



**CITY OF NORMAN, OK**  
**PLANNING COMMISSION MEETING**  
225 N Webster, Development Center, Conference Room A  
Thursday, November 14, 2024 at 5:30 PM

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## **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, relation, 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.*

**NOTICE:** The requested rezoning items appearing on this Planning Commission Agenda were filed by the applicant at least 30 days ago. Legal notice for each rezoning item was published in The Norman Transcript and mailed to each property owner of record within a minimum of 350 feet of each rezoning request.

Planning Commission will hold a public hearing on these items tonight, and each item upon which action is taken will be forwarded to the City Council with a recommendation. It should be recognized that the Planning Commission is a recommendatory body and that the City Council may, or may not, concur with the Planning Commission's recommendation. Therefore, it is important to note that all items forwarded by the Planning Commission will be introduced and heard at a subsequent City Council meeting.

\*\*\*PUBLIC WIFI – CONNECT TO CITYOFNORMANPUBLIC – PASSWORD: April1889.\*\*\*

### **ROLL CALL**

### **CONSENT ITEMS**

*This section is placed on the agenda so that the Planning Commission, by unanimous consent, may designate those items that they wish to approve by one motion. Any of these items may be removed from the Consent Docket and be heard in its regular order.*

#### **Minutes**

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

PLANNING COMMISSION MEETING MINUTES OF OCTOBER 10, 2024

#### **Preliminary Plats**

2. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PP-2425-5: CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY JACKSON FREEDOM FARMS, LLC (BLEW & ASSOCIATES, P.A) FOR 12TH AVE NW INDUSTRIAL FOR 30.24 ACRES GENERALLY LOCATED AT THE WEST SIDE OF 12TH AVENUE N.W. APPROXIMATELY ½ MILE NORTH OF ROCK CREEK ROAD.

## **NON-CONSENT ITEMS**

### **Public Utility**

3. CONSIDERATION OF ADOPTION, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-15: 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 GRANT SPECIAL USE FOR PUBLIC UTILITY IN THE A-2, RURAL AGRICULTURAL DISTRICT FOR A STRIP, PIECE OR PARCEL OF LAND IN THE SOUTHEAST QUARTER (SE/4) OF SECTION NINETEEN (19), TOWNSHIP EIGHT (8) NORTH, RANGE ONE (1) WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED NORTH OF ETOWAH ROAD ON 72<sup>ND</sup> AVENUE SOUTHEAST)

### **Zoning Ordinance - Parks**

4. CONSIDERATION OF ADOPTION, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-10: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADDING SECTION 36-568 (“RESTRICTIONS ON TOBACCO AND E-CIGARETTE RETAILERS”) TO CHAPTER 36 (“ZONING ORDINANCE”); AND AMENDING SECTIONS 36-521 (“RO, RESIDENCE-OFFICE DISTRICT”), 36-524 (“C-1, LOCAL COMMERCIAL DISTRICT”), 36-526 (“TC, TOURIST COMMERCIAL DISTRICT”), 36-527 (“CR, RURAL COMMERCIAL DISTRICT”), AND 36-560 (“SPECIAL USES”) TO CHAPTER 36 (“ZONING ORDINANCE”) OF THE CODE OF THE CITY OF NORMAN TO ESTABLISH RESTRICTIONS ON TOBACCO AND E-CIGARETTE RETAILERS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

### **Zoning Ordinance - Historic District**

5. CONSIDERATION OF ADOPTION, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-17: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 36, ARTICLE V, ZONING, SECTION 36-535, HISTORIC DISTRICT COMMISSION REQUIREMENT; AMENDING THE APPLICATION REQUIREMENTS FOR CERTIFICATE OF APPROPRIATENESS; EDITS FOR CONSISTENCY OR CORRECTIVE PURPOSES; AND ALLOW HISTORIC PRESERVATION OFFICER TO GRANT TIME EXTENSION FOR CERTIFICATE OF APPROPRIATENESS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

## **MISCELLANEOUS COMMENTS OF PLANNING COMMISSION AND STAFF**

**ADJOURNMENT**

**File Attachments for Item:**

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

PLANNING COMMISSION MEETING MINUTES OF OCTOBER 10, 2024



# CITY OF NORMAN, OK PLANNING COMMISSION MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069  
Thursday, October 10, 2024 at 5:30 PM

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## MINUTES

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, will meet in Regular Session in the Council Chambers at the Municipal Building, on Thursday, October 10, 2024 at 5:30 PM and notice of the agenda of the meeting was posted at the Norman Municipal Building at 201 West Gray, and on the City website at least 24 hours prior to the beginning of the meeting.

Michael Jablonski called the meeting to order at 5:31 p.m.

### ROLL CALL

#### PRESENT

Steven McDaniel  
Liz McKown  
Michael Jablonski  
James Griffith  
Maria Kindel  
Kevan Parker

#### ABSENT

Cameron Brewer  
Erica Bird  
Doug McClure

#### STAFF PRESENT

Jane Hudson, Planning & Community Development Director  
Lora Hoggatt, Planning Services Manager  
Kelly Abell, Planner I  
Justin Fish, Planner I  
Whitney Kline, Admin Tech IV  
AshLynn Wilkerson, Assistant City Attorney I  
William Andrews, Communications & Engagement Coordinator  
Todd McLellan, Development Engineer

#### GUESTS PRESENT

Rex & Jan Valouch, 3661 Jenkins Ave, Norman, OK  
Trey Kirby, 311 Roserock Dr, Norman, OK  
Sonja & Kevin Potts, 3620 Barwick Dr, Norman, OK  
Rieger Sadler Joyce LLC, 136 Thompson Dr, Norman, OK

## CONSENT ITEMS

*This section is placed on the agenda so that the Planning Commission, by unanimous consent, may designate those items that they wish to approve by one motion. Any of these items may be removed from the Consent Docket and be heard in its regular order.*

### Minutes

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

PLANNING COMMISSION MEETING MINUTES OF SEPTEMBER 12, 2024

#### **ITEMS SUBMITTED FOR THE RECORD:**

1. September 12, 2024 Planning Commission Regular Session Minutes

### Certificates of Survey

2. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF COS-2425-5: CONSIDERATION OF A NORMAN RURAL CERTIFICATE OF SURVEY SUBMITTED BY ROLLNG VISTAS, LTD. (CHRIS FAIRCHILD) FOR CREEKSIDE ESTATES COS FOR 76.8878 ACRES OF PROPERTY GENERALLY LOCATED ½ MILE SOUTH OF EAST LINDSEY STREET AND WEST SIDE OF 108<sup>TH</sup> AVENUE SOUTHEAST.

#### **ITEMS SUBMITTED FOR THE RECORD:**

1. Staff Report
2. Location Map
3. Creekside Estates COS

3. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF COS-2425-6: CONSIDERATION OF A NORMAN RURAL CERTIFICATE OF SURVEY SUBMITTED BY GREG SKINNER (SKINNER LAND SURVEYING) FOR FILKINS RIDGE COS FOR 19.87 ACRES, WITH A VARIANCE ON THE PRIVATE ROAD WIDTH FROM 20' TO 12' SERVING TWO TRACTS AND A VARAINCE IN THE MINIMUM 10 ACRES REQUIREMENT FOR TRACT 1 AT 9.94 ACRES AND TRACT 2 AT 9.93 ACRES LOCATED AT 6607 144TH AVENUE NORTHEAST.

#### **ITEMS SUBMITTED FOR THE RECORD:**

1. Staff Report
2. Location Map
3. Filkins Ridge COS
4. Filkins Ridge Variance Request

**Motion** by Commissioner McDaniel to approve to consent docket; **Second** by Commissioner McKown.

***The motion passed unanimously with a vote of 6-0.***

## NON-CONSENT ITEMS

### Trinitas Development LLC Rezoning

4. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-8: 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 ALL OF BLOCK ONE (1) OF THE SECOND STATE UNIVERSITY ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE RM-6, MEDIUM-DENSITY APARTMENT DISTRICT, AND PLACE SAME IN THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (310 E BOYD STREET)

#### **ITEMS SUBMITTED FOR THE RECORD:**

1. Staff Report
2. Location Map
3. SPUD Document
4. Master Development Plan
5. Master Development Plan with Labels
6. Pre-Development Summary

### Staff Presentation

Kelly Abell, Planner I, presented the staff report.

Commissioner Griffith asked where the parking for the residents was going to be located. Ms. Abell responded that it would be the bottom two stories.

### Applicant Presentation

Gunner Joyce, Rieger Sadler Joyce LLC, presented on the proposed SPUD. Mr. Joyce explained that this is considered infill development and the allowed uses are not a big change from what is currently permitted.

Commissioner Jablonski asked about the signage. Mr. Joyce responded that a ground sign has been requested but is not a dynamic or video sign.

Commissioners agreed that this is a great opportunity in a great location.

**Motion** by Commissioner Griffith to recommend approval of Ordinance O-2425-8; **Second** by Commissioner Kindel.

***The motion passed unanimously with a vote of 6-0.***

5. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-9: 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 THE NORTHEAST QUARTER (NE/4) OF SECTION SIXTEEN (16), TOWNSHIP (8) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED SOUTH OF EAST CEDAR LANE ROAD AND EAST OF CLASSEN BLVD)

**ITEMS SUBMITTED FOR THE RECORD:**

- 1. Staff Report
- 2. Location Map
- 3. PUD Narrative
- 4. Preliminary Plat
- 5. Green Space Exhibit
- 6. Site Development Plan
- 7. Pre-Development Summary

6. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PP-2425-4: CONSIDERATION OF A REVISED PRELIMINARY PLAT SUBMITTED BY ROYCE ENTERPRISES, INC & SOONER INVESTMENT DEV. CO. (SMC CONSULTING ENGINEERS, PC) FOR ARMSTRONG BANK CONSOLIDATION PROJECT, A PLANNED UNIT DEVELOPMENT FOR APPROXIMATELY 40.41 ACRES OF PROPERTY GENERALLY LOCATED AT THE SOUTH OF EAST CEDAR LANE AND EAST OF CLASSEN BLVD.

**ITEMS SUBMITTED FOR THE RECORD:**

- 1. Staff Report
- 2. Location Map
- 3. Preliminary Plat
- 4. Site Development Plan
- 5. Traffic Analysis
- 6. Traffic Review Form

**Staff Presentation**

Kelly Abell, Planner I, presented the proposed amended PUD.

**Applicant Presentation**

Sean Rieger, Rieger Sadler Joyce LLC, presented on the proposed amendments. Mr. Rieger explained that they would be amending the site plan, signage, and internal roads.



Commissioner McKown stated that the site plan is showing dry detention ponds but those are could be utilized in a more decorative way.

Commissioner Griffith requested that if they are going to be dry detention ponds, to make sure they are maintained.

Commissioner Jablonski asked about the plans in regards to the heat generated from the parking lot. Mr. Rieger explained that the retailer's site plan requests lots of islands including trees to help with the heat.

### **Public Comment**

Trey Kirby, 311 Roserock Dr, Norman, OK (protest)

Commissioner Kindel explained that there were no definitive plans a year ago so they are not losing anything in regards to the housing that was on the original PUD.

**Motion** by Commissioner McKown to recommend approval of Ordinance O-2425-9 and PP-2425-4; **Second** by Commissioner Griffith.

***The motion was passed unanimously with a vote of 6-0.***

7. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2324-76: 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 THE SOUTHWEST QUARTER (SW/4) OF SECTION EIGHT (8), TOWNSHIP EIGHT (8) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, FROM THE INDUSTRIAL DESIGNATION AND PLACE THE SAME IN THE MIXED USE DESIGNATION AND CHANGE APPROXIMATELY 11.5 ACRES FROM FUTRE URBAN SERVICE AREA TO CURRENT URBAN SERVICE AREA. (SOUTHEAST CORNER OF HIGHWAY 9 AND JENKINS AVENUE)

**ITEMS SUBMITTED FOR THE RECORD:**

- 1. Staff Report
- 2. Norman 2025 Map

8. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2324-28: 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 THE SOUTHWEST QUARTER (SW/4) OF SECTION EIGHT (8), TOWNSHIP EIGHT (8) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE I-1, LIGHT INDUSTRIAL DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (SOUTHEAST CORNER OF HIGHWAY 9 AND JENKINS AVENUE)

**ITEMS SUBMITTED FOR THE RECORD:**

- 1. Staff Report
- 2. Location Map
- 3. Preliminary Plat
- 4. PUD Narrative
- 5. Open Space Exhibit
- 6. Pre-Development Summary

9. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PP-2324-10: CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY HIGHWAY 9 JENKINS M&J INVESTMENTS, LLC (CRAFTON TULL) FOR SOONER VILLAGE, A PLANNED UNIT DEVELOPMENT FOR 56.54 ACRES OF PROPERTY GENERALLY LOCATED AT THE SOUTHEAT CORNER OF HIGHWAY 9 AND JENKINS AVENUE.

**ITEMS SUBMITTED FOR THE RECORD:**

- 1. Staff Report
- 2. Location Map
- 3. Preliminary Plat
- 4. Traffic Analysis
- 5. Traffic Review Form

## **Staff Presentation**

Justin Fish, Planner I, presented on the proposed PUD.

Commissioner Jablonski asked about the ongoing concerns with Bishop Creek. Todd McLellan, Development Engineer, responded that there was a drainage report submitted.

## **Applicant Presentation**

Sean Rieger, Rieger Sadler Joyce LLC, explained that the proposed PUD would include industrial, housing, and retail uses.

Mr. Rieger also explained that the property would be down-zoned in regards to intensity and is located to the north of the floodplain & floodways.

Commissioner McKown asked what the order of development would be and recommended the housing be built first.

Commissioner Griffith inquired about the height of the apartment building and the possibilities of going up to four or five stories.

## **Public Comments**

Sonja & Kevin Potts, 3620 Barwick Dr, Norman, OK (Protest)  
Rex & Jan Valouch, 3661 Jenkins Ave, Norman, OK (Protest)

Commissioner Jablonski explained that this development would bring in more housing with a buffer already set up for open space in regards to where the easements are located.

Commissioner Kindel stated she likes the green space, increased housing to every level, and detention that would be slow release. She hopes City Council will be able to answer questions in regards to who would clean possible debris in Bishop Creek to make sure it is flowing as efficiently as possible.

**Motion** by Commissioner McDaniel to recommend approval of Ordinance O-2324-28, Resolution R-2324-76, and PP-2324-10; **Second** by Commissioner McKown.

***The motion was passed unanimously with a vote of 6-0.***

10. CONSIDERATION OF ADOPTION, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-6: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING CHAPTER 36 (“ZONING”), SECTIONS 36-101 (“DEFINITIONS”), 36-513 (“RE, RESIDENTIAL ESTATE DWELLING DISTRICT”), 36-518 (“RM-4, MOBILE HOME PARK DISTRICT”) AND 36-564 (“HOME OCCUPATIONS”) IN ORDER TO ALLOW HOME OCCUPATIONS TO BE CARRIED ON IN RE, RESIDENTIAL ESTATE DWELLING DISTRICT, AND RM-4, MOBILE HOME PARK DISTRICT, AND TO REDEFINE, TO MAKE LANGUAGE THROUGHOUT THE ZONING ORDINANCE CONSISTENT, AND ALLOW ADDITIONAL ACTIVITES AS HOME OCCUPATIONS WITH STATED RESTRICTIONS, AND PROVIDING FOR THE SEVERABILITY THEREOF.

**ITEMS SUBMITTED FOR THE RECORD:**

- 1. Staff Report
- 2. Draft Ordinance

**Staff Presentation**

Lora Hoggatt, Planning Services Manager, presented the proposed ordinance change in regards to home occupations.

Commissioner Kindel explained that it makes sense to add this to the residential districts that were previously omitted.

**Motion** by Commissioner Kindel to recommend approval of Ordinance O-2425-6; **Second** by Commissioner Griffith.

***The motion was passed unanimously with a vote of 6-0.***

**MISCELLANEOUS COMMENTS OF PLANNING COMMISSION AND STAFF**

Commissioners had discussion in regards to stormwater and how the City can think about it differently as the weather is becoming more unpredictable.

**ADJOURNMENT**

The meeting was adjourned at 7:09p.m.

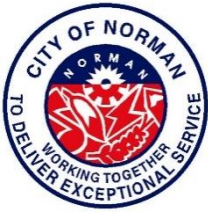
Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

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Planning Commission

**File Attachments for Item:**

2. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PP-2425-5: CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY JACKSON FREEDOM FARMS, LLC (BLEW & ASSOCIATES, P.A) FOR 12TH AVE NW INDUSTRIAL FOR 30.24 ACRES GENERALLY LOCATED AT THE WEST SIDE OF 12TH AVENUE N.W. APPROXIMATELY ½ MILE NORTH OF ROCK CREEK ROAD.



## CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 11/14/2024

**REQUESTER:** Jackson & Associates (Blew & Associates, P.A.)

**PRESENTER:** Ken Danner, Subdivision Development Manager

**ITEM TITLE:** CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PP-2425-5: CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY JACKSON FREEDOM FARMS, LLC (BLEW & ASSOCIATES, P.A) FOR 12<sup>TH</sup> AVE NW INDUSTRIAL FOR 30.24 ACRES GENERALLY LOCATED AT THE WEST SIDE OF 12<sup>TH</sup> AVENUE N.W. APPROXIMATELY ½ MILE NORTH OF ROCK CREEK ROAD.

**ITEM:** CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PP-2425-5: CONSIDERATION OF A PRELIMINARY PLAT FOR 12<sup>TH</sup> AVE NW INDUSTRIAL.

**LOCATION:** Generally located west side of 12<sup>th</sup> Avenue N.W. approximately ½ mile north of Rock Creek Road.

**INFORMATION:**

1. Owners. Jackson Freedom Farms, LLC.
2. Developer. Jackson Freedom Farms, LLC.
3. Engineer. Blew & Associates, P.A.

**HISTORY:**

1. August 23, 1960. City Council adopted Ordinance No. 1243 annexing a portion of this property into the Norman Corporate City limits without zoning.
2. November 22, 1960. City Council adopted Ordinance No. 1265 placing a portion of this property in A-2, Rural Agricultural District.
3. October 18, 1961. City Council adopted Ordinance No. 1313 annexing the remainder of this property into the Norman Corporate City Limits without zoning.

1. December 19, 1961. Planning Commission recommended to City Council that the remainder of this property be placed in A-2, Rural Agricultural District.
2. January 23, 1962. City Council adopted Ordinance No. 1339 placing the remainder of this property in A-2, Rural Agricultural District.
4. December 30, 1969. City Council adopted Ordinance No. 2235, placing this property in I-2, Heavy Industrial District and removing it from A-2, Rural Agricultural District.

#### IMPROVEMENT PROGRAM:

1. Fire Hydrants. Fire hydrants will be installed in accordance with approved plans. Their locations will be reviewed by the Fire Department.
2. Permanent Markers. Permanent markers will be installed prior to the final plat being filed of record.
3. Sanitary Sewers. Sanitary sewer mains will be installed in accordance with approved plans and City and Oklahoma Department of Environmental Quality standards. A portion of off-plat sanitary sewer main will be installed north of this property.
4. Sidewalks. A sidewalk will be required adjacent to 12<sup>th</sup> Avenue N.W. Staff will recommend deferral of the sidewalk adjacent to 12<sup>th</sup> Avenue N.W. with final platting.
5. Storm Sewers. This property will utilize detention facilities to convey storm water runoff. Drainage easements are required for the detention facilities.
6. Streets. Streets will be constructed in accordance with approved plans and City paving standards. Twelfth Avenue N.W. will be constructed as an arterial street. Staff will recommend deferral with final platting.
7. Water Mains. Water mains will be installed in accordance with approved plans and City and Oklahoma Department of Environmental Quality standards. There is a portion of 12" water main adjacent to 12<sup>th</sup> Avenue N.W. A 12" water main will be extended adjacent to 12<sup>th</sup> Avenue N.W. to the south end of the property.
8. WQPZ. The property contains Water Quality Protection Zone. The engineer for the developer is utilizing WQPZ averaging. With final platting, covenants are required to protect the WQPZ.

#### PUBLIC DEDICATIONS:

1. Easements. All required easements will be dedicated to the City on the final plat. Off-plat separate instruments (easements) will be required for a proposed sanitary sewer system serving this property and possibly future properties.
2. Rights-of-Way. Street rights-of-way will be dedicated to the City on the final plat.

