape-driven. It will not be a nursery. They will install a tree line in the front.

Mr. Parker asked if everything will be stored inside. Mr. Lewis responded affirmatively.

Ms. Bird asked if they considered a PUD, which would be more specific to the use. Mr. Lewis responded that a PUD was suggested, but they already had the paperwork filled out for C-2. He noted that there is not sewer service to the site.

PUBLIC PARTICIPATION: None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Mr. Brewer thinks the use is fine, but rezoning to C-2 opens it up for potential future concerns. Ms. Bird added it is nice to see something that has been a vacant piece of land have some use along the highway.

Motion made by McDaniel, Seconded by Brewer, to recommend adoption of Resolution No. R-2223-109 and Ordinance No. O-2223-28 to City Council.

Voting Yea: Brewer, McDaniel, McKown, Parker, Bird, McClure, Griffith, Kindel, Jablonski

The motion carried by a vote of 9-0

*

File Attachments for Item:

31. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-131: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, REQUESTING A PARTIAL EXEMPTION FROM CURRENT CITY STANDARDS RELATING TO 2516 BRIGGS STREET WITH ADVANCEMENT OF THE SHORT FORM PLAT PROCESS.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 5/9/2023

REQUESTER: Ken Danner, Subdivision Development Manager

PRESENTER: Shawn O'Leary, Director of Public Works

TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-131: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, REQUESTING A PARTIAL EXEMPTION FROM CURRENT CITY STANDARDS RELATING TO 2516 BRIGGS STREET WITH ADVANCEMENT OF THE SHORT FORM PLAT PROCESS.

BACKGROUND:

The property is located at 2516 Briggs Street. City Council, on July 9, 1963, annexed without zoning this property into the Corporate City Limits with the adoption of Ordinance 1514. Per City Ordinance, property without zoning reverts to R-1, Single-Family Dwelling District. Most of this area was developed prior to annexation. At one time, a single-family residential structure was located on the property.

DISCUSSION:

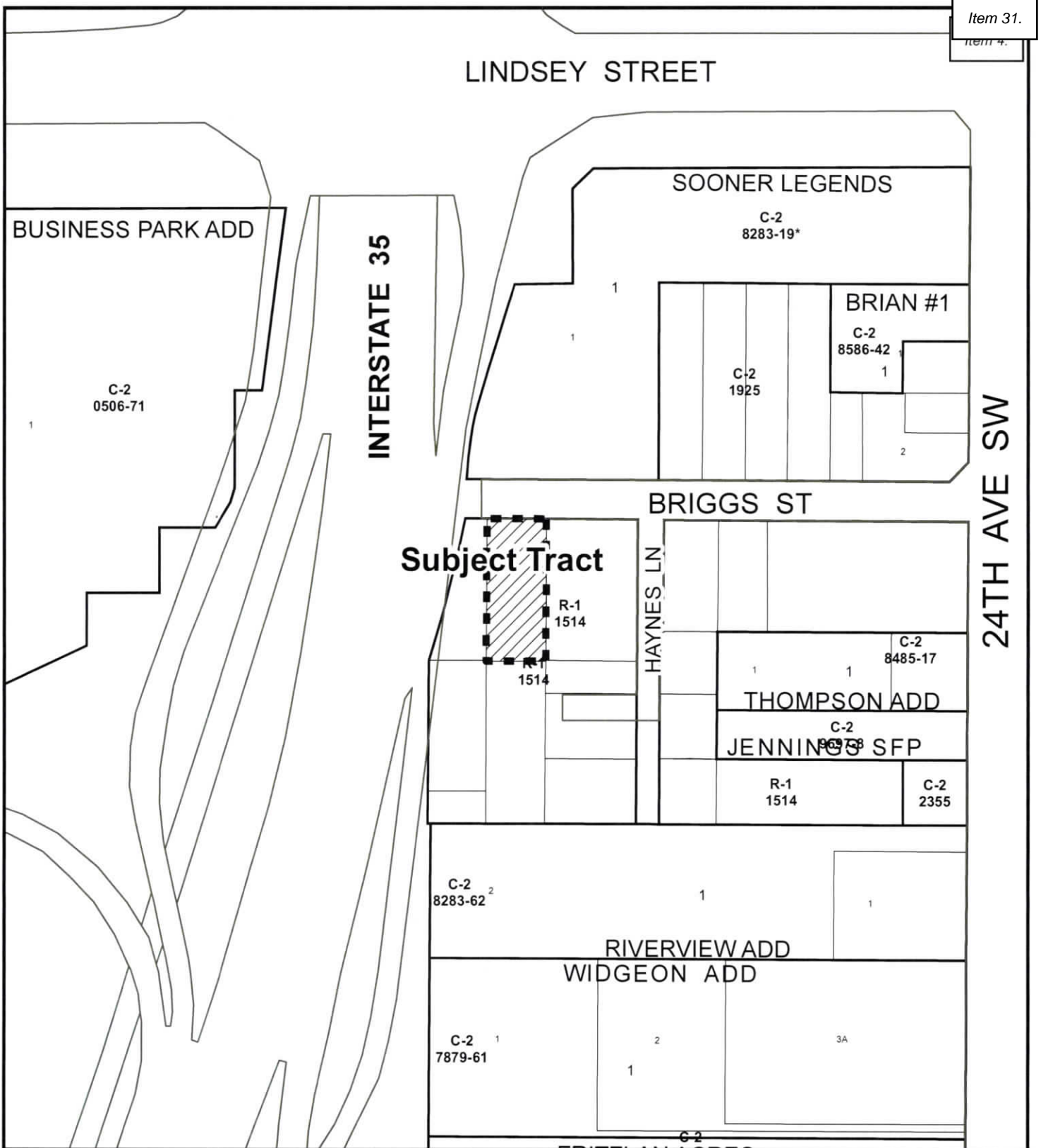
The owner is requesting to rezone and plat the property. The improvements required would be curb and gutter paving and a sidewalk in connection with Briggs Street.