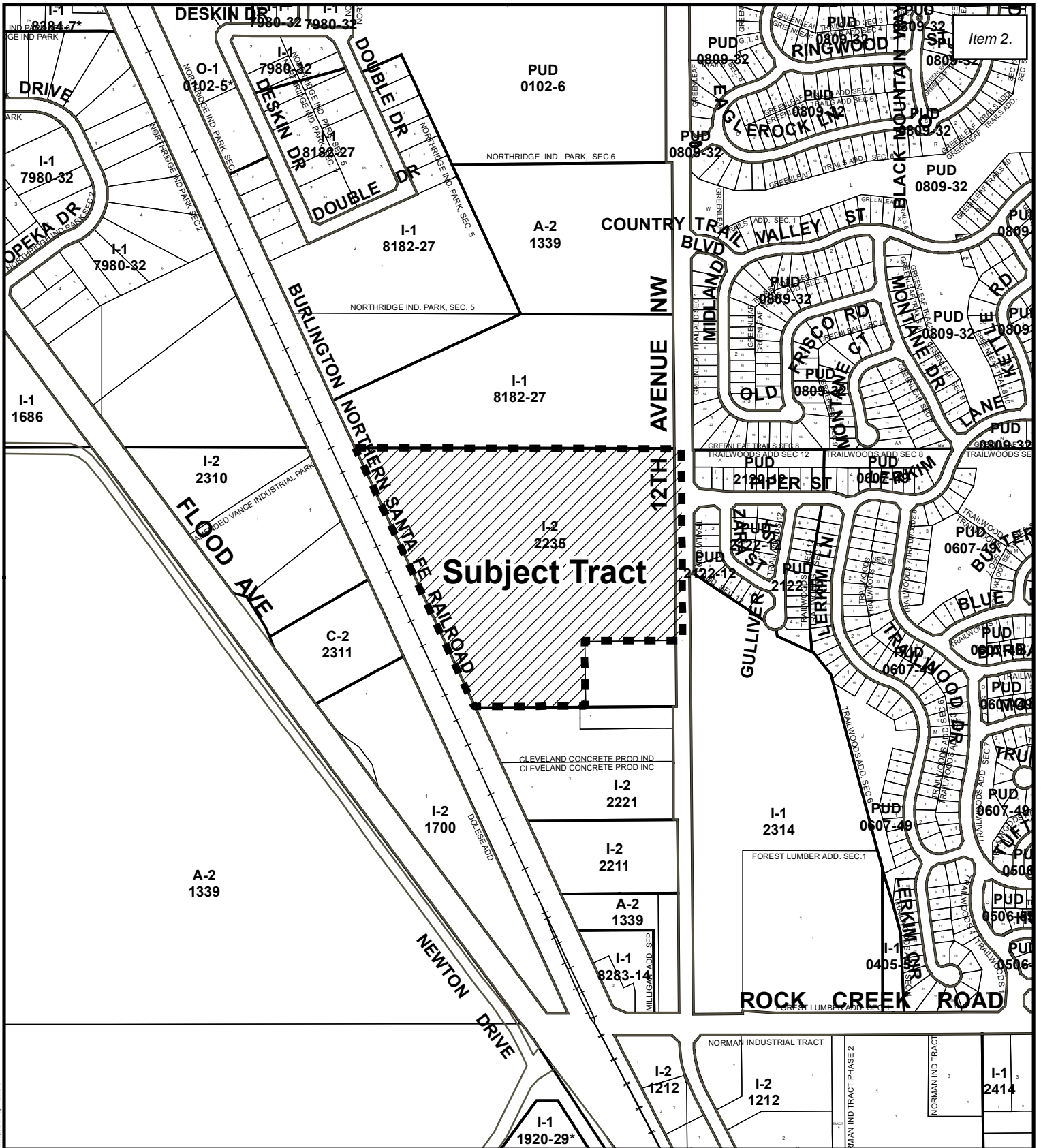
**SUPPLEMENTAL MATERIAL:** Copies of a location map, site plan and preliminary plat are included in the Agenda Book.

**STAFF COMMENTS AND RECOMMENDATION:** This property consist of 30.24 acres and 3 lots. An industrial building is proposed for Lot 1, a proposed church for Lot 2 and Lot 3 has several contractor buildings. Staff recommends approval of the preliminary plat for 12<sup>th</sup> Ave. NW Industrial.

**ACTION NEEDED:** Recommend approval or disapproval of the preliminary plat for 12<sup>th</sup> Ave. NW Industrial to City Council.

**ACTION TAKEN:** \_\_\_\_\_

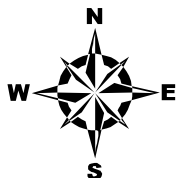




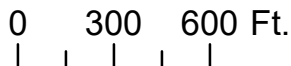
# Location Map



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.



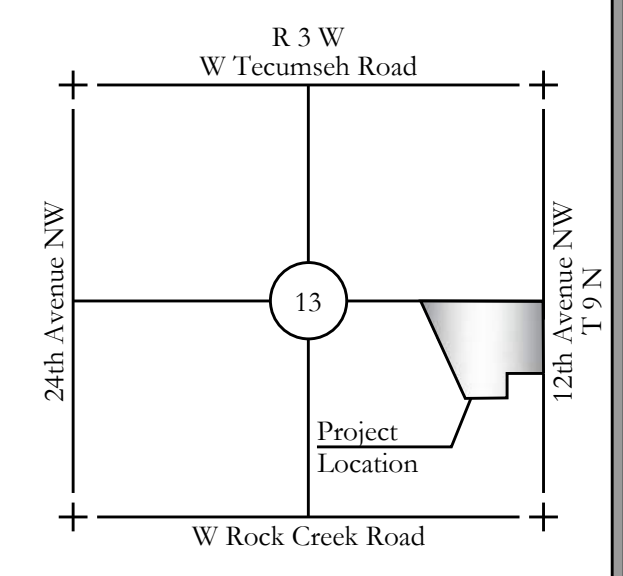
October 4, 2024



Subject Tract



Zoning



**Legend & Symbols**

- Boundary Line
- Right of Way Line
- Building Limit Line
- Lot Lines
- Access Easement
- Building Limit Line
- Ex. Index Contour Major
- Ex. Index Contour Minor
- Prop. Curb
- Flow Path
- WQPZ Boundary
- Concrete Paving
- 5' Wide Sidewalk
- A/E Access Easement
- R/W Right of Way
- U/E Utility Easement
- D/E Drainage Easement
- P/D/E Private Drainage Easement
- BL Building Limit
- Ex. Existing

**Zoning**

I-2 Heavy Industrial District

**Lot Count**

Industrial: 3 lots  
 Lot 1: Industrial  
 Lot 2: Church  
 Lot 3: Industrial  
 Total Acres: 30.24

**Engineer/Surveyor**

Blew & Associates, P.A.  
 c/o Jason A. Spencer, P.E.  
 13900 Wireless Way  
 Oklahoma City, OK 73134

**Owner / Developer**

Jackson Freedom Farms, LLC  
 c/o Austin Jackson  
 4701 N Porter Avenue  
 Norman, OK 73071

**Notes**

1. Existing Zoning is I-2. No Change to Zoning is proposed.
2. All public utilities will be in dedicated easements.
3. All common areas and drainage easements within this development will be maintained by the owner/ property owners association.
4. Refer to drainage report for specific data.
5. Vertical Datum Referenced: NAVD 88.
6. WQPZ indicates the Water Quality Protective Zone. There shall be no clearing, grading, construction or disturbance of vegetation in this area except as permitted by the Director of Public Works, unless such disturbance is done in accordance with 30-514 (E) of the Norman City Code. The WQPZ is subject to protective covenants that may be found in the Land Records and that may restrict disturbance and use of these areas.

**Legal Description**

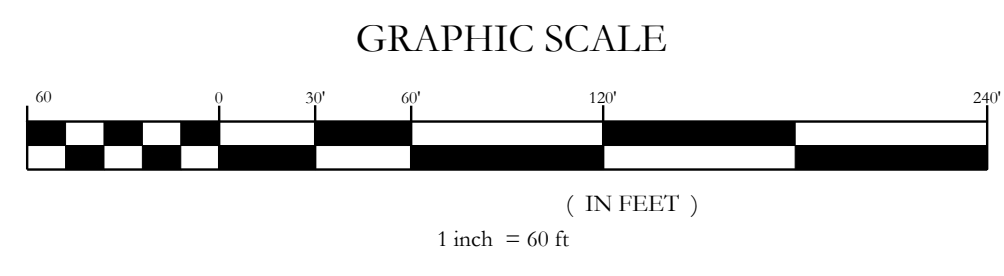
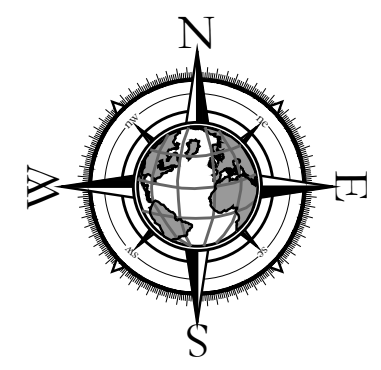
A tract of land situate within the Southeast Quarter (SE/4) of Section Thirteen (13), Township Nine North (T9N), Range 3 West (R3W) of the Indian Meridian (I.M.) in Norman, Cleveland County, Oklahoma, being more particularly described as follows:

COMMENCING at the Southeast corner of said SE/4; thence N00°23'42"W along the East line of said SE/4 a distance of 1753.03 feet to the POINT OF BEGINNING; thence S89°51'23"W a distance of 450.03 feet; thence S00°23'30"E a distance of 299.59 feet; thence S89°41'48"W a distance of 508.60 feet to a point on the East line of the Atchison Topeka and Santa Fe Railroad Right-of-Way; thence N24°41'34"W along the East line of the Atchison Topeka and Santa Fe Railroad Right-of-Way a distance of 1307.22 feet; thence S89°48'17"E a distance of 1496.62 feet to a point on the East line of said SE/4; thence S00°23'42"E along the East line of said SE/4 a distance of 879.20 feet to the POINT OF BEGINNING.

Said tract contains 1,317,237 Sq Ft or 30.240 Acres, more or less.

**Storm Drainage Detention Facility Easement**

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*Preliminary Plat of*  
**12th Ave NW Industrial**  
 A Part of the SE/4 of Sec. 13, T9N, R3W, I.M.  
 Norman, Cleveland County, OK  
 I-2 Zoning



13900 Wireless Way  
 Oklahoma City, OK 73134  
 CA No. 5387  
 Office: (405) 213-0124  
 www.BLEWINC.com  
 Project No: 24-2921  
 2024-11-06  
 Sheet 1 of 3

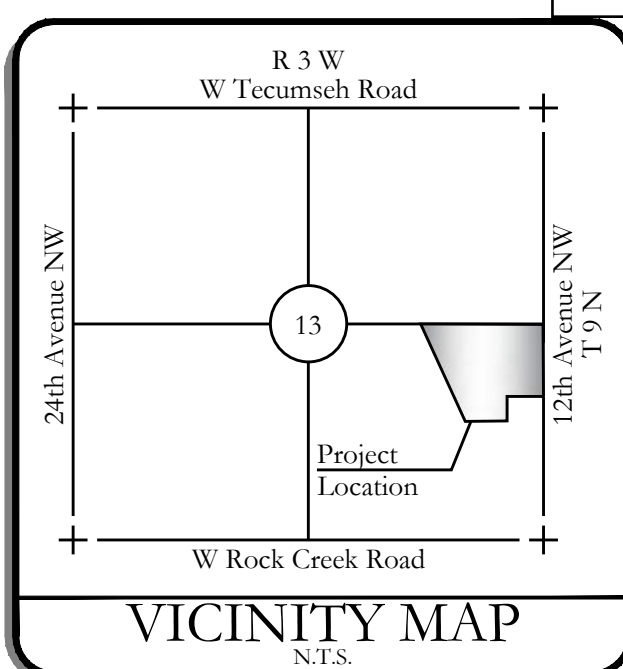
HALL J PROPERTIES LLC  
 APN:68620

TWELFTH STREET LLC  
 APN:29687

PARKER MANAGEMENT GROUP LLC

POINT OF COMMENCEMENT  
 FOUND CHISELED "X"  
 THE SE CORNER OF  
 SEC. 13, T-9-N, R-3-W

POINT OF BEGINNING



**\* CONCEPTUAL DISCLAIMER \***  
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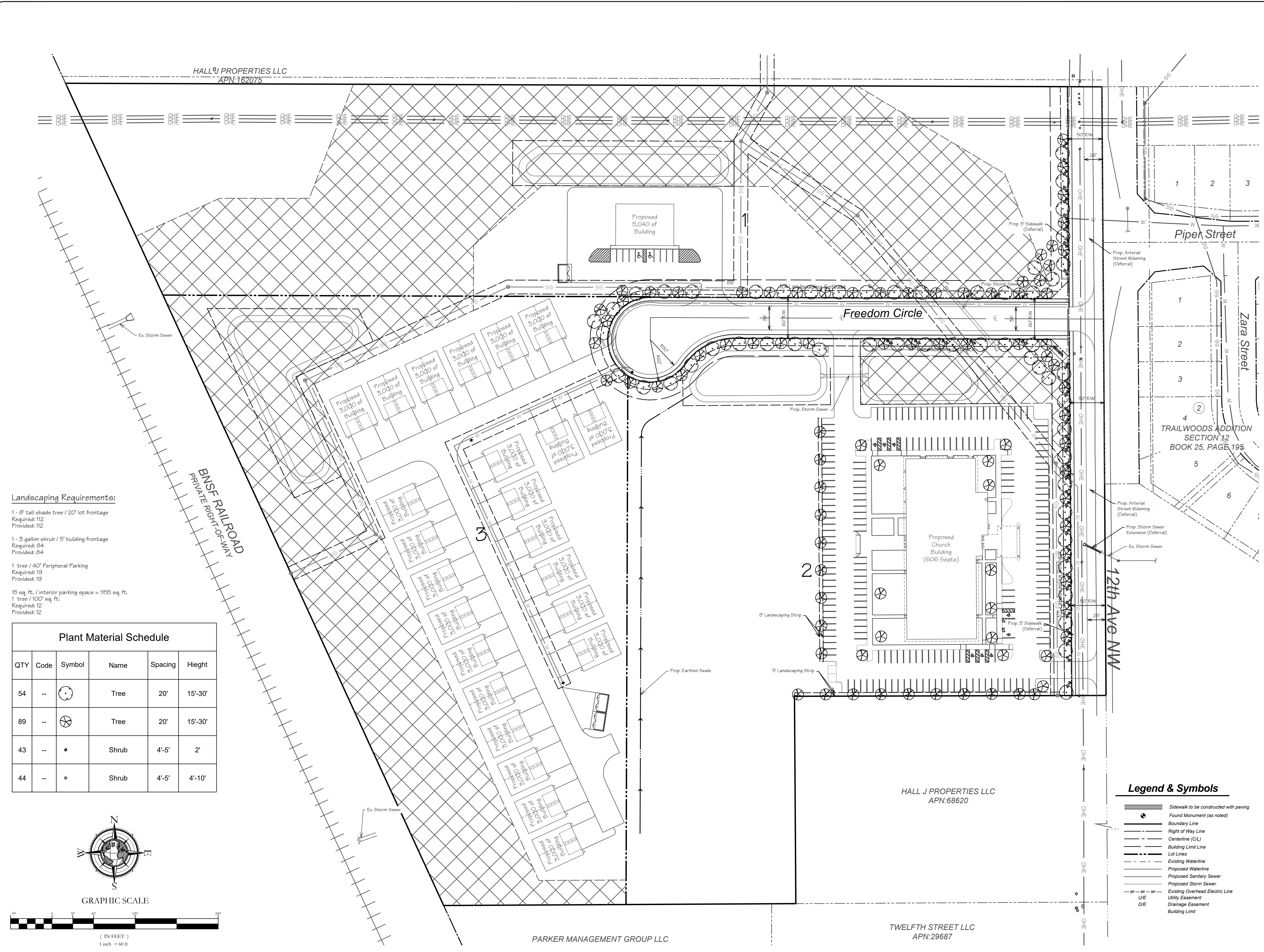
Preliminary Landscape Plan  
 Conceptual Plans For:  
**12th Avenue NW Industrial**  
 Norman, Oklahoma

**CONCEPTUAL**  
 NOT FOR CONSTRUCTION

**BLEW**  
 Surveying | Engineering  
 Environmental  
 13900 Wireless Way Office: (405) 213-0124  
 Oklahoma City, OK 73134 www.BLEWINC.com

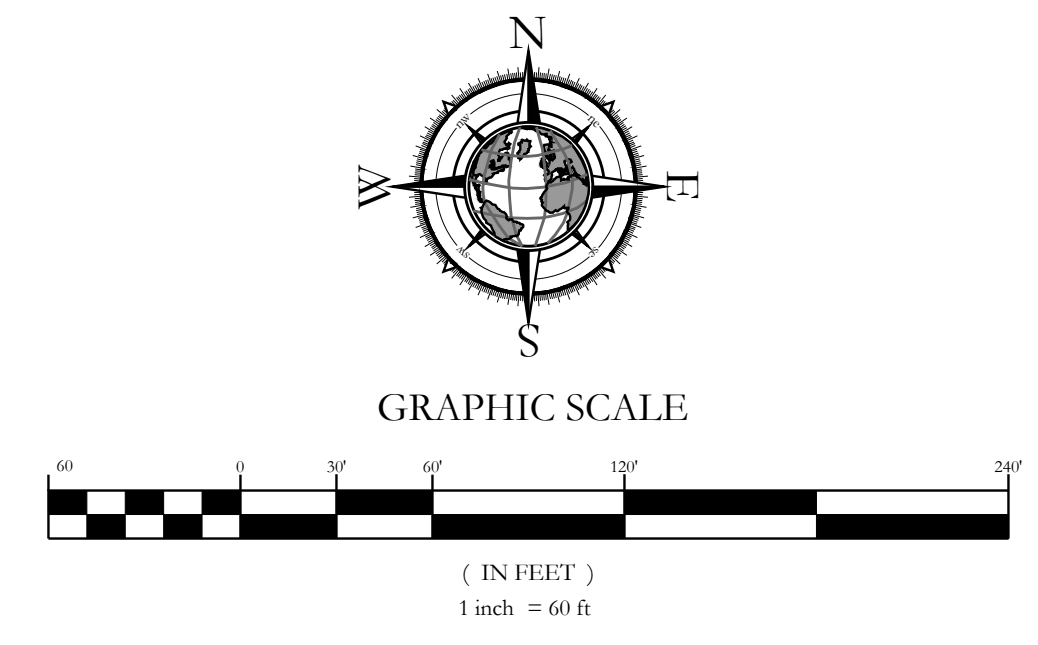
Certificate of Authorization No. 5387

DATE: 2024-11-06 JOB NUMBER: 24-2921  
 DRAWN BY: V. Finnigan REVIEWED BY: J. Spencer  
 DRAWING NAME: 24-2921 Civil 005.dwg  
 SHEET NUMBER: C2



**Landscaping Requirements:**  
 1 - 8' tall shade tree / 20' lot frontage  
 Required: 112  
 Provided: 112  
 1 - 3 gallon shrub / 5' building frontage  
 Required: 84  
 Provided: 84  
 1 tree / 40' Peripheral Parking  
 Required: 19  
 Provided: 19  
 15 sq. ft. / interior parking space = 1155 sq. ft.  
 1 tree / 100' sq. ft.  
 Required: 12  
 Provided: 12

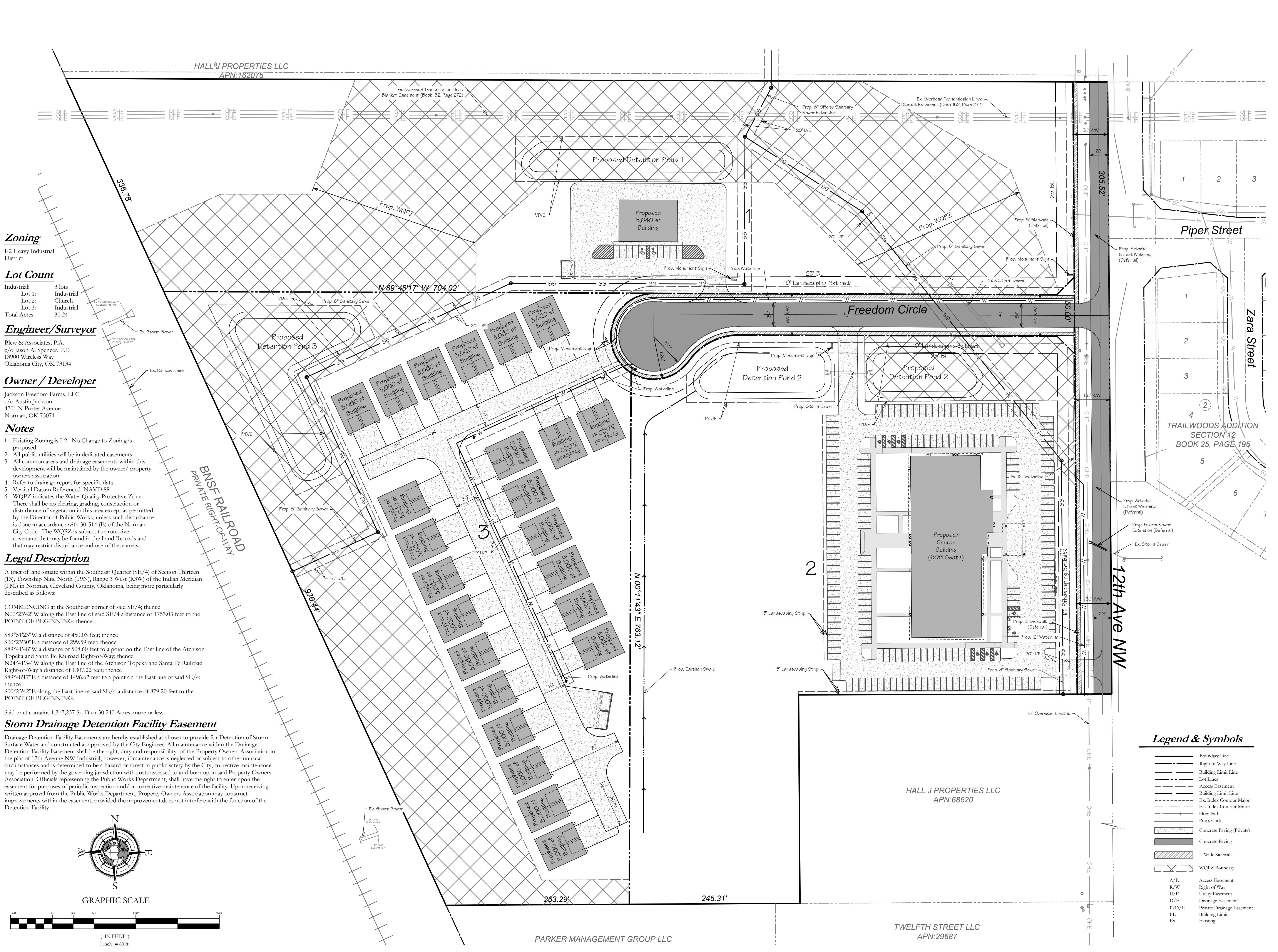
Plant Material Schedule					
QTY	Code	Symbol	Name	Spacing	Height
54	--	⊙	Tree	20'	15'-30'
89	--	⊗	Tree	20'	15'-30'
43	--	•	Shrub	4'-5'	2'
44	--	◦	Shrub	4'-5'	4'-10'



**Legend & Symbols**

- ▨ Sidewalk to be constructed with paving
- ⊕ Found Monument (as noted)
- Boundary Line
- - - Right of Way Line
- Centerline (CL)
- Building Limit Line
- Lot Lines
- - - Existing Waterline
- Proposed Waterline
- Proposed Sanitary Sewer
- Proposed Storm Sewer
- Existing Overhead Electric Line
- U/E Utility Easement
- D/E Drainage Easement
- Building Limit

P:\24-2921 12th ave nw industrial\civil\drawings\24-2921 civil 005.dwg - Plotted on 11/16/2024 9:14:40 AM @ a scale of 1:1 to autocad pdf (smallest file) pc3 by Jason Spencer



**Zoning**  
I-2 Heavy Industrial District

**Lot Count**  
Industrial: 3 lots  
Lot 1: Industrial  
Lot 2: Church  
Lot 3: Industrial  
Total Acres: 30.24

**Engineer/Surveyor**  
Blew & Associates, P.A.  
c/o Jason A. Spencer, P.E.  
13900 Wireless Way  
Oklahoma City, OK 73134

**Owner / Developer**  
Jackson Freedom Farms, LLC  
c/o Austin Jackson  
4701 N Porter Avenue  
Norman, OK 73071

- Notes**
- Existing Zoning is I-2. No Change to Zoning is proposed.
  - All public utilities will be in dedicated easements.
  - All common areas and drainage easements within this development will be maintained by the owner/ property owners association.
  - Refer to drainage report for specific data.
  - Vertical Datum Referenced: NAVD 88.
  - WQPZ indicates the Water Quality Protective Zone. There shall be no clearing, grading, construction or disturbance of vegetation in this area except as permitted by the Director of Public Works, unless such disturbance is done in accordance with 30-514 (E) of the Norman City Code. The WQPZ is subject to protective covenants that may be found in the Land Records and that may restrict disturbance and use of these areas.

**Legal Description**

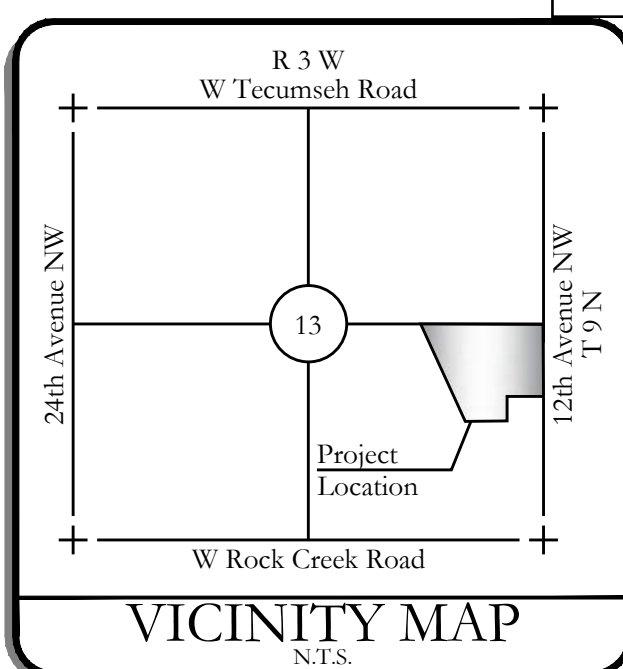
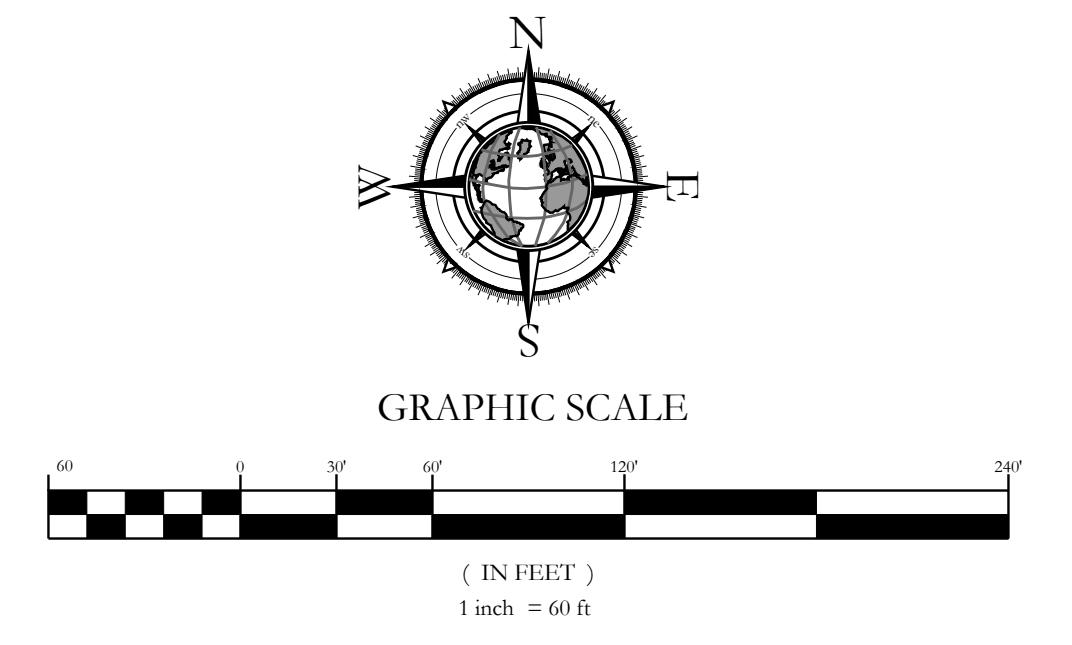
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Preliminary Site Development Plan

Conceptual Plans For:

**12th Avenue NW Industrial**  
Norman, Oklahoma

**CONCEPTUAL**  
NOT FOR CONSTRUCTION

**BLEW**  
Surveying | Engineering  
Environmental

13900 Wireless Way  
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Certificate of Authorization # 5387

DATE:	2024-11-06	JOB NUMBER:	24-2921
DRAWN BY:	V. Finnigan	REVIEWED BY:	J. Spencer
DRAWING NAME:	24-2921 Civil 005.dwg		
SHEET NUMBER:	C1		

p:\24-2921 12th ave nw industrial platting, norman, ok - austin jackson\civil drawings\24-2921 civil 005.dwg - Plotted on 11/6/2024 9:13:38 AM @ a scale of 1:1 to autocad pdf (smallest file).pc3 by Jason Spencer

**Applicant:** Blew and Associates P.A. for Jackson Freedom Farms LLC.

**Project Location:** 2900 12<sup>th</sup> Avenue NW

**Case Number:** PD24-15

**Time:** 5:30 p.m.

**Applicant Representative:**

Jason Spencer  
Connor Holland  
Tori Finnigan

**Attendees:**

Mark Allen  
Cynthia Allen

**City Staff:**

Kelly Abell, Planner I

**Application Summary:**

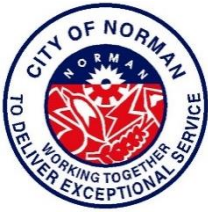
The applicant submitted a request for a preliminary plat subdividing 30 acres generally located on the west side of 12<sup>th</sup> avenue NW, north of W Rock Creek into three parcels, two parcels to be used for industrial uses and one parcel to be used as a church.

**Neighbor's Comments/Concerns/Responses:**

The attendee's voiced two major concerns that the detention for the subject lot was not adequate, and there was high concern for the use of explosives, being stored in the industrial lots. Staff attempted to explain the storage of explosives was not allowed without prior approval under the zoning ordinance, but the explanations were met with hostility. The applicant attempted to assure the detention and drainage concerns were being met in accordance with City of Norman ordinance, these explanations were also met with hostility. Staff and the applicant attempted multiple times to explain the process, and the project, this was met with hostility, after many failed attempts of staff to speak, the attendees left the meeting.

**File Attachments for Item:**

3. CONSIDERATION OF ADOPTION, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-15: 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 GRANT SPECIAL USE FOR PUBLIC UTILITY IN THE A-2, RURAL AGRICULTURAL DISTRICT FOR A STRIP, PIECE OR PARCEL OF LAND IN THE SOUTHEAST QUARTER (SE/4) OF SECTION NINETEEN (19), TOWNSHIP EIGHT (8) NORTH, RANGE ONE (1) WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED NORTH OF ETOWAH ROAD ON 72<sup>ND</sup> AVENUE SOUTHEAST)



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 11/14/2024

**REQUESTER:** Fellers Snider Blankenship Bailey & Tippens, P.C.

**PRESENTER:** Justin Fish, Planner I

**ITEM TITLE:** CONSIDERATION OF ADOPTION, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-15: 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 GRANT SPECIAL USE FOR PUBLIC UTILITY IN THE A-2, RURAL AGRICULTURAL DISTRICT FOR A STRIP, PIECE OR PARCEL OF LAND IN THE SOUTHEAST QUARTER (SE/4) OF SECTION NINETEEN (19), TOWNSHIP EIGHT (8) NORTH, RANGE ONE (1) WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED NORTH OF ETOWAH ROAD ON 72<sup>ND</sup> AVENUE SOUTHEAST)

<b>APPLICANT/REPRESENTATIVE</b>	Fellers Snider Blankenship Bailey & Tippens, P.C.
<b>LOCATION</b>	North of Etowah Road on 72 <sup>nd</sup> Ave SE
<b>WARD</b>	5
<b>CORE AREA</b>	No
<b>REQUESTED ACTION</b>	Special Use for a Public Utility (Electric Substation)
<b>LAND USE PLAN DESIGNATION</b>	Country Residential
<b>GROWTH AREA DESIGNATION</b>	Country Residential Area

**BACKGROUND:**

Fellers Snider Blankenship Bailey & Tippens, P.C., on behalf of the Applicant, is requesting Special Use for a Public Utility to allow for the development of an electric substation for Western Farmers Electric Cooperative. The base zoning of A-2, Rural Agricultural District, will remain. The property contains approximately 98.3 acres with the Special Use project area to be 2.75 acres in size; see attached Site Plan.

In April of 2017, Planning staff was directed to update/amend the existing Zoning Ordinance to establish a policy for all municipal projects and public utilities to properly zone the proposed development with a Special Use request. In order for the City to have the greatest flexibility to locate municipal projects and other public facilities in appropriate locations throughout the City, staff prepared a Zoning Code amendment that allows “municipal uses, public buildings and public utilities” in all zoning districts as a Special Use.

The Special Use designation provides Planning Commission and City Council the opportunity to ensure municipal uses, public buildings, and public utilities are properly located and approved with special conditions if deemed appropriate that provide protection for surrounding property owners. This provides staff the opportunity to present the project for approval and notify the public of such developments.

### **PROCEDURAL REQUIREMENTS:**

#### **GREENBELT MEETING:**

This request does not involve a preliminary plat or land use plan amendment and is not required to go before the Greenbelt Commission.

#### **PRE-DEVELOPMENT: PD24-15, October 24, 2024**

A neighbor posed the question of the appropriateness for a substation on land zoned A-2, Rural Agriculture. The applicant responded citing the special use permit allowance for public utilities. Concerns were raised that the project area encroaches on a neighbor’s property. The applicant stated they would provide the survey documents to confirm the boundaries. Another attendee expressed concern the project area is approximately 75’ from their home. The applicant responded stating that the actual location of the substation within the 2.75 acres was not finalized. Another attendee inquired if the project was in accordance with FERC, Federal Energy Regulatory Commission. The applicant did not know this information. Additional questions on drainage, noise, and obstruction were posed. The applicant was unable to answer these questions. The applicant representative and attendees agreed to another meeting either through the City or privately. The City is not aware if or when this second meeting occurred.

#### **BOARD OF PARKS COMMISSIONERS:**

This application does not include residential uses or a preliminary plat and is therefore not required to go before the Board of Parks Commissioners.

### **ZONING ORDINANCE CITATION:**

A Special Use request shall be reviewed and evaluated on the following criteria according to Sec. 36-560, Special Uses:

1. Conformance with applicable regulations and standards established by the Zoning Regulations.
2. Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk and scale, setbacks and open spaces, landscaping and site development, and access and circulation features.



3. Potentially unfavorable effects or impacts on other existing or permitted uses on abutting sites, to the extent such impacts exceed those which reasonably may result from use of the site by a permitted use. (NOTE: Throughout this Section, "Permitted Use" means any use authorized as a matter of right under the applicable zoning district.)
4. Modifications to the site plan which would result in increased compatibility, or would mitigate potentially unfavorable impacts, or would be necessary to conform to applicable regulations and standards and to protect the public health, safety, morals, and general welfare.
5. Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed "Special Use" and other uses authorized and anticipated in the area, considering existing zoning and land uses in the area.
6. That any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed "Special Use" with existing or permitted uses in the surrounding area.

#### **STAFF ANALYSIS:**

The subject property is vacant except for raising livestock. The area surrounding the subject property is generally used for single-family residential and agricultural purposes. There is a single-family home to the north of the proposed substation. The closest point of the substation is located around 62' from the north property line and 107' from the existing single family home on the property to the north.

#### **SITE PLAN/ACCESS:**

The proposed Site Development Plan shows two new access points off 72<sup>nd</sup> Ave SE. The proposed driveways measure 25' in width and 95' in width. The substation will be surrounded by a perimeter fence with five 30' removable guards for gates. An oil containment system is to be located outside of the fenced project area on the eastern boundary of the site.

#### **LIGHTING:**

All exterior lighting shall be installed in conformance with the City of Norman's Commercial Outdoor Lighting Standards (Section 36-549), as amended from time to time.

#### **EXISTING ZONING:**

The allowable uses for properties zoned A-2, Rural Agriculture typically include single-family dwellings, the raising of farm animals, and the growing of crops. Special Use may be granted by City Council for a Public Utility.

#### **ALTERNATIVES/ISSUES:**

**IMPACTS:** The proposed use is an electric substation. This use will generate little traffic in the area. It is anticipated the City's streets have available capacity to accommodate any slight increase in demand the project may generate.

**OTHER AGENCY COMMENTS:**

**FIRE DEPARTMENT AND BUILDING PERMIT REVIEW:** Items regarding fire/building codes will be considered at the building permit stage.

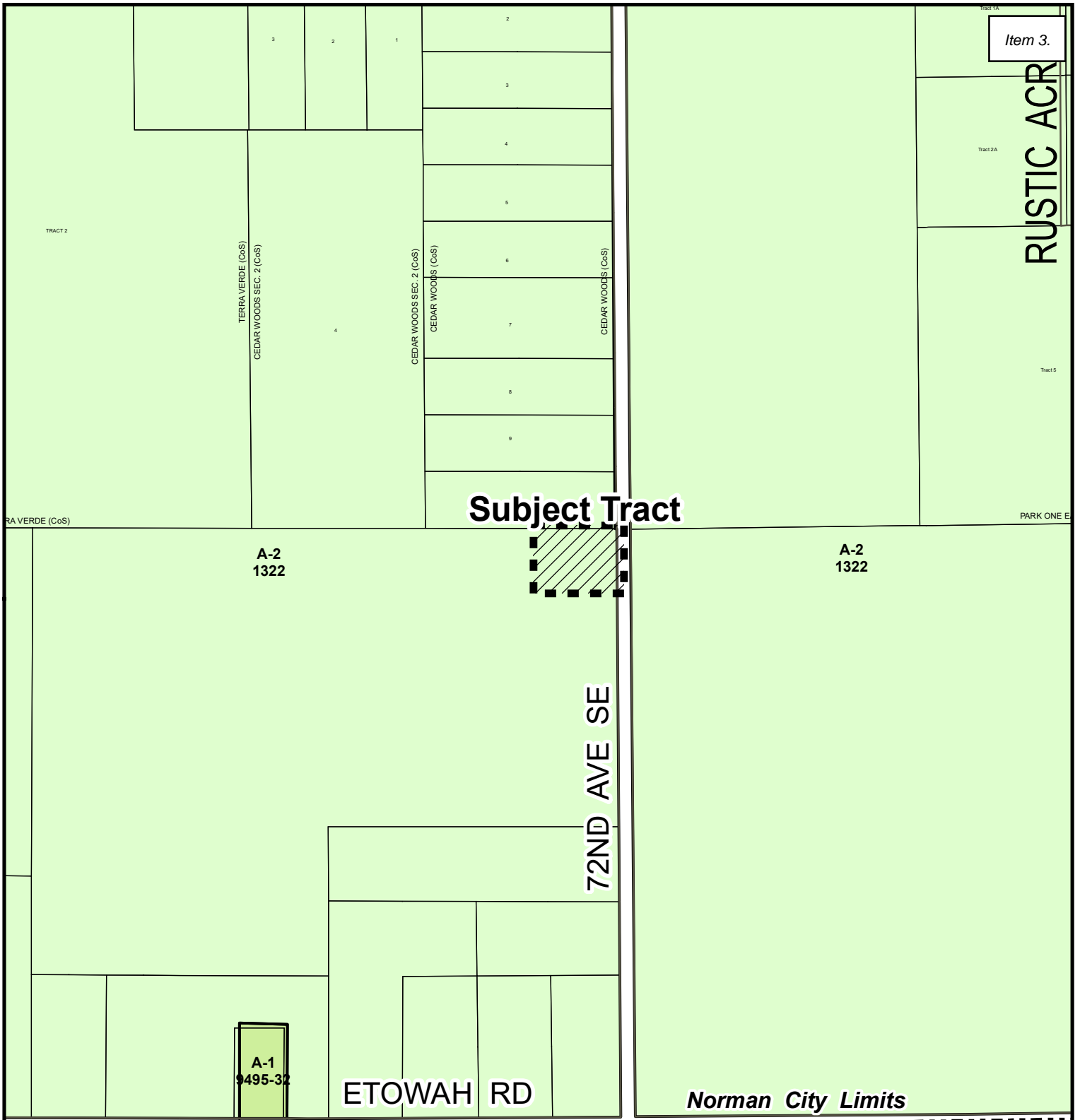
**PUBLIC WORKS/ENGINEERING:** No comments from the City Public Works Department.