The owner, Mr. Steve Lewis through his engineer, Mr. Steve Rollins, Engineering Consultants, L.L.C. requests a partial exemption from City of Norman Current Standards via Subdivision Regulation 19-604 so as to apply for a Short Form Plat to plat the property. Mr. Anderson's attached report dated January 6, 2023, speaks directly to the statement in 19-604 "...request shall be accompanied by a report from a Registered Professional Engineer licensed to practice in the State of Oklahoma. Such report shall contain a complete accounting of the infrastructure that had been previously accepted and its ability to service the lot as proposed." To summarize Mr. Rollins's report concerning Current Infrastructure IE: a.) curb and gutter paving does not exist on either side of Briggs Street from Interstate 35 to 24th Avenue S.W. (Briggs Street was paved around 2016 without curb and gutter), b.) there are no sidewalks adjacent to or on either side of Briggs Street from Interstate 35 to 24th Avenue S.W., and c.) public water improvements are available for the property. There is no available public sanitary sewer in the area. The owner will need to provide a private sanitary sewer system approved by Oklahoma Department of Environmental Quality. Mr. Rollins indicates "there will be no compromise to existing accepted public improvements" by platting the property and "If granted, will not compromise the health, safety, or welfare of any current or future occupant or neighbor."

If approved, the applicant will then apply for a short form plat which does not require approval by City Council.

RECOMMENDATION:

It is recommended that City Council adopt Resolution R-2223-131 with the exemptions of public curb and gutter paving and sidewalks in connection with Briggs Street and subject to the submittal of a "Short Form Plat" as requested.



Location Map



Map Produced by the City of Norman
Geographic Information System.
The City of Norman assumes no
responsibility for errors or omissions
in the information presented.