**TRAFFIC ENGINEER:** Staff have reviewed the proposed access to the site and have no comments relative to traffic safety.

**UTILITIES:** No comments from the City Utilities Department.

**CONCLUSION:**

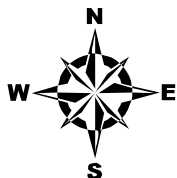
Staff forwards this request for Special Use for a Public Utility with Ordinance O-2425-15 to the Planning Commission for a consideration and recommendation to City Council.



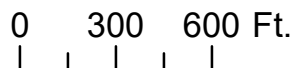
# Location Map





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.



October 14, 2024



-  Subject Tract
-  Zoning

GENERAL NOTES

1. CONTRACTOR SHALL PERFORM A ONE CALL PRIOR TO EARTH DISTURBING ACTIVITIES.
2. STRIPPING OF ALL SUBGRADES TO A DEPTH REQUIRED TO REMOVE ALL VEGETATION AND ROOTS BUT NO LESS THAN 6". STRIPPING SHALL EXTEND 5' BEYOND LIMITS OF CONSTRUCTION BUT NOT PROPERTY LIMITS. ALL MATERIAL OBTAINED FROM STRIPPING OPERATIONS SHALL BE SPREAD ON THE SURFACE OF CUT SLOPES AND FILLS OR OTHERWISE DISPOSED WHEN APPROVED BY PROJECT ENGINEER.
3. ADEQUATE STORM WATER DRAINAGE IS TO BE MAINTAINED DURING ALL PHASES OF CONSTRUCTION.
4. CONTRACTOR EQUIPMENT AND/OR PERSONNEL SHALL NOT TRESPASS ONTO ADJACENT PROPERTIES.
5. ENSURE THAT 8" OF 1-1/2" CRUSHER IS PLACED ABOVE ALL 4/0 GROUND GRID.
6. ALL DEFINEABLE FEATURES OF WORK WILL BE INCLUDED IN THE APPROPRIATE BID UNIT.
7. ALL FIELD DIMENSIONS ARE APPROXIMATE AND MUST BE VERIFIED BY CONTRACTOR.
8. OIL CONTAINMENT PAD INSTALLATION TO BE COMPLETED BY OTHERS AND TO INCLUDE GRADING, SURFACING AND SITE ADJUSTMENTS IN SEPARATE WORK ORDER.
9. PROPOSED EQUIPMENT NOT SHOWN FOR CLARITY AND WILL REMAIN DE-ENERGIZED UNTIL NEW TRANSMISSION LINES ARE IN SERVICE.
10. ALL WORK WITHIN STATUTORY RIGHT-OF-WAY MUST BE COORDINATED WITH APPLICABLE GOVERNMENT ENTITY.
11. SODDING AND VEGETATION ESTABLISHMENT TO BE COMPLETED BY OTHERS. CONTRACTOR IS RESPONSIBLE FOR VEGETATION MANAGEMENT DURING PROJECT DURATION.
12. BOLLARD INSTALLATION WILL NOT COMMENCE UNTIL UTILITY LOCATION AND DEPTH HAVE BEEN CONFIRMED. BOLLARD LOCATION TO BE ADJUSTED AS NECESSARY TO AVOID CONFLICTS.

ROCK MATERIAL

1. APPLY MATERIAL TO THE LIMITS AND DEPTHS OF THE AREAS SPECIFIED ON THE PLANS. ROCK MATERIAL MUST BE PLACED UNDER ALL BUS STRUCTURES, STANDS AND BUSWORK PRIOR TO ENERGIZATION.
2. AGGREGATE TO BE DEPOSITED IN LAYERS OF 4" AND EACH LAYER THOROUGHLY WETTED AND COMPACTED WITH A VIBRATORY ROLLER.
3. ROCK SURFACE MATERIAL TO BE MADE OF CRUSHER RUN AGGREGATE CONSISTING OF ROCK OR GRAVEL WITH 100% PAVING OF 1 1/2" SEIVE AND LESS THAN 10% PASSING THE 3/8" SEIVE.
4. WHEN SPECIFIED ROCK SURFACE MATERIAL TO BE MADE OF SCREENING AGGREGATE CONSISTING OF ROCK OR GRAVEL WITH 100% PASSING OF 3/4" SEIVE, 90%-100% PAVING 1/2" SEIVE AND 0%-5% PASSING 3/8" SEIVE.
5. NO LESS THAN 8" OF ROCK SURFACING MATERIAL SHALL BE PLACED IN TOTAL. IN THE EVENT SITE SOILS
6. RIPRAP MATERIAL TO BE MADE OF LARGE AGGREGATE WITH A MINIMUM SIZE OF 2" AND MAXIMUM SIZE OF 4" MEETING OKLAHOMA DEPARTMENT OF TRANSPORTATION CONSTRUCTION SPECIFICATION 713 FOR TYPE I STONE.
7. FILTER BLANKET MATERIAL TO BE MADE OF GRADED AGGREGATE MEETING OKLAHOMA DEPARTMENT OF TRANSPORTATION CONSTRUCTION SPECIFICATION 713.4 FOR A SINGLE COURSE FILTER BLANKET.

CULVERTS

1. SUBGRADE FOR DRIVEWAYS, PARKING AREAS AND PAD OF FOUNDATION MUST BE COMPACTED TO 95% OF THE MAXIMUM DRY DENSITY.
2. ALL OTHER SUBGRADES FOR FENCE, DITCHES AND OTHER AREAS MUST BE COMPACTED TO 90% OF THE MAXIMUM DRY DENSITY.
3. UNDISTURBED GRADES DO NOT REQUIRE COMPACTING EFFORT.
4. AGGREGATE INCORPORATED INTO PROJEC, SUCH AS PARKING AREAS AND DRIVEWAYS, SHALL BE COMPACTED TO 95% OF THE STANDARD DENSITY.

SITE DRAINAGE

1. PERMANENT POSITIVE DRAINAGE TO BE PROVIDED AROUND PERIMETER OF FOUNDATIONS TO MINIMIZE MOISTURE INFILTRATION INTO THE SUBGRADE OR CONCRETE COVER OF FOUNDATION.
2. WATER NOT PERMITTED TO IMPOUND ADJACENT TO STRUCTURES OR FOUNDATIONS.
3. RUNOFF FROM ROOFS TO BE COLLECTED IN GUTTERS AND DRAINS. OUTLETS FROM DOWNSPOUTS TO BE SURFACED WITH AGGREGATE TO PREVEN WASHOUT. ROOF DRAINS AND DOWNSPOUTS MUST DISCHARGE AWAY FROM STRUCTURE WITH OUTLET A MINIMUM CLEARANCE AWAY FROM STRUCTURE.
4. GROUNDWATER WAS NOT ENCOUNTERED DURING SUBSURFACE EXPLORATION. DUE TO SEASONAL CHANGES IN GROUNDWATER THE PATH AND DEPTHS WILL FLUCTUATE WITH THE HIGHEST LEVEL OCCURRING IN EARLY SPRING AND LOWEST LEVELS IN SUMMER. CONTRACTOR IS RESPONSIBLE FOR OBSERVING GROUNDWATER SEEPAGE IN EXCAVATIONS TO ADJUST CONSTRUCTION OR INSTALLATION AS NECESSARY.

SUBGRADE PREPARATION

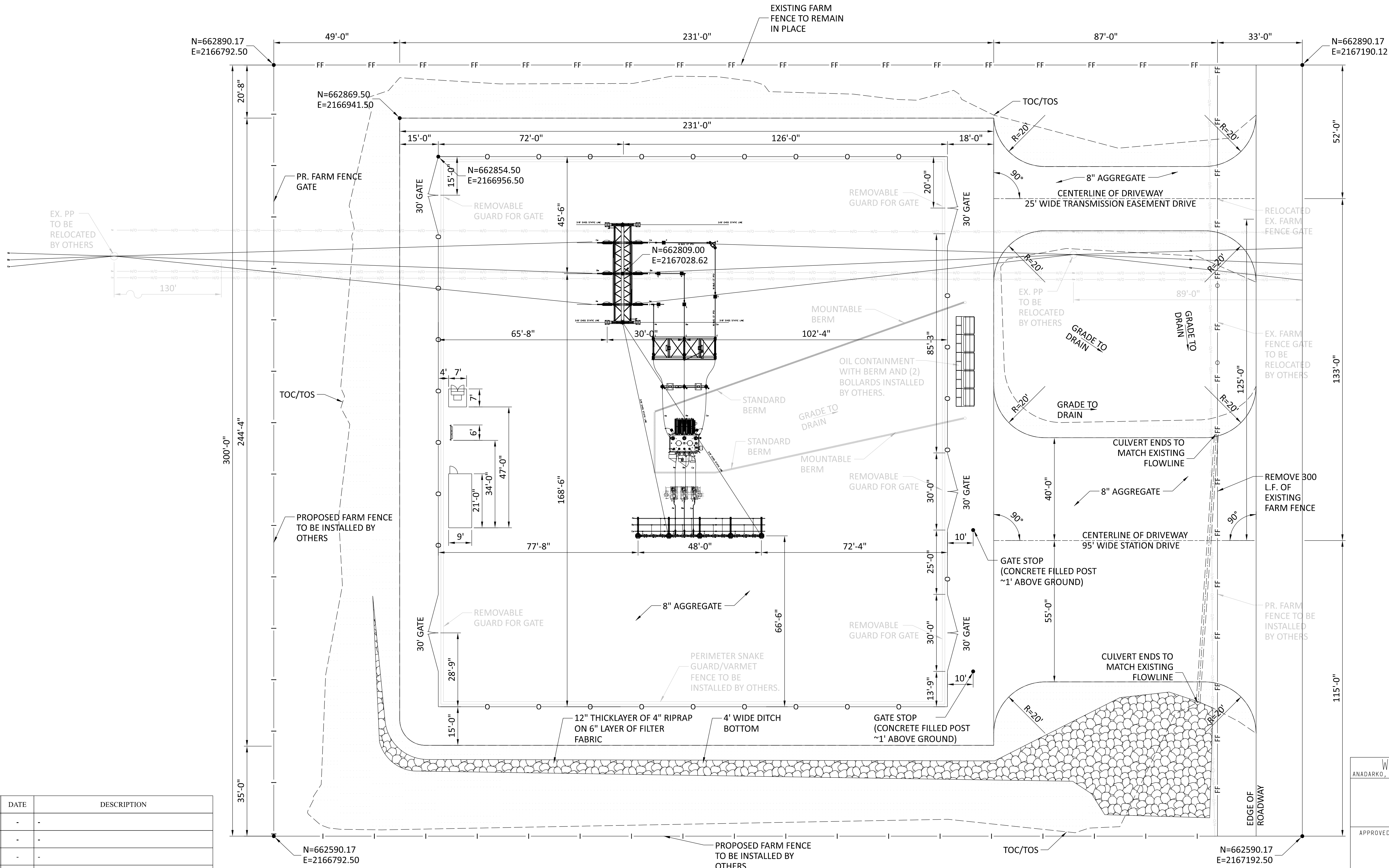
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FOUNDATIONS

1. FOUNDATIONS, SLABS AND FOOTINGS SHALL BE INSTALLED AS SHOWN ON DRAWINGS AND IN CONFORMANCE WITH SPECIFICATIONS. REFERENCE FOUNDATION INFORMATION SHEET.
2. FINISH SOIL GRADE AROUND COMPLETE PIER TO BE SLOPED TO DRAIN WATER AWAY FROM FOOTING, PIER AND/OR FOUNDATIONS. EXCESS SOIL TO BE REMOVED.

FENCE

1. ALL POST SHALL BE SET PLUMB AND TO REQUIRED DEPTH PER THE PLANS.
2. EXTENSION ARMS ARE TO BE INSTALLED WITH 45 DEGREE PROJECTION AWAY FROM SUBSTATION AT A UNIFORM HEIGHT TO ALLOW SLIPPAGE OF THE TOP RAIL WITHOUT BINDING OR DISTORTION. ANY POST WITHOUT EXTENSION ARM WILL BE FITTED WITH A DOMED CAP.
3. TOP RAIL MUST PASS THROUGH EACH EXTENSION ARM OR POST TOP AND FORM A CONTINUOUS BRACE FROM END TO END OF FENCE. FASTENING IS TO BE PER THE SPECIFICATIONS AND PLANS.
4. BRACING SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURERS RECOMMENDATIONS AND PROPER FABRIC STRETCHING WITHOUT POST PULL BACK. ALL FABRIC TERMINATIONS SHALL BE BRACED BETWEEN THE TERMINAL POST AND ADJACENT LINE POSTS.
5. BOTTOM OF FENCE FABRIC SHALL BE INSTALLED LEVEL TO GROUND AND TOUCHING FINISH GRADE SURFACING (TOP OF CRUSHED ROCK SURFACE). FABRIC WILL BE FASTENED TO TERMINATION POST ON 14" CENTERS WITH A STRETCHER BAR. FABRIC WILL BE FASTENED TO TOP RAIL AND LINE POSTS AT 24" AND 14" INTERVALS.



LEGEND

- PAD
- RIP RAP
- AGGREGATE SURFACING
- SODDING/SEEDING
- EXISTING FENCE
- PROPOSED FENCE
- EXISTING FARM FENCE
- PROPOSED FARM FENCE

DEFINABLE FEATURES OF WORK-INSTALLATION PHASE			
#	DESCRIPTION	UNITS	TOTAL
1	PAD INSTALLATION (8" OF 1-1/2" CRUSHER RUN, TYPE A3 ROCK)	S.Y.	7,918
2	SOLID SLAB SODDING/SEEDING	S.Y.	1,993
3	CHAINLINK FENCE INSTALLATION	L.F.	674
4	CHAINLINK FENCE GATE (30' WIDE)	EA.	5
5	FINE GRADING	S.Y.	7,623
6	GRADING CUT	C.Y.	4,663
7	GRADING FILL	C.Y.	4,302
8	GRADING EXPORT	C.Y.	362
9	GRADING IMPORT	C.Y.	0
10	TOP SOIL STRIPPED	C.Y.	5,618
11	TOP SOIL FILL	C.Y.	1,747
12	TOP SOIL EXPORT	C.Y.	3,872
13	RIPRAP	TON	144
14	FILTER BLANKET	TON	58
15	SITE CLEARING	AC	2.48
16	24" CGMP W/CETS	L.F.	130
17	SNAKE GUARD/VARMET FENCE	L.F.	658
18	OIL CONTAINMENT UNITS	EA.	5

NOTE:  
 1. EXISTING FARM FENCE REMOVAL TO BE INCLUDED IN WORK ORDER NO. 8600. WORK IS TO INCLUDE THE REMOVAL OF EXISTING FARM FENCE GATE, BRACE POSTS AND HARDWARE. EXISTING FARM FENCE GATE AND HARDWARE ARE PROPERTY OF WFEC. ALL OTHER MATERIALS INCLUDING EXISTING FARM FENCE ARE THE PROPERTY OF THE CONTRACTOR AND MAY BE DISPOSED OF AFTER REMOVAL. CONTRACTOR WILL STORE ONSITE ALL WFEC RECLAIMED MATERIALS. RECLAIMED MATERIALS WILL BE INSTALLED BY OTHERS.

MARK	DATE	DESCRIPTION
-	-	-
-	-	-
-	-	-
-	-	-

WESTERN FARMERS ELECTRIC COOPERATIVE  
 ANADARKO, OKLAHOMA 73005 P.O. BOX 429

### MAXWELL SUBSTATION

#### SITE PLAN

SCALE 1" = 20'

COUNTY CLEVELAND SEC. 18  
 STATE OK T-8-N R-1-W

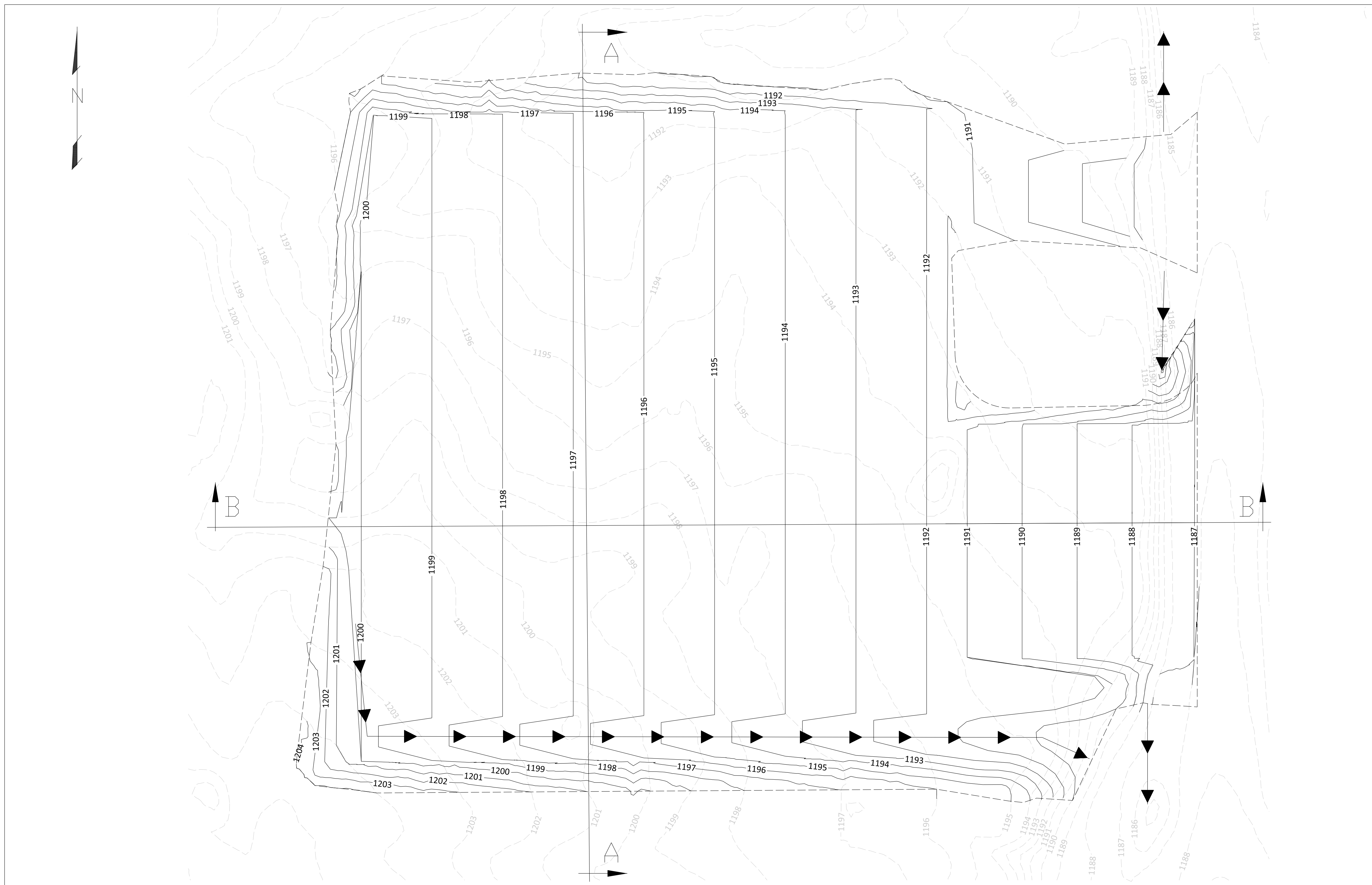
APPROVED FOR CONSTRUCTION	DATE	PROJECT MANAGER	DATE
J. COCHRAN	10-9-24	A. TIENAGE	TBD
C. YEAGER	10-9-24	T. GOUCHER	TBD
C. MOSTIERO	TBD		

WORK ORDER NUMBER  
**8600**

SIGNATURE DATE

SHEET C1

BIDDING INFORMATION			
BID UNIT	DESCRIPTION	UNIT	QUANTITY
M-1	SITE PREPARATION	ACRE	2.48
M-1-GRASS	SODDING	ACRE	0.42
M-1-A3	1-1/2" CRUSHER ROCK	TON	2,970
M-1-A6	RIPRAP	TON	144
M-1-A7	FILTER BLANKET	TON	58
M-1-C	UNCLASSIFIED EXCAVATION	LOT	1.00
M-1-F	UNCLASSIFIED FILL	LOT	1.00
N-1	84" CHAINLINK FENCE WITH SECURITY WIRE	LF	674
N-2-30	30' GATE	EA	5
M-1-CMP	CULVERTS	LF	130



**GENERAL NOTES**

1. ALL SUBGRADE ELEVATIONS TO MATCH GRADING PLAN WITH LIMITS OF GRADING TO MATCH EXISTING ELEVATIONS.
2. CONTRACTOR SHALL CONTROL THE FINISHED GRADE OPERATION USING A LEVEL AND PREDETERMINED BENCHMARKS.
3. FINAL GRADE ON PLANS MAY BE CHANGED AS NEEDED BY THE PROJECT ENGINEER. WHEN TOP OF FINAL GRADE OR SUBGRADE ELEVATIONS CHANGE THE TOP OF FOUNDATION ELEVATIONS MUST BE CHANGED ACCORDINGLY.
4. FLOWLINE LOCATION IS APPROXIMATE AND POSITIVE SITE DRAINAGE AND RUNOFF IS THE RESPONSIBILITY OF THE CONTRACTOR.
5. SEE SHEET C3 THRU C5 FOR TYPICAL SECTIONS.
6. FLOWLINE LOCATION IS APPROXIMATE AND SITE DRAINAGE IS THE RESPONSIBILITY OF THE CONTRACTOR.
7. LIMITS OF GRADING ARE TO MATCH EXISTING ELEVATIONS.

**FILL MATERIAL**

1. ALL FILL MATERIAL IN STRUCTURES AREAS, INCLUDING UTILITY BACKFILL, MUST BE PLACED IN CONTINUOUS, HORIZONTAL LIFTS HAVING A MAXIMUM PRE-COMPACTED THICKNESS OF 9" WHEN CONSOLIDATED WITH HEAVY EQUIPMENT. FILL MATERIAL CONSOLIDATED WITH HAND-HELD OR LIGHT EQUIPMENT IS LIMITED TO PRE-COMPACTED THICKNESS OF 6".
2. ALL AGGREGATE BASE MATERIAL MUST BE PLACED IN CONTINUOUS, HORIZONTAL LIFTS HAVING A PRE-COMPACTED THICKNESS OF 6".
3. ALL LIFTS MUST BE COMPACTED TO AT LEAST 95% OF THE MAXIMUM DRY DENSITY AND WITHIN +/- 2% OF THE OPTIMUM MOISTURE CONTENT.

4. MINIMUM OF 2 FIELD TESTS PER LIFT FOR EACH 2,000 SF AREA OF FENCED ELECTRICAL EQUIPMENT. TEST WILL BE CONDUCTED TO DETERMINE IN-PLACE DENSITY AND MOISTURE CONTENT USING SAND CONE, RUBBER BALLON OR NUCLEAR DENSITY GAUGE TEST IN ACCORDANCE WITH APPROPRIATE ASTM SPECIFICATION.
5. EXCAVATION ARE TO BE PROTECTED FROM STANDING WATER AND RUNOFF BY GRADING, DRAINAGE CHANNELS, PUMPS, PROTECTIVE BERMS COVERS OR BY ANYOTHER METHOD APPROVED BY PROJECT ENGINEER.
6. ENGINEERED FILL WILL CONSIST OF APPROVED MATERIAL FREE OF ORGANIC MATTER AND DEBRIS, EXHIBIT MAXIMUM PLASTIC INDEX (PI) OF 18, MAXIMUM LIQUID LIMIT OF 40 AND CONTAINS AT LEAST 15% FINES (MATERIAL PASSING NO. 200 SEIVE, BASED ON DRY WEIGHT) WITH A MAXIMUM ROCK SIZE OF 3".

**OVER EXCAVATION**

1. EXCAVATION BEYOND THE SPECIFIED NEAT LINES AND GRADES SHALL BE CORRECTED BY FILLING IN THE RESULTING VOIDS WITH EARTH FILL COMPACTED TO SPECIFICATION. WHEN SUBGRADE IS TO SUPPORT ROCK MATERIAL WITH DIRECT CONTACT, NOT SEPARATED BY GEOTEXTILE, THE VOIDS MAY BE FILLED WITH CRUCHED STONE IN ACCORDANCE WITH THE APPROPRIATE SPECIFICATION FOR CRUSHED ROCK.
2. CONTRACTOR SHALL NOT CORRECT OVEREXCAVATION OF PIERS AND ENTIRE EXCAVATION IS TO BE FILLED WITH CONCRETE.

**WASTE MATERIAL**

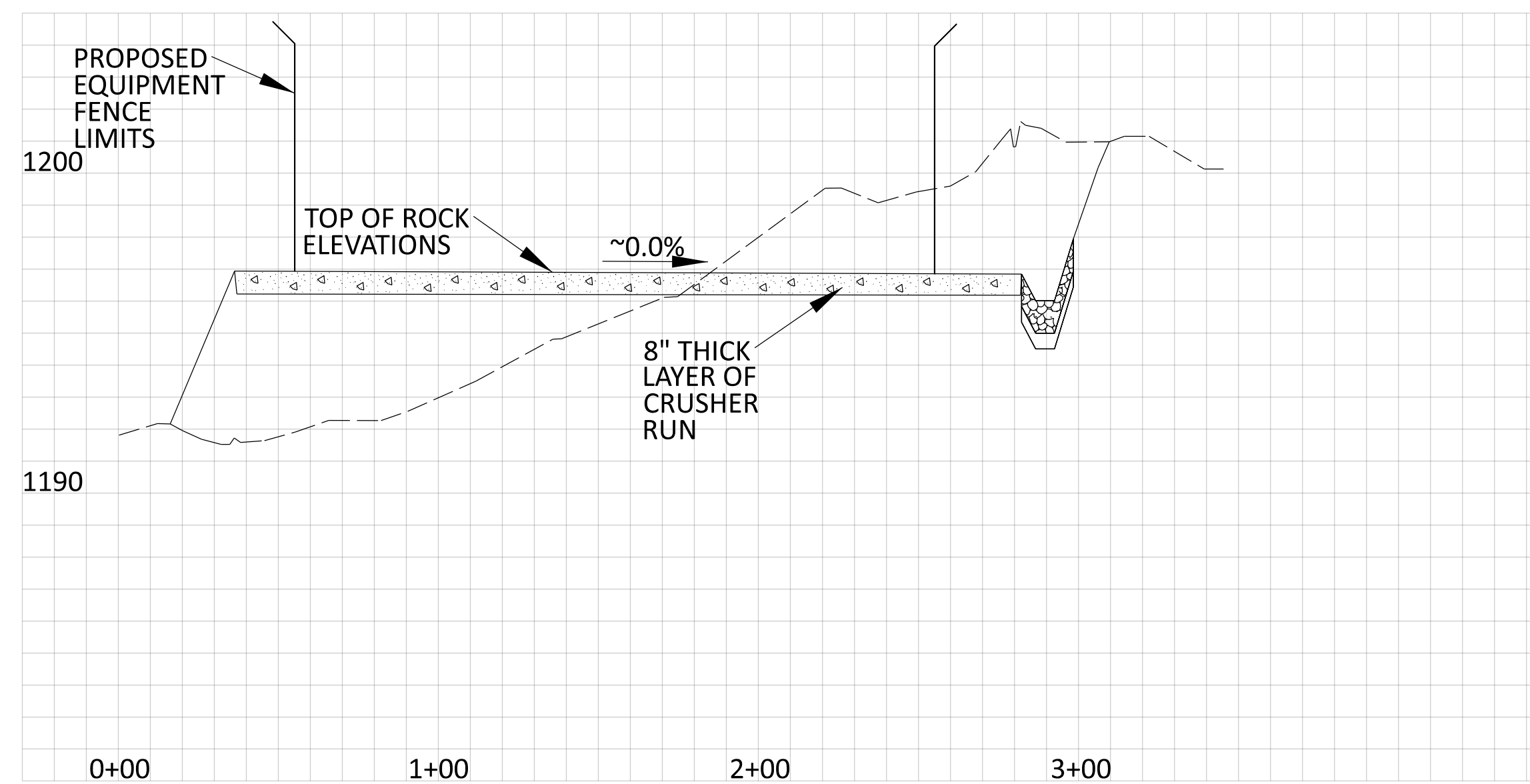
1. WASTER MATERIAL SHALL INCLUDE MATERIALS FROM THE EXCAVATION NOT SUITABLE OR REQUIRED FOR EARTHFILL OR EXCAVATION BACKFILL. ALL WASTE MATERIALS SHALL BE DISPOSED OF BY THE CONTRACTOR.

**TESTING**

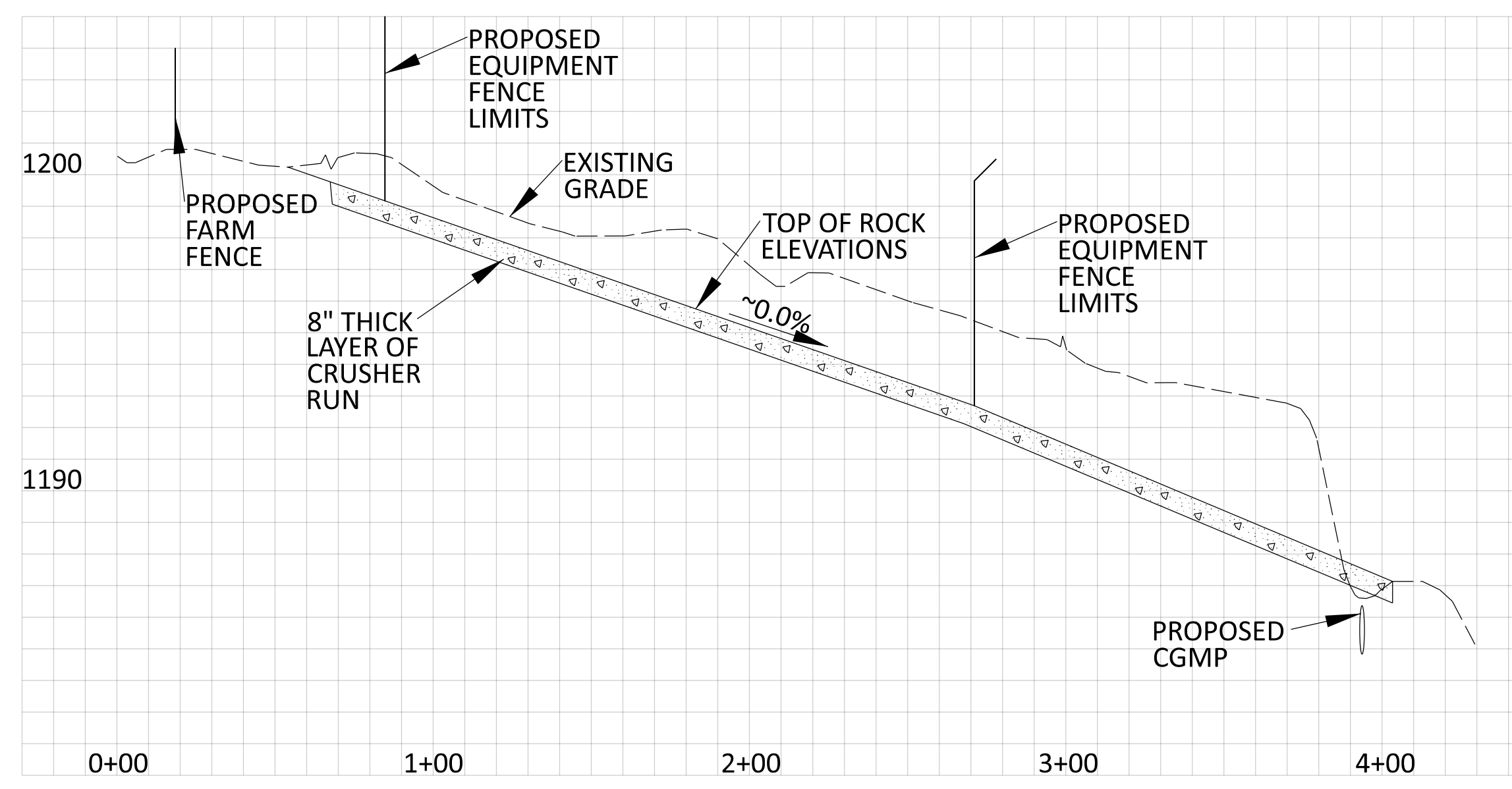
1. CONTRACTOR SHALL PERFORM TESTS ON SOIL AND FINISH GRADE MATERIAL USING AN INDEPENDENT TESTING LABORATORY. SELECTION OF INDEPENDENT TESTING LABORATORY SHALL BE SUBMITTED FOR CONCURRENCE TO PROJECT ENGINEER.
2. CONTRACTOR MUST PROVIDE COPIES OF ALL TESTS REPORTS TO WESTERN FARMERS ELECTRIC COOPERATIVE.

MARK	DATE	DESCRIPTION
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-	-	-
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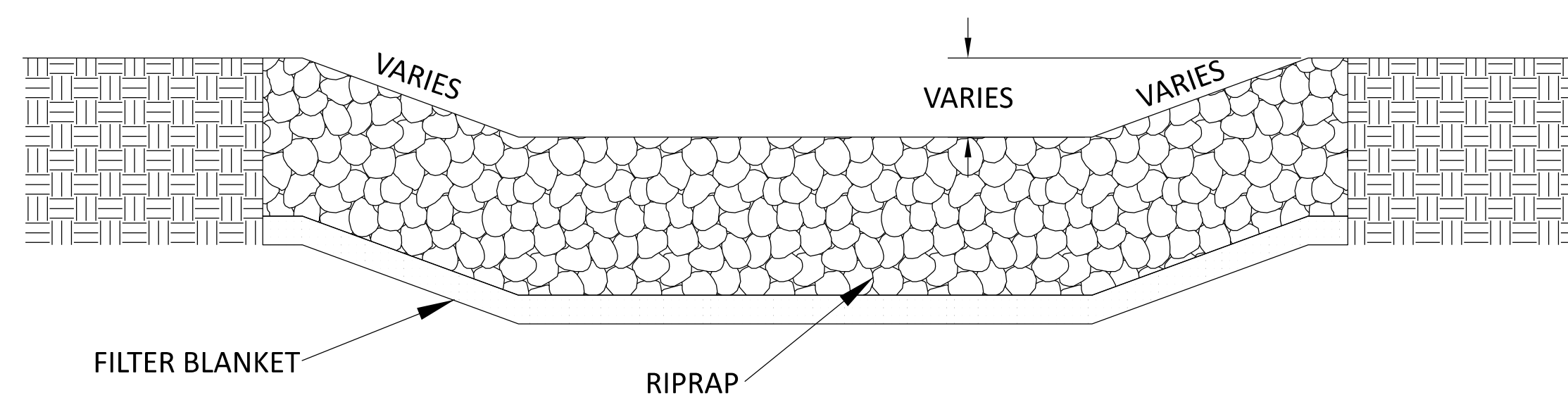
WESTERN FARMERS ELECTRIC COOPERATIVE ANADARKO, OKLAHOMA 73005				P.O. BOX 429	
<b>MAXWELL SUBSTATION</b>				SCALE 1" = 20'	
<b>GRADING PLAN</b>				COUNTY CLEVELAND	SEC. 18
				STATE OK	T-8-N R-1-W
APPROVED FOR CONSTRUCTION	DESIGNED BY J. COCHRAN	DATE 10-9-24	PROJECT MANAGER A. HENAGE	DATE TBD	WORK ORDER NUMBER <b>8600</b>
	CHECKED BY C. YEAGER	DATE 10-9-24	ENGINEERING MANAGER T. GOUCHER	DATE TBD	
	PROJECT ENGINEER C. MOSTIERO	DATE TBD			
SIGNATURE	DATE	CONTROL ENGINEER TBD	TBD		SHEET C2



**SECTION A-A**



**SECTION B-B**

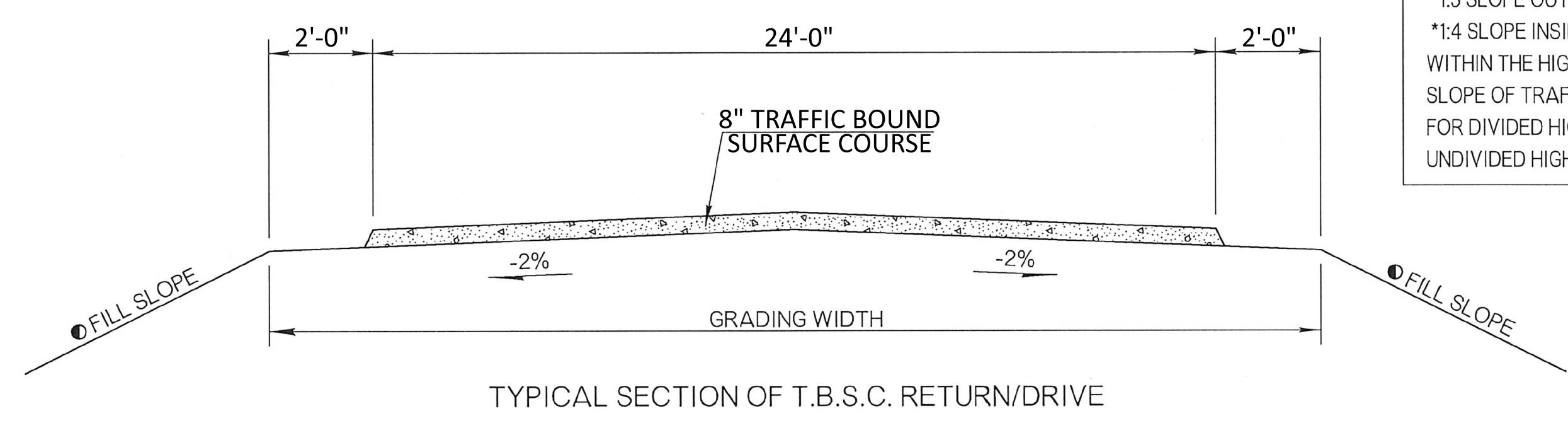


**RIPRAP CHANNEL PROFILE**

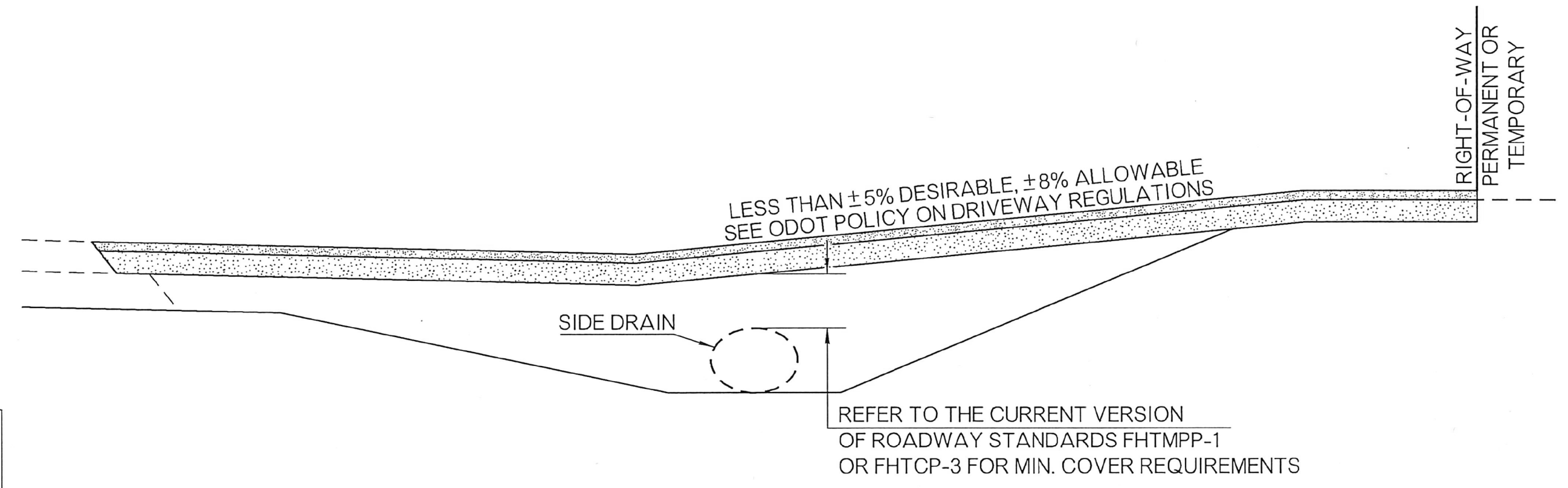
- GENERAL NOTES:**
1. PROPERTY BOUNDARY LIMITS ARE APPROXIMATE AND THE RESPONSIBILITY OF THE CONTRACTOR TO STAKE.
  2. PROPOSED FENCE LIMITS ARE APPROXIMATE AND THE RESPONSIBILITY OF THE CONTRACTOR TO STAKE.