February 3, 2023

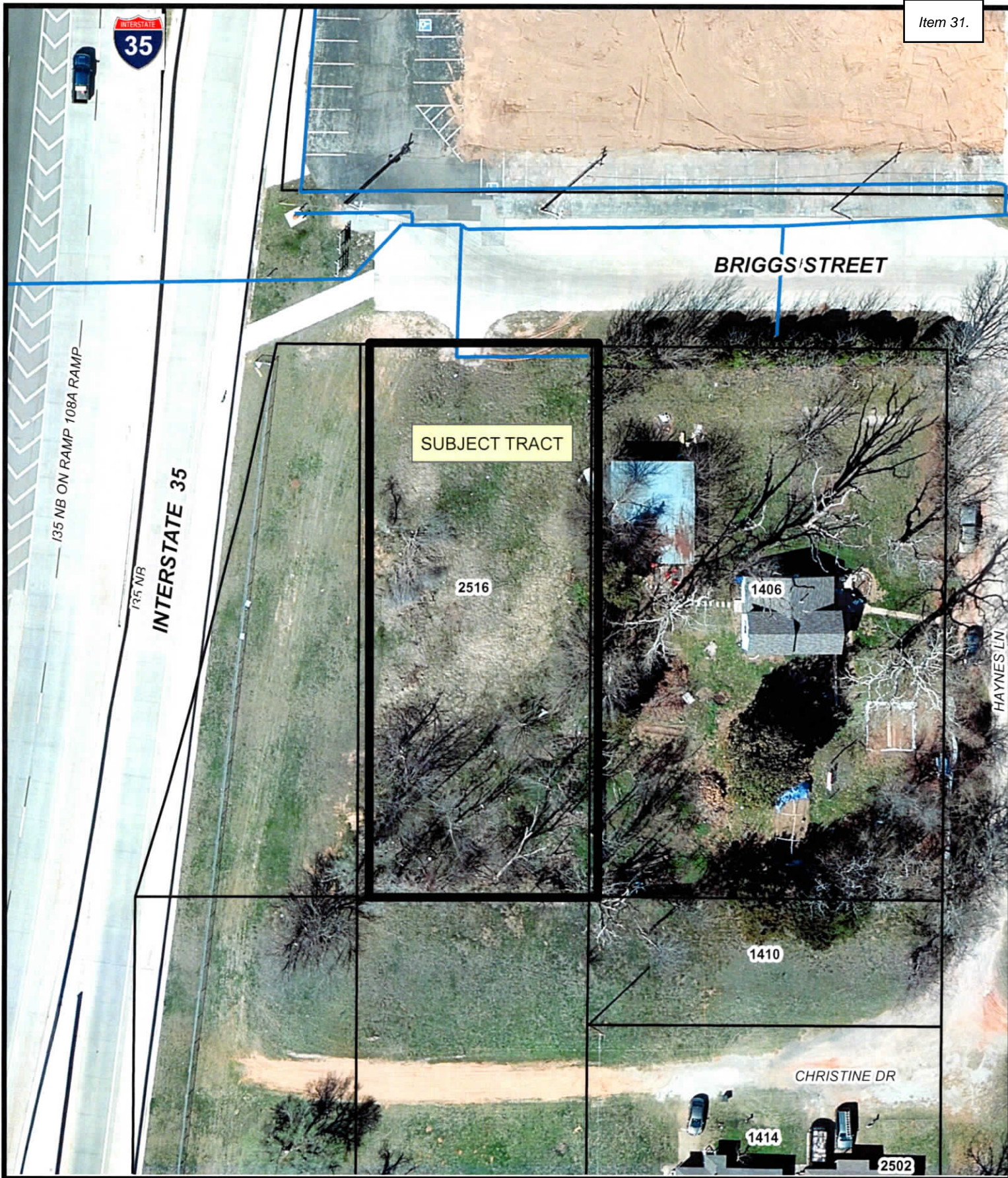
0 100 200 Ft.



Subject Tract



Zoning



LOCATION MAP 2516 Briggs Street



1 inch = 50 feet

Resolution

R-2223-131

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA REQUESTING A PARTIAL EXEMPTION FROM CURRENT CITY SUBDIVISION STANDARDS RELATING TO 2516 BRIGGS STREET WITH ADVANCEMENT OF THE SHORT FORM PLAT PROCESS.