MARK	DATE	DESCRIPTION
A	2-19-24	PRELIMINARY DESIGN
-	-	-
-	-	-
-	-	-

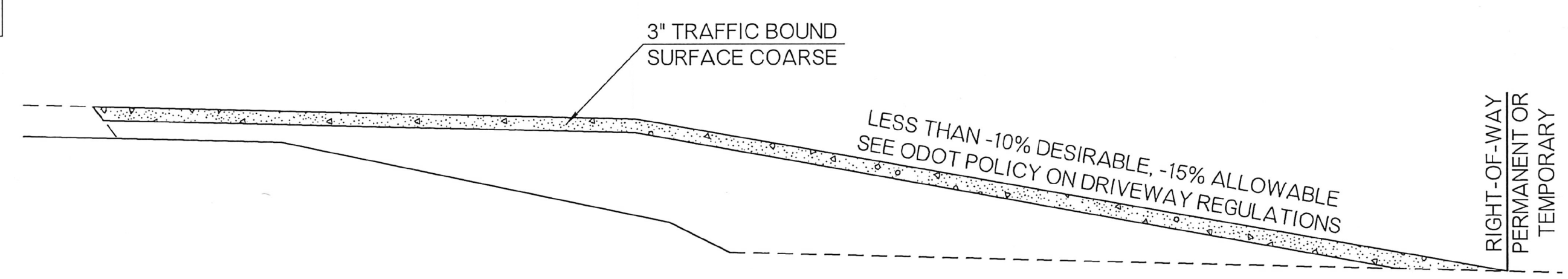
WESTERN FARMERS ELECTRIC COOPERATIVE ANADARKO, OKLAHOMA 73005				P.O. BOX 429	
<b>MAXWELL SUBSTATION</b>				SCALE:	
<b>SECTION VIEWS A-A &amp; B-B</b>				COUNTY	SEC. 18
				CLEVELAND	T-8-N
				STATE	R-1-W
				OK	
APPROVED FOR CONSTRUCTION	DESIGNER	DATE	PROJECT MANAGER	CHECKED	WORK ORDER NUMBER
	J. COCHRAN	10-9-24	A. HENAGE	TBD	<b>8600</b>
	C. YEAGER	10-9-24	T. GOUCHER	TBD	
	C. MOSTIERO	TBD			
SIGNATURE	DATE	CONTROL ENGINEER	TBD		SHEET C3



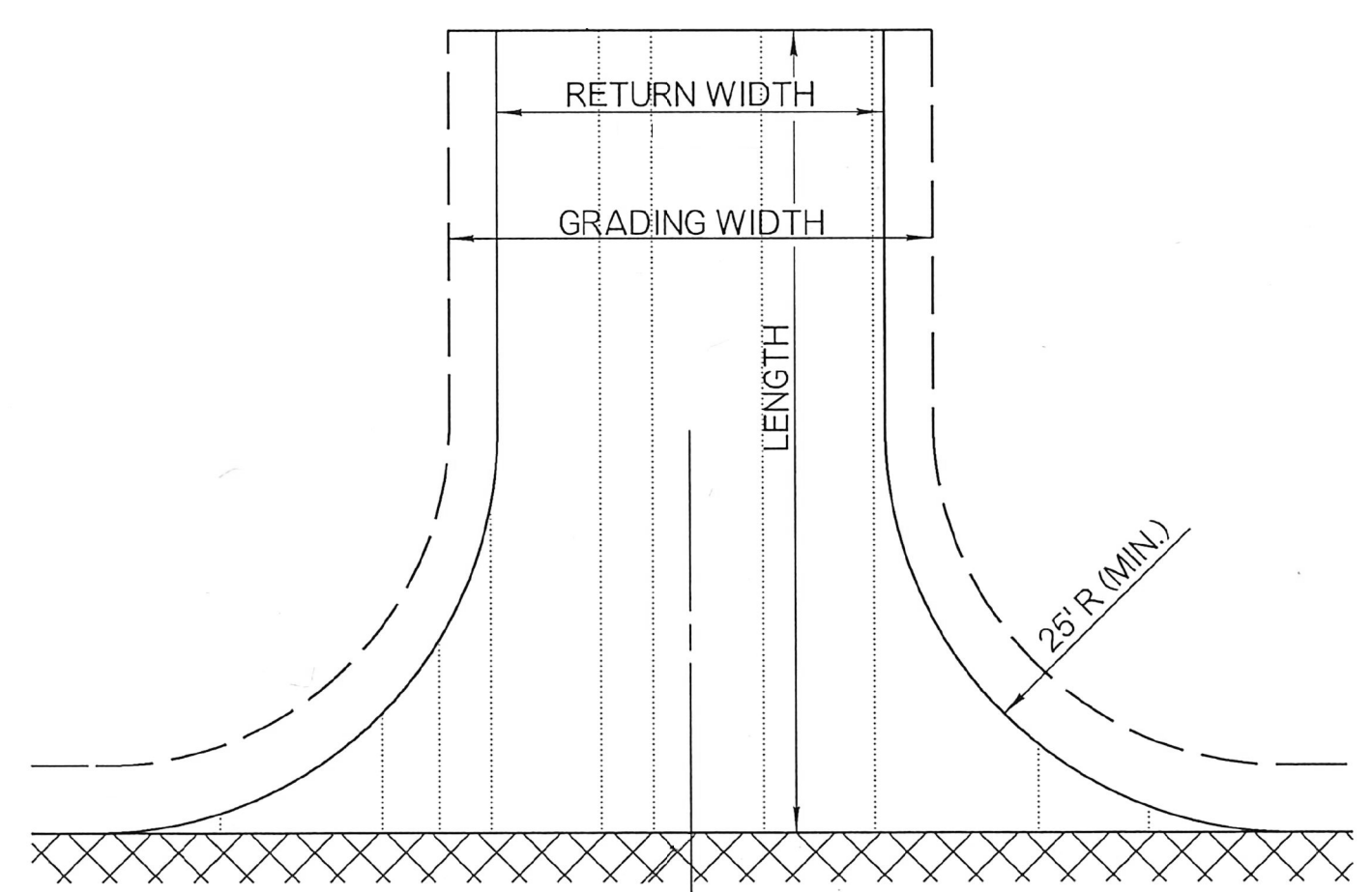
**FILL SLOPE NOTES:**  
 FILL SLOPE AS SHOWN IN TYPICAL SECTIONS SHALL NOT EXCEED:  
 \*1:3 SLOPE OUTSIDE HIGHWAY CLEARZONE  
 \*1:4 SLOPE INSIDE HIGHWAY CLEARZONE  
 WITHIN THE HIGHWAY CLEARZONE, ADJUST SLOPE OF TRAFFIC APPROACH END TO 1:10 FOR DIVIDED HIGHWAYS AND 1:6 FOR UNDIVIDED HIGHWAYS.



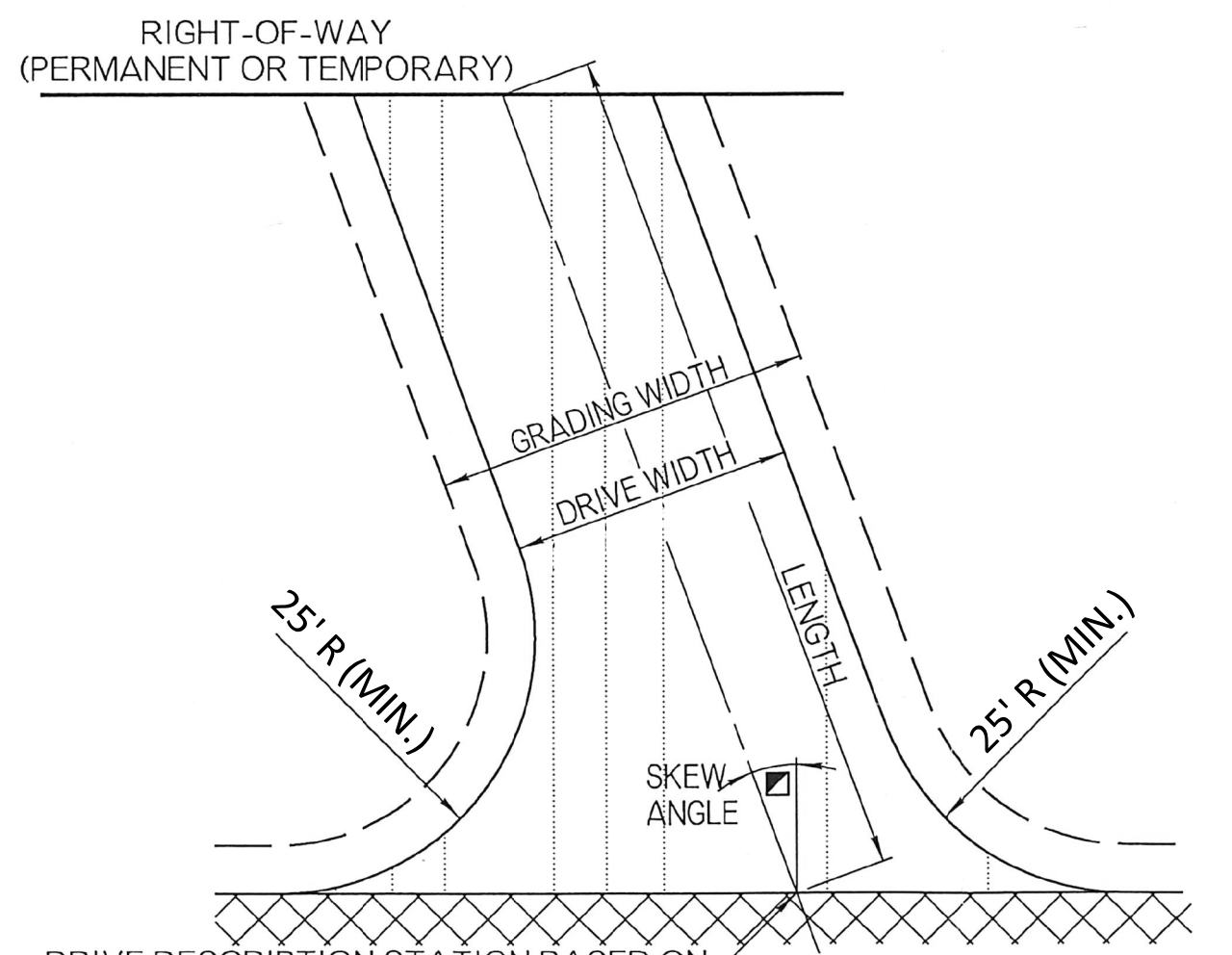
PROFILE OF TYPICAL RETURN/DRIVE ON ROADWAY CUT SECTION



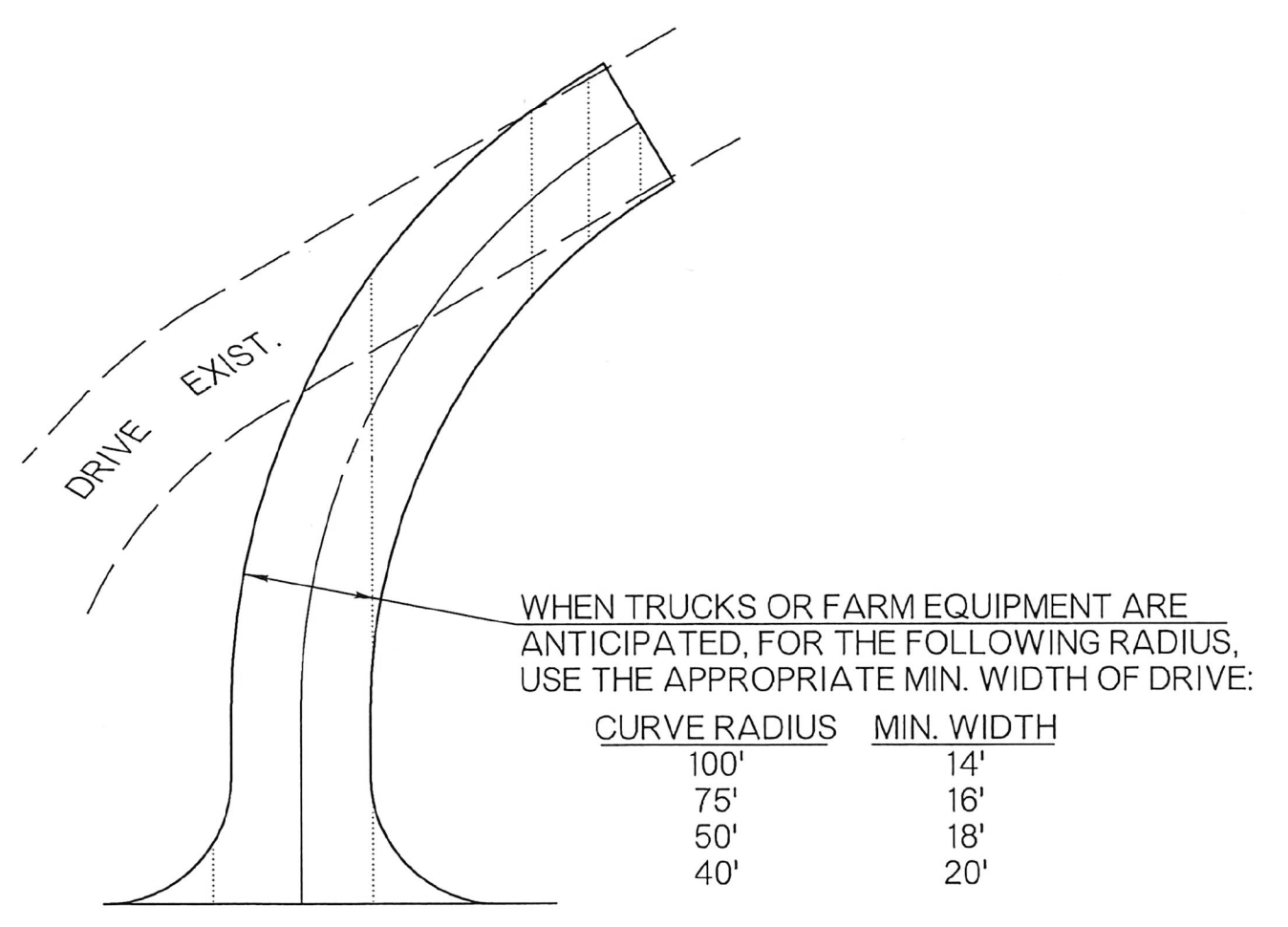
PROFILE OF TYPICAL RETURN/DRIVE ON ROADWAY FILL SECTION



PLAN TYPICAL SECTION LINE RETURN



PLAN TYPICAL DRIVE ON SKEW



SECTION LINE OR DRIVE WITH CURVED ALIGNMENT

MARK	DATE	DESCRIPTION
-	-	-
-	-	-
-	-	-
-	-	-

WESTERN FARMERS ELECTRIC COOPERATIVE  
 ANADARKO, OKLAHOMA 73005 P.O. BOX 429

**MAXWELL SUBSTATION**

**DRIVEWAY INSTALLATION**

SCALE: N.T.S.

COUNTY CLEVELAND SEC. 18  
 STATE OK T-8-N R-1-W

APPROVED FOR CONSTRUCTION

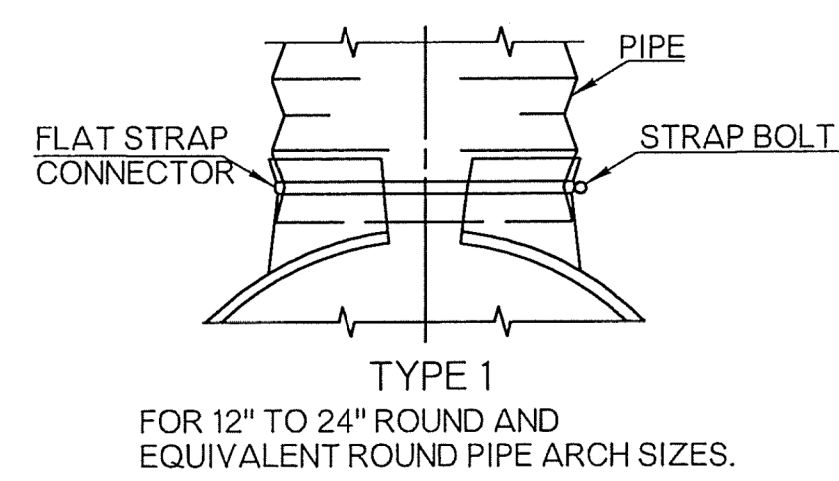
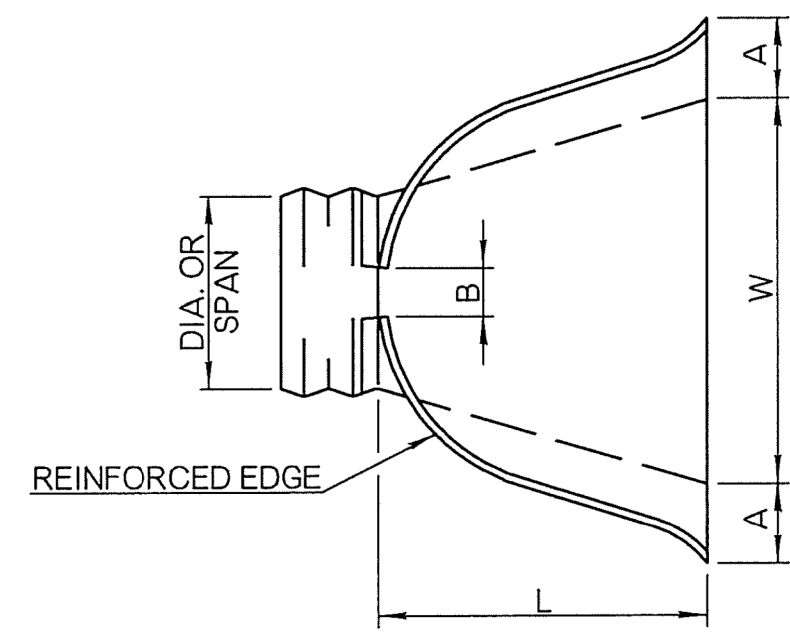
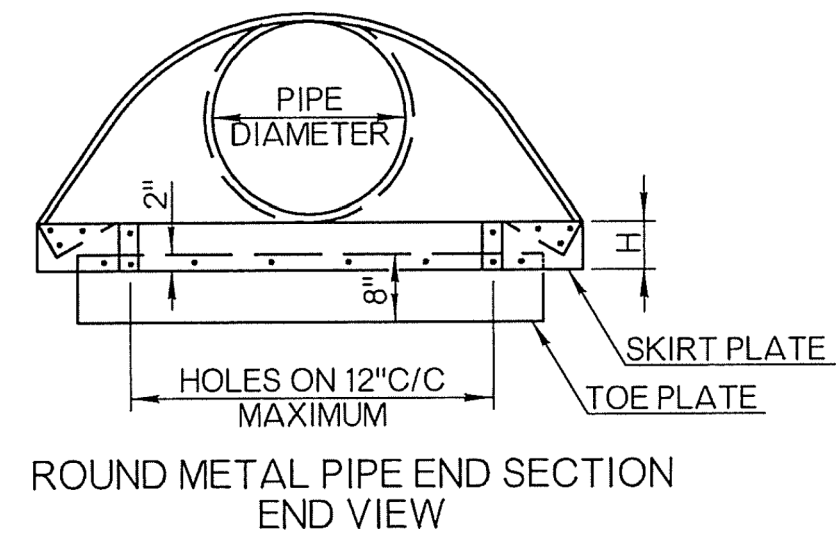
DRAFTER	DATE	PROJECT MANAGER	DATE
-	-	-	-
ELECTRICAL ENGINEER	DATE	ENGINEERING MANAGER	DATE
TBD	-	-	-
CONTROLS ENGINEER	DATE	DATE	DATE
TBD	-	-	-

WORK ORDER NUMBER **8600**

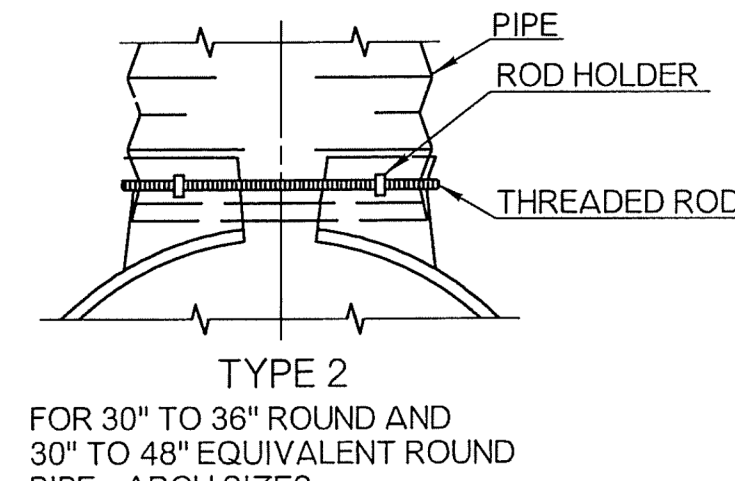
SIGNATURE DATE

SHEET C7

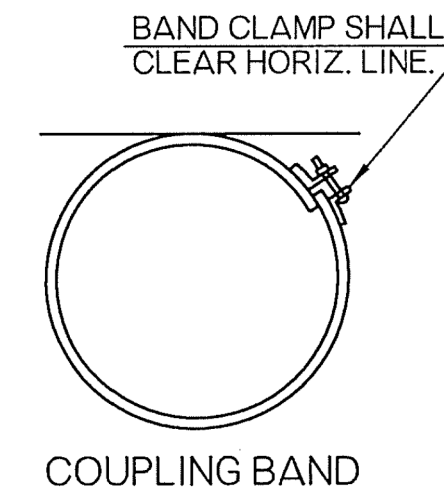
DIMENSIONS OF END SECTIONS FOR ROUND METAL PIPE									
PIPE DIA.	GA.	A	B	H	L	W	APPROX. SLOPE	BODY TYPE	
12"	16	6"	6"	6"	21"	24"	1:2 1/2	1 PC.	
15"	16	7"	8"	6"	26"	30"	1:2 1/2	1 PC.	
18"	16	8"	10"	6"	31"	36"	1:2 1/2	1 PC.	
21"	16	9"	12"	6"	36"	42"	1:2 1/2	1 PC.	
24"	16	10"	13"	6"	41"	48"	1:2 1/2	1 PC.	
30"	14	12"	16"	8"	51"	60"	1:2 1/2	1 PC.	
36"	14	14"	19"	9"	60"	72"	1:2 1/2	2 PC.	
42"	12	16"	22"	11"	69"	84"	1:2 1/2	2 PC.	
48"	12	18"	27"	12"	78"	90"	1:2 1/4	2 PC.	
54"	12	18"	30"	12"	84"	102"	1:2	2 PC.	
60"	12	18"	33"	12"	87"	114"	1:1 3/4	3 PC.	
66"	12	18"	36"	12"	87"	120"	1:1 1/2	3 PC.	
72"	12	18"	39"	12"	87"	126"	1:1 1/3	3 PC.	
78"	12	18"	42"	12"	87"	132"	1:1 1/4	3 PC.	
84"	12	18"	45"	12"	87"	138"	1:1 1/6	3 PC.	



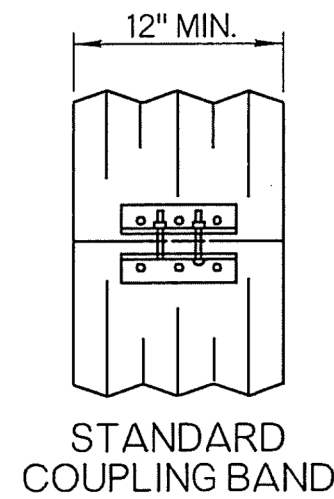
TYPE 1 FOR 12" TO 24" ROUND AND EQUIVALENT ROUND PIPE ARCH SIZES.



TYPE 2 FOR 30" TO 36" ROUND AND 30" TO 48" EQUIVALENT ROUND PIPE - ARCH SIZES.

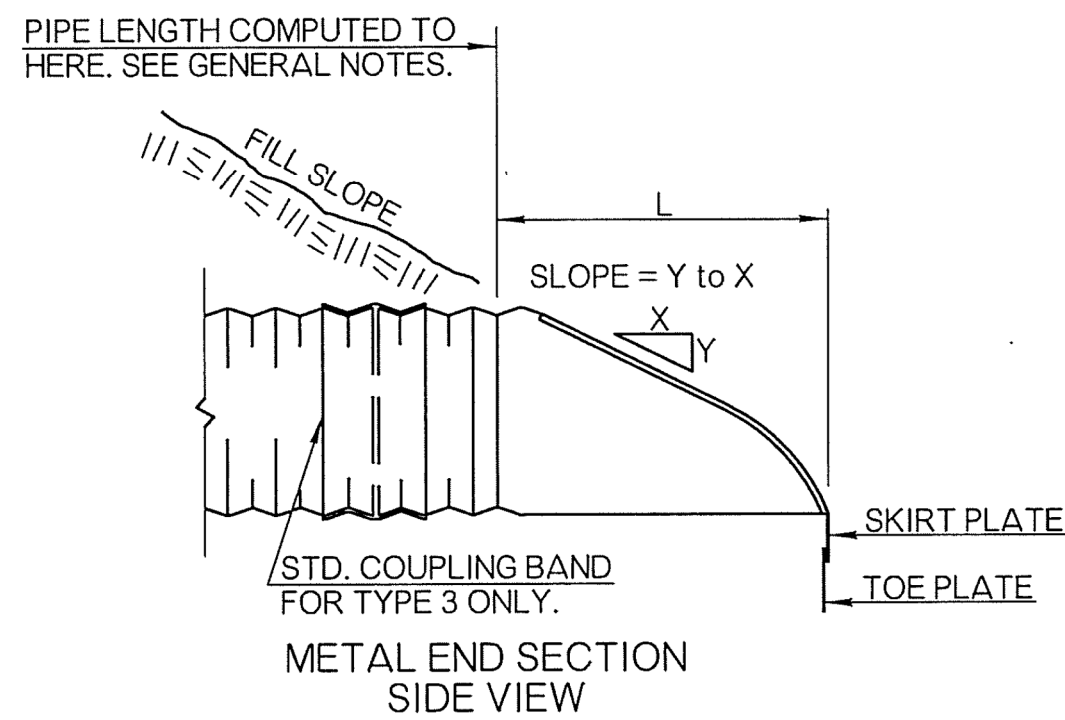
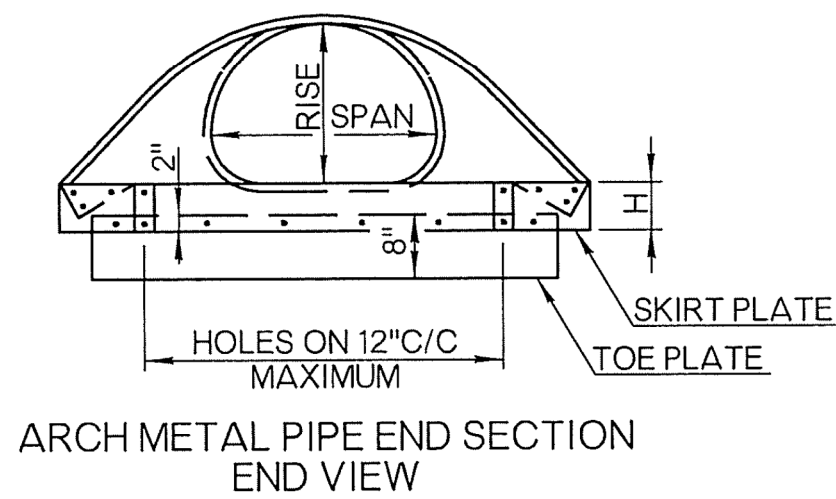


COUPLING BAND



STANDARD COUPLING BAND

DIMENSIONS OF END SECTIONS FOR METAL PIPE - ARCH									
SPAN x RISE	EQUIV. ROUND	GA.	A	B	H	L	W	APPROX. SLOPE	BODY TYPE
17" x 13"	15"	16	7"	9"	6"	19"	30"	1:2 1/2	1 PC.
21" x 15"	18"	16	7"	10"	6"	23"	36"	1:2 1/2	1 PC.
24" x 18"	21"	16	8"	12"	6"	28"	42"	1:2 1/2	1 PC.
28" x 20"	24"	#16	9"	14"	6"	32"	48"	1:2 1/2	1 PC.
35" x 24"	30"	14	10"	16"	6"	39"	60"	1:2 1/2	1 PC.
42" x 29"	36"	#14	12"	18"	8"	46"	75"	1:2 1/2	1 PC.
49" x 33"	42"	12	13"	21"	9"	53"	85"	1:2 1/2	2 PC.
57" x 38"	48"	12	18"	26"	12"	63"	90"	1:2 1/2	2 PC.
64" x 43"	54"	12	18"	30"	12"	70"	102"	1:2 1/4	2 PC.
71" x 47"	60"	12	18"	33"	12"	77"	114"	1:2 1/4	3 PC.
77" x 52"	66"	12	18"	36"	12"	77"	126"	1:2	3 PC.
83" x 57"	72"	12	18"	39"	12"	77"	138"	1:2	3 PC.

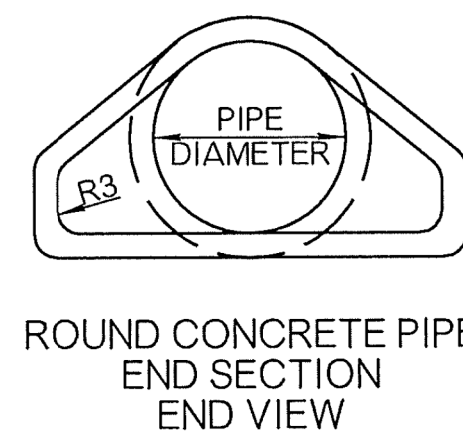


TYPICAL METAL END SECTION CONNECTIONS

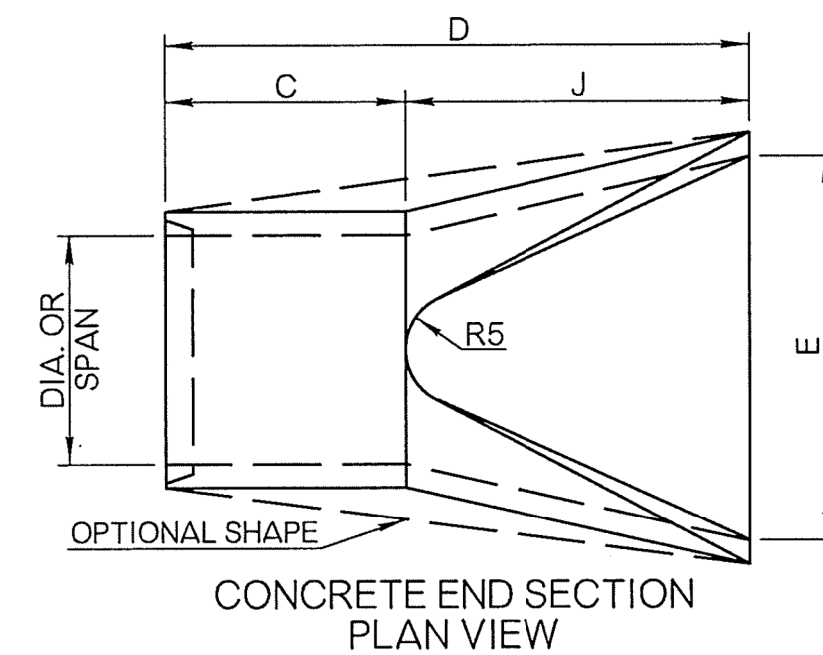
# FOR ALUMINUM END SECTIONS THE 28" x 20" SHALL BE 14 GAGE AND THE 42" x 29" SHALL BE 12 GAGE.

- GENERAL NOTES**
- ALL CONSTRUCTION AND MATERIAL REQUIREMENTS SHALL BE IN ACCORDANCE WITH THE 2009 ODOT STANDARD SPECIFICATIONS.
  - CULVERT END SECTIONS SHALL BE OF THE SAME MATERIAL AND SHAPE (ROUND, ARCH, OR ELLIPTICAL) AS THE PIPE ON WHICH THEY ARE INSTALLED.
  - DIMENSIONS SHOWN FOR END SECTIONS ARE SUBJECT TO MANUFACTURER TOLERANCES.
  - TOE PLATE WILL BE REQUIRED ON ALL METAL END SECTIONS UNLESS SOLID ROCK IS ENCOUNTERED. HOLES IN TOE PLATE TO BE PUNCHED TO MATCH HOLES IN SKIRT PLATE. 3/8" BOLTS TO BE FURNISHED. LENGTH OF TOE PLATES FOR ROUND PIPE END SECTIONS SHALL BE W=10" FOR 12" TO 30" DIAMETER PIPE. W=20" FOR 36" TO 84" DIAMETER PIPE. LENGTH OF TOE PLATES FOR ARCH PIPE END SECTIONS SHALL BE W=10" FOR A RISE OF 13" TO 29" AND W=20" FOR A RISE OF 33" TO 57".
  - CONNECTOR SECTION, SKIRT PLATE, AND TOE PLATE ON METAL END SECTIONS SHALL BE THE SAME GAGE AND MATERIAL AS THE SKIRT AND SHALL BE INCLUDED IN PRICE BID FOR END SECTION.
  - IF TYPE 3 METAL END SECTION IS USED AS OPTIONAL PIPE, THE LENGTH OF PIPE TO BE REDUCED BY 12" FOR EACH END SECTION. IF CONCRETE PIPE OPTION IS USED, THE LENGTH OF PIPE TO BE REDUCED BY THE C DIMENSION FOR EACH END SECTION.

DIMENSIONS OF PRECAST END SECTIONS FOR ROUND PIPE											
DIAMETER	R3	R4	R5	T	K	J	C	D	E	SLOPE	
18"	3"	3"	6"	2 1/2"	9"	2.25'	3.83'	6.08'	3.00'	1:3	
24"	3"	3"	7"	3"	9 1/2"	3.63'	2.50'	6.12'	4.00'	1:3	
30"	3"	3"	8"	3 1/2"	12"	4.50'	1.65'	6.16'	5.00'	1:3	
36"	3"	3"	10 1/2"	4"	15"	5.25'	2.90'	8.15'	6.00'	1:3	
42"	3"	3"	10 1/2"	4 1/2"	21"	5.25'	2.92'	8.17'	6.50'	1:3	
48"	6"	6"	14"	5"	24"	6.00'	2.17'	8.17'	7.00'	1:3	
54"	6"	6"	-	5 1/2"	27"	5.42'	2.92'	8.33'	7.50'	1:2 1/2	
60"	6"	6"	-	6"	30"	5.00'	3.25'	8.25'	8.00'	1:2	
66"	6"	6"	-	6 1/2"	24"	6.50'	1.75'	8.25'	8.50'	1:2	
72"	6"	6"	-	7"	24"	6.50'	1.75'	8.25'	9.00'	1:2	

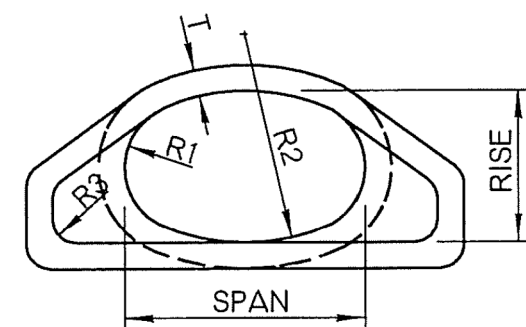


ROUND CONCRETE PIPE END SECTION END VIEW

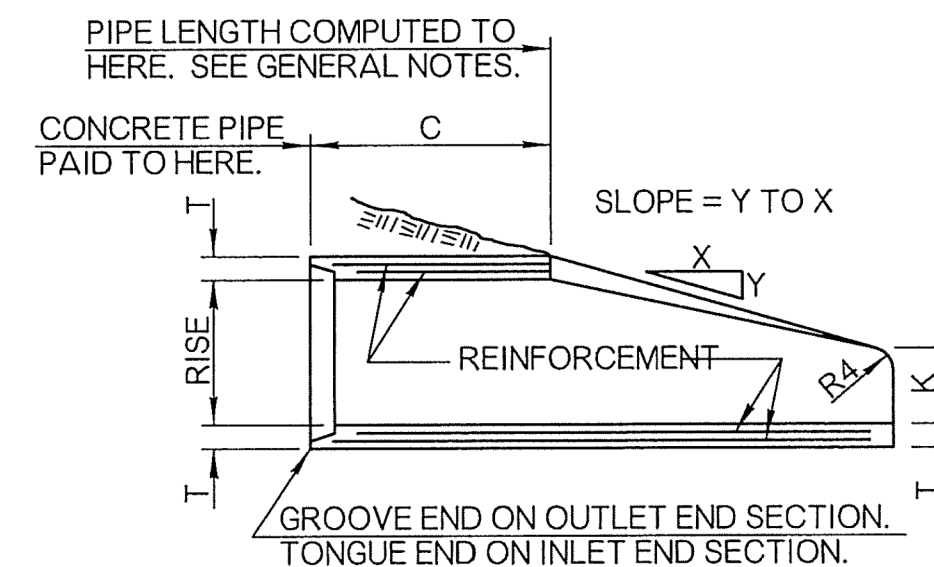


CONCRETE END SECTION PLAN VIEW

APPROX. EQUIV. DIAMETER	DIMENSIONS OF PRECAST END SECTIONS FOR ELLIPTICAL PIPE														
	RISE	SPAN	R1	R2	R3	R4	R5	T	K	J	C	D	E	SLOPE	
18"	14"	23"	6"	20"	3"	3"	6"	2 3/4"	8"	2.25'	3.75'	6.00'	3.00'	1:3	
24"	19"	30"	8 1/4"	26 1/4"	3"	3"	7"	3 1/4"	8 1/2"	3.25'	2.75'	6.00'	4.00'	1:3	
30"	24"	38"	10 1/4"	32 3/4"	3"	3"	9"	3 3/4"	9 1/2"	4.50'	1.50'	6.00'	5.00'	1:3	
36"	29"	45"	12 1/4"	39 1/4"	3"	3"	12"	4 1/2"	11 1/4"	5.00'	3.00'	8.00'	6.00'	1:3	
42"	34"	53"	14 1/2"	46"	6"	6"	13"	5"	15 3/4"	5.00'	3.00'	8.00'	6.50'	1:3	
48"	38"	60"	16 1/2"	51 1/2"	6"	6"	14"	5 1/2"	21"	5.00'	3.00'	8.00'	7.00'	1:3	
54"	43"	68"	18 3/4"	58 1/2"	6"	6"	16"	6"	25 1/2"	5.00'	3.00'	8.00'	7.50'	1:3	
60"	48"	76"	20 3/4"	65"	6"	6"	18"	6 11/16"	30"	5.00'	3.25'	8.25'	8.00'	1:2	
66"	53"	83"	22 3/4"	71 1/2"	6"	6"	18"	36 1/8"	7 1/2"	24"	6.50'	1.75'	8.25'	8.50'	1:2
72"	58"	91"	24 3/4"	78"	6"	6"	38"	7 1/2"	24"	6.50'	1.75'	8.25'	9.00'	1:2	

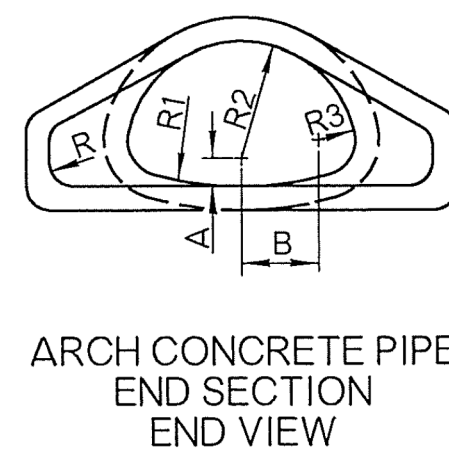


ELLIPTICAL CONCRETE PIPE END SECTION END VIEW



CONCRETE END SECTION SIDE VIEW

APPROX. EQUIV. DIAMETER	DIMENSIONS OF PRECAST END SECTIONS FOR ARCH PIPE																
	SPAN	RISE	A	B	R	R1	R2	R3	R4	R5	T	K	J	C	D	E	SLOPE
18"	22"	13"	- 1/4"	5 3/4"	2"	27 1/2"	13 3/4"	5 1/4"	3"	13"	2 1/2"	7"	2.25'	3.75'	6.08'	3.00'	1:3
24"	28"	18"	3 7/16"	9 21/32"	3"	40 11/16"	14 9/16"	4 19/32"	3"	16 13/16"	3"	9 1/2"	3.58'	2.50'	6.08'	4.00'	1:3
30"	36"	22"	3 3/4"	12 3/32"	3"	51"	18 3/4"	6 1/32"	3"	18 1/2"	3 1/2"	12"	4.50'	1.58'	6.08'	5.00'	1:3
36"	43"	26"	4 1/8"	15 1/2"	6"	62"	22 1/2"	6 9/8"	3"	24 5/16"	4"	15"	5.25'	2.90'	8.15'	6.00'	1:3
42"	51"	31"	5 1/16"	18"	6"	73"	26 1/4"	7 9/16"	3"	27 1/2"	4 1/2"	21"	5.25'	2.92'	8.17'	6.50'	1:3
48"	58"	36"	6"	20 1/2"	6"	84"	30"	8 3/4"	3"	28 1/2"	5"	24"	6.00'	2.17'	8.17'	7.00'	1:3
54"	65"	40"	6 9/16"	22 11/16"	6"	92 1/2"	33 3/8"	9 13/16"	6"	33 1/8"	5 1/2"	27"	5.42'	2.92'	8.34'	7.50'	1:2.4
60"	73"	45"	7 1/2"	25 9/32"	6"	105"	37 1/2"	11 7/32"	6"	33 11/16"	6"	30"	5.00'	3.25'	8.25'	8.00'	1:2
72"	88"	54"	9"	31 7/16"	6"	126"	45"	12 9/16"	6"	38 15/16"	7"	24"	6.50'	1.75'	8.25'	9.00'	1:2



ARCH CONCRETE PIPE END SECTION END VIEW

MARK	DATE	DESCRIPTION
-	-	-
-	-	-
-	-	-
-	-	-

WESTERN FARMERS ELECTRIC COOPERATIVE  
ANADARKO, OKLAHOMA 73005 P.O. BOX 429

**MAXWELL SUBSTATION**

**PIPE END TREATMENT**

SCALE: N.T.S.