- § 1. WHEREAS, on July 9, 1963, City Council annexed this property with no zoning designation into the Corporate City Limits with the adoption of Ordinance 1514; and
- § 2. WHEREAS, per City Code, property without zoning reverts to R-1, Single-Family Dwelling District and at one time, a single family residential structure was located on the property; and
- § 3. WHEREAS, the owner, Mr. Steve Lewis, through his engineer, ARC Engineering Consultants, L.L.C., is requesting to rezone the property to C-2, General Commercial District; and
- § 4. WHEREAS, No exemption shall be granted where the health, safety or welfare of any current or future occupant or neighbor will be compromised by absence of adequate water lines, alleys, fire hydrants, sewer lines, screening or drainage; and
- § 5. WHEREAS, the owner, through their engineer, Mr. Steve Rollins, P.E., ARC Engineering Consultants, requests a Partial Exemption from City of Norman Current Standards per Subdivision Regulation 19-604 pertaining to sidewalks and curb and gutter so as to obtain a short form plat for the property; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

- § 6. That City Council, having carefully considered all of the information above and the request for exemption, finds that the health, safety or welfare of any current or future occupant or neighbor will not be compromised by the absence of sidewalks and curb and gutter.
- § 7. That the City Council therefore grants the exemption as requested.

PASSED AND ADOPTED this _____ day of _____, 2023.

Mayor

ATTEST:

City Clerk





March 27, 2023

ATTN: Ms. Brenda Hall
City of Norman – City Clerk
201 West Gray
Norman, OK 73070

RE: Request for Partial Exemption from Current Standards
2516 Briggs Street
Norman, OK 73072

Dear Ms. Hall,

This Letter Report has been developed and is submitted with a formal request for Partial Exemption from current subdivision standards associated with the above referenced property. A Letter Report is to accompany the formal request as stated in Section 19-604 of the City of Norman Code of Ordinances. The applicant will submit a Short Form Plat subject to City Council's approval of the exemption.

Letter Report

The subject property (0.53 acres) is currently unplatted as indicated on the Boundary Survey provided in EXHIBIT A and is currently vacant. All of the surrounding properties are currently unplatted.

The owner of the subject property, Plant Life, LLC, seeks to plat the property in order to use it for their business location. The property is currently zoned R-1 Single Family Residential, but is currently being rezoned to C-2 General Commercial.

Access to the property is provided from Briggs Street to the north. Bordering the property to the south and west is additional vacant property and to the east is residential property with an occupied house. Also located to the west is I-35.

A public water line is located to the north along Briggs Street and existing hydrants in the area provide adequate fire protection coverage. Public sanitary sewer is not currently available to any of the properties in the area. The only public improvements needed relating to the subject property would be a sidewalk along Briggs Street and curb & gutter along Briggs Street. No other proposed public improvements are required. A Preliminary Site Plan is provided in EXHIBIT B.



Roadway

Briggs Street is an established public roadway that is a dead-end street with very low volume traffic. All of the streets in the area, including all of Briggs Street to 24th Avenue SW were designed and constructed without curb and gutter. The "V" shaped street is used for stormwater runoff.

Sidewalks

There are no sidewalks on either side of Briggs Street or anywhere else in the immediate area. Everything in the area is unplatted and built in 1960 or earlier, prior to sidewalk requirements.

Based on the above provided information and on behalf of the applicant, Arc Engineering specifically requests the granting of Partial Exemption from the current standards. This request is based on the lack of existing curb and gutters and sidewalks in the area and no negative impacts to the surrounding community. Consistent with Section 19-604, this request of exemption, if granted, will not compromise the health, safety or welfare of any current or future occupant or neighbor. A Short Form Plat could then be submitted to the Planning Commission for approval.

On behalf of the applicant, we ask for approval of this request so that we may move to the next available agenda. If you have any questions or comments, please feel free to contact me at the number listed below.

Respectfully,

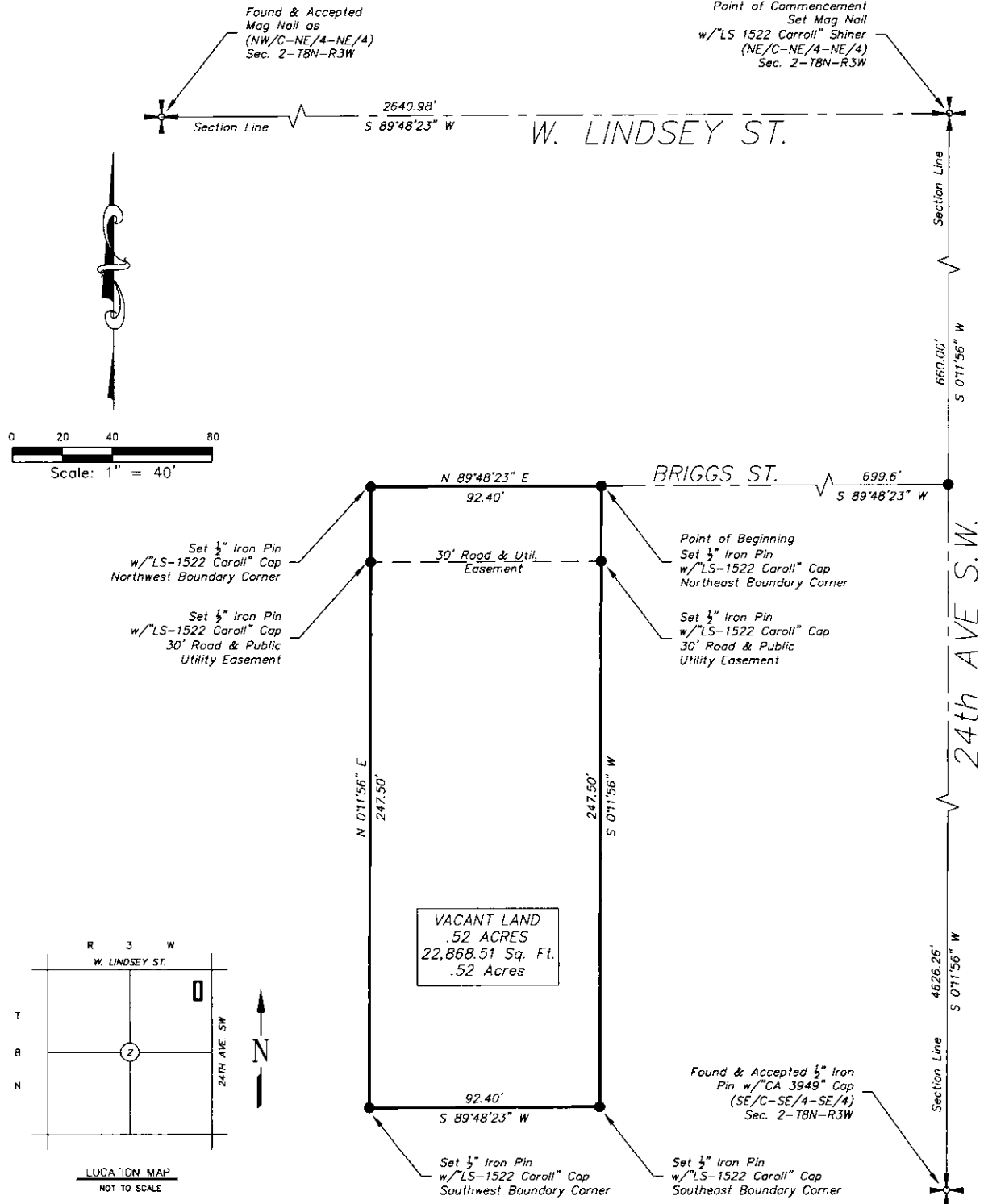
A handwritten signature in dark ink, appearing to read 'Steve Rollins', is written over a light blue horizontal line.

Steve Rollins, P.E.
Arc Engineering Consultants, L.L.C.
405-509-0212
srollins@arcengr.com

SHORT FORM PLAT # -----
 NORMAN, OKLAHOMA
 A PART OF LOT 10 OF THE NORTHEAST QUARTER (NE/4)
 SECTION 2-T8N-R3W INDIAN MERIDIAN
 CLEVELAND COUNTY OKLAHOMA

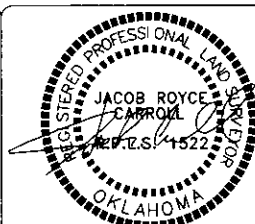
EXHIBIT "A"

Item 31.



PAGE 1 OF 3

Party Chief: CWA
 Processed By: JMJ
 Drawn By: IL
 Checked By: JRC
 Scale: 1"=40'
 Date: 2-10-23
 Revision Date: N/A



BEARING TREE LAND SURVEYING, L.L.C.



7100 Broadway Ext., Oklahoma City, OK 73116
 Telephone: (405) 605-1081
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EXHIBIT "B"
Preliminary Development Map / Site Plan
2516 Briggs Street

Item 31.