COUNTY CLEVELAND SEC. 18

STATE OK T-8-N

APPROVED FOR CONSTRUCTION DATE PROJECT MANAGER CIVIL ENGINEER ELECTRICAL ENGINEER CONTROLS ENGINEER

DATE DATE DATE DATE DATE

TBD TBD TBD TBD TBD

WORK ORDER NUMBER **8600**

SIGNATURE DATE SHEET C8





**FELLERS SNIDER**  
ATTORNEYS AT LAW

Warren F. Bickford  
Greg A. Castro  
Mark K. Stonecipher  
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Stephen J. Moriarty

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November 7, 2024

Planning Commission of Norman, Oklahoma  
c/o Planning and Community Development Department  
P.O. Box 370  
225 N. Webster Ave.  
Norman, OK 73069  
[Lora.Hoggatt@normanok.gov](mailto:Lora.Hoggatt@normanok.gov)

RE: Western Farmers Electric Cooperative Special Use Permit Application;  
Responses to Protestor Concerns

To whom it may concern:

My name is Joe Krodel, and I represent Western Farmers Electric Cooperative (“WFEC”) with regard to their application for a Special Use Permit to operate an electric substation near the intersection of 72<sup>nd</sup> Ave. SE and Etowah Road.

At the pre-development meeting, surrounding landowners and a legal representative of one of those landowners raised concerns regarding this project and its potential impact on their surrounding properties. Some concerns were addressed, some were deferred to later so that more information could be gathered. In order to fully address all surrounding landowner concerns, I requested that the legal representative, Mr. Shawn Fulkerson, provide me with the list of questions he was referring to when addressing WFEC so that I can fully answer their questions and address their concerns. He was agreeable at pre-development, but after numerous contact attempts, our requests for those questions have been ignored. Further, to fully address neighboring property owner concerns, WFEC offered to make itself available a second time for an in-person meeting to be scheduled through counsel for those landowners. Because all contact has been ignored, that second meeting has yet to be scheduled and will unlikely occur.

While this may not address every concern or question raised at pre-development, I believe it captures the most pressing issues that were left unanswered.

The surrounding landowners asked whether this project is compliant with FERC and other federal regulations. WFEC is required to comply with FERC, NERC, and any other federal regulations on public electric utilities. Further, compliance with all FERC and NERC regulations is a condition of receiving funding from the Rural Utilities Service (RUS) used to make this project possible. This substation project is in compliance with all applicable regulations.

Concerns were raised regarding stormwater runoff, particularly by Mr. King, the neighboring landowner directly north of WFEC's property. WFEC has studied this issue and, as with all substation projects, has included stormwater runoff diversion tactics in their site plan. The interior surface of the substation will be gravel, providing a permeable surface to absorb storm and rainwater to minimize the potential for runoff. On the perimeter of the substation, vegetation will be left in place as a buffer between the substation and neighbors (both are acceptable Best Management Practices (BMPs) under the Stormwater Construction General Permit (OKR10)).

Some surrounding landowners expressed health concerns regarding the proximity to a substation to their homes. These claims, while common, have been studied and are unfounded. Living near a substation like the one proposed by WFEC poses no known health risk. Further concerns regarding noise at this site are also unfounded. This electric substation will produce extremely minimal noise, most of which may come from small fans. However, the substation components itself will not produce any noticeable amount of noise. Protestors are encouraged to observe the numerous other WFEC substations in Norman for an idea of what they sound like (nothing). WFEC currently has at least four substations within city limits (Acme, West Norman, Liddell, and Franklin). At least two of which are in highly residential areas.

Some concerns about "high capacity" power lines were raised as well. The existing lines running through the proposed site, located between the proposed substation and the neighboring property owner to the north's boundary, are the lines that will tie into this substation. No plans for additional lines of any higher capacity are in place for this substation. Additional lines of the same capacity and character of those that already exist may be added. However, the multiple concerns regarding "high capacity" lines at this site are unfounded. There are currently 69 and 138 kv transmission lines serving the four substations identified above (OU-Franklin, Canadian-Paoli, Canadian-Franklin) located in Norman, OK. Additionally, the City of Norman recently approved a project for a 345 kv project within the City of Norman, which is a much higher voltage than the existing lines that will tie into this substation.

WFEC is taking the concerns of surrounding landowners seriously and wants to make sure they will be a good neighbor. Accordingly, WFEC looks forward to addressing you at the Planning Commission Meeting on November 14, 2024, and discussing this project.

Respectfully,



Joseph P. Krodel  
*For the Firm*

933568.13527

**Applicant:** Fellers Snider Blankenship Bailey & Tippens, P.C.

**Project Location:** North of Etowah Rd on 72<sup>nd</sup> Ave S.E.

**Case Number:** PD24-15

**Time:** 5:46 p.m.

**Applicant Representative:**

Joe Krodel

**Attendees:**

Mace Robinson  
John Horsch  
Gary King  
Laura King  
Shawn Fulkenson  
John Crewshaw  
Joe Knoded

**City Staff:**

Justin Fish, Planner I  
Beth Muckala, Assistant City Attorney

**Application Summary:**

The applicant submitted a request for a special use permit for an electric substation to be placed on 2.75 acres of a 98.3 acre lot. The location being proposed is the northeast corner of the subject property.

**Neighbor's Comments/Concerns/Responses:**

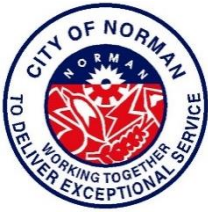
The applicant representative was late to the meeting causing the meeting to start at 5:46pm. It was the decision of the group to wait the extra time for the applicant representative to arrive rather than push the meeting back to month.

A neighbor posed the question of the appropriateness for a substation on land zoned A-2, Rural Agriculture. The applicant responded citing the special use permit allowance for public utilities. Concerns were raised that the project area encroaches on a neighbor's property. The applicant stated they would provide the survey documents to confirm the boundaries. Another attendee expressed concern the project area is approximately 75' from their home. The applicant responded stating that the actual location of the substation within the 2.75 acres was not finalized. Another attendee inquired if the project was in accordance with FERC, Federal Energy Regulatory Commission. The applicant did not know this information. Additional questions on drainage, noise, and obstruction were posed. The applicant was unable to answer these questions. The applicant representative

and attendees agreed to another meeting either through the City or privately. The City is not aware if or when this second meeting occurred.

**File Attachments for Item:**

4. CONSIDERATION OF ADOPTION, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-10: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADDING SECTION 36-568 (“RESTRICTIONS ON TOBACCO AND E-CIGARETTE RETAILERS”) TO CHAPTER 36 (“ZONING ORDINANCE”); AND AMENDING SECTIONS 36-521 (“RO, RESIDENCE-OFFICE DISTRICT”), 36-524 (“C-1, LOCAL COMMERCIAL DISTRICT”), 36-526 (“TC, TOURIST COMMERCIAL DISTRICT”), 36-527 (“CR, RURAL COMMERCIAL DISTRICT”), AND 36-560 (“SPECIAL USES”) TO CHAPTER 36 (“ZONING ORDINANCE”) OF THE CODE OF THE CITY OF NORMAN TO ESTABLISH RESTRICTIONS ON TOBACCO AND E-CIGARETTE RETAILERS; AND PROVIDING FOR THE SEVERABILITY THEREOF.



## CITY OF NORMAN, OK STAFF REPORT

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**MEETING DATE:** 11/14/2024

**REQUESTER:** City of Norman

**PRESENTER:** Jason Olsen, Parks & Recreation Director

**ITEM TITLE:** CONSIDERATION OF ADOPTION, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-10: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADDING SECTION 36-568 (“RESTRICTIONS ON TOBACCO AND E-CIGARETTE RETAILERS”) TO CHAPTER 36 (“ZONING ORDINANCE”); AND AMENDING SECTIONS 36-521 (“RO, RESIDENCE-OFFICE DISTRICT”), 36-524 (“C-1, LOCAL COMMERCIAL DISTRICT”), 36-526 (“TC, TOURIST COMMERCIAL DISTRICT”), 36-527 (“CR, RURAL COMMERCIAL DISTRICT”), AND 36-560 (“SPECIAL USES”) TO CHAPTER 36 (“ZONING ORDINANCE”) OF THE CODE OF THE CITY OF NORMAN TO ESTABLISH RESTRICTIONS ON TOBACCO AND E-CIGARETTE RETAILERS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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### BACKGROUND:

The Parks and Recreation Department of the City of Norman is actively seeking grant funding opportunities through TSET (Tobacco Settlement Endowment Trust). The grant funding would go to support the construction of the Miracle Field—a custom, adaptive, ADA compliant baseball field to remove barriers and provide opportunities for youth with disabilities to participate in outdoor sports and recreation activities.

In order to achieve these objectives, the City needs to pass a zoning ordinance imposing certain restrictions on tobacco and e-cigarette retailers designed to protect youth from the negative health effects of tobacco, nicotine, or vapor products.

### DISCUSSION:

The restrictions in this Ordinance O-2425-10 come directly from Oklahoma law, 63 O.S. § 1-229.18, and only regulates the distance (within 300 feet) tobacco and e-cigarette retailers can be located near a school, playground, or other facility when primarily used by persons under twenty-one. This ordinance would not apply retroactively—meaning current tobacco or e-cigarette retailers located within this prohibited distance would be allowed to continue operations, and only new retailers would be subject to the distance requirements.

This ordinance proposes to add a new section (36-568) to Division 36-V-3 “Additional District Provisions” of Article 36-V “Zoning,” to establish the above referenced restriction: “[t]he location of a tobacco or e-cigarette store is specifically prohibited within three hundred feet (300’) of any playground, school, or other facility when the facility is being used primarily by persons under twenty-one (21) years of age.” This section also establishes the permitted legal non-conforming use for those tobacco and e-cigarette retailers that currently exist within the prohibited distance to the protected areas.

The ordinance then establishes internal references to this new section (36-568) in the permitted uses subsections of the applicable zoning districts within Division 36-V-2 “Specific District Regulations” of Article 36 “Zoning.” Such zoning districts are RO, C-1—which thereby also implicates C-2 and C-3, TC, and CR. The ordinance also establishes the same internal reference to the new section 36-568 in the “Special Uses” section 36-560 within Division-V-3 “Additional District Provisions.”

**RECOMMENDATION:**

Staff forwards this addition and amendment to Chapter 36, Zoning Ordinance as Ordinance No. O-2425-10 to the Planning Commission for consideration and recommendation to City Council.



AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADDING SECTION 36-568 (“RESTRICTIONS ON TOBACCO AND E-CIGARETTE RETAILERS”) TO CHAPTER 36 (“ZONING ORDINANCE”); AND AMENDING SECTIONS 36-521 (“RO, RESIDENCE-OFFICE DISTRICT”), 36-524 (“C-1, LOCAL COMMERCIAL DISTRICT”), 36-526 (“TC, TOURIST COMMERCIAL DISTRICT”), 36-527 (“CR, RURAL COMMERCIAL DISTRICT”), AND 36-560 (“SPECIAL USES”) TO CHAPTER 36 (“ZONING ORDINANCE”) OF THE CODE OF THE CITY OF NORMAN TO ESTABLISH RESTRICTIONS ON TOBACCO AND E-CIGARETTE RETAILERS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

- §1. WHEREAS, in an effort to protect our youth from the negative health effects of tobacco, nicotine or vapor products, the State of Oklahoma has prohibited the sale, distribution or possession of tobacco, nicotine or vapor products for anyone under the age of twenty-one (21) years of age; and
- §2. WHEREAS, the City of Norman, pursuant to 63 O.S. § 1-229.18, is authorized to enact laws prohibiting the distribution of tobacco, nicotine, and vapor products and product samples within three hundred (300) feet of any playground, school, or other facility when it is being used primarily by persons under twenty-one (21); and
- §3. WHEREAS, the City of Norman desires to support and enforce the State of Oklahoma’s regulations promulgated to control youth access to tobacco by adopting Ordinance O-2425-XX.

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

- § 4. THAT Section 36-568 of the Code of the City of Norman shall be titled “Restrictions on Tobacco and E-cigarette Retailers” and shall read as follows:

(1) Definitions.

- (a) *School* means any property, building, permanent structure, facility, auditorium, stadium, arena or recreational facility owned, leased or under the control of a public school district or private school or any educational facility that is accredited by the state of Oklahoma.
- i. School shall include all licensed childcare facilities, kindergartens, elementary schools, which may include either K-6 or K-8, and all secondary schools
  - ii. School shall include any institution within the Oklahoma State System of Higher Education or any other public or private college or university that is accredited by a national accrediting body.

- (b) *Playgrounds* means any area used for outdoor play or recreation, especially by children, and often containing recreational equipment such as slides and swings.
- (c) *Tobacco product* means any product that is made from or derived from tobacco, or that contains nicotine, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus. Tobacco product also means electronic smoking devices and any component or accessory used in the consumption of a tobacco product, such as filters, rolling papers, pipes, and liquids used in electronic smoking devices, whether or not they contain nicotine. Tobacco product does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.
- (d) *Electronic smoking device* means any device that may be used to deliver any aerosolized or vaporized substance to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah. Electronic smoking device includes any component, part, or accessory of the device, and also includes any substance that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine. Electronic smoking device does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.
- (2) A business license issued by the City of Norman shall only be located or operated at locations permitted by the City's zoning or planning laws. The location of a tobacco or e-cigarette store is specifically prohibited within three hundred feet (300') of any playground, school, or other facility when the facility is being used primarily by persons under twenty-one (21) years of age. The distance shall be measured as the shortest straight line distance from the property line of the proposed tobacco or e-cigarette store to the property line of the entities listed below:
- (a) Public or Private School
  - (b) Playgrounds
  - (c) Facility used primarily by persons under twenty-one (21) years of age
- (3) *Legal Non-conforming Use.* Current license tobacco or e-cigarette store(s) within three hundred feet (300') of the above described locations are permitted to continue operations despite this amendment to the zoning ordinance. If a current license tobacco/ or e-cigarette store is sold, then the new owner would no longer be able to use the legal non-conforming use to obtain a license.

\* \* \*

§ 5. THAT Section 36-521 of the Code of the City of Norman shall be amended to add the following clause to subsection 36-521(b) “Uses permitted”:

(10) *Certain requirements for Tobacco and E-Cigarette Retailers.* Any use under this Subsection which involves a tobacco or e-cigarette store shall comply with the requirements described under NCC § 36-568 “Restrictions on Tobacco and E-cigarette Retailers.”

\* \* \*

§ 6. THAT Section 36-524 of the Code of the City of Norman shall be amended to add the following clause to subsection 36-524(b) “Uses permitted”:

(6) *Certain requirements for Tobacco and E-Cigarette Retailers.* Any use under this Subsection which involves a tobacco or e-cigarette store shall comply with the requirements described under NCC § 36-568 “Restrictions on Tobacco and E-cigarette Retailers.”

\* \* \*

§ 7. THAT Section 36-526 of the Code of the City of Norman shall be amended to add the following clause to subsection 36-526(b) “Uses permitted”:

(3) *Certain requirements for Tobacco and E-Cigarette Retailers.* Any use under this Subsection which involves a tobacco or e-cigarette store shall comply with the requirements described under NCC § 36-568 “Restrictions on Tobacco and E-cigarette Retailers.”

\* \* \*

§ 8. THAT Section 36-527 of the Code of the City of Norman shall be amended to add the following clause to subsection 36-527(b) “Uses permitted”:

(3) *Certain requirements for Tobacco and E-Cigarette Retailers.* Any use under this Subsection which involves a tobacco or e-cigarette store shall comply with the requirements described under NCC § 36-568 “Restrictions on Tobacco and E-cigarette Retailers.”

\* \* \*

§ 9. THAT Section 36-560 of the Code of the City of Norman shall be amended to add the following:

(i) *Certain requirements for Tobacco and E-Cigarette Retailers.* Any use under this Section which involves a tobacco or e-cigarette store shall comply with the requirements described under NCC § 36-568 “Restrictions on Tobacco and E-cigarette Retailers.”

\* \* \*

§10. 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, except that the effective date provision shall not be severable from the operative provisions of the ordinance.

ADOPTED this \_\_\_\_\_ day  
of \_\_\_\_\_, 2024.

NOT ADOPTED this \_\_\_\_\_ day  
of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Larry Heikkila, Mayor

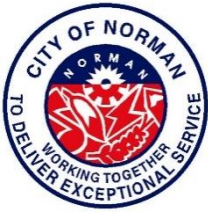
\_\_\_\_\_  
Larry Heikkila, Mayor

ATTEST:

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

**File Attachments for Item:**

5. CONSIDERATION OF ADOPTION, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-17: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 36, ARTICLE V, ZONING, SECTION 36-535, HISTORIC DISTRICT COMMISSION REQUIREMENT; AMENDING THE APPLICATION REQUIREMENTS FOR CERTIFICATE OF APPROPRIATENESS; EDITS FOR CONSISTENCY OR CORRECTIVE PURPOSES; AND ALLOW HISTORIC PRESERVATION OFFICER TO GRANT TIME EXTENSION FOR CERTIFICATE OF APPROPRIATENESS; AND PROVIDING FOR THE SEVERABILITY THEREOF.



## CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 11/14/2024

**REQUESTER:** City of Norman

**PRESENTER:** Anais Starr, Planner II

**ITEM TITLE:** CONSIDERATION OF ADOPTION, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-17: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 36, ARTICLE V, ZONING, SECTION 36-535, HISTORIC DISTRICT COMMISSION REQUIREMENT; AMENDING THE APPLICATION REQUIREMENTS FOR CERTIFICATE OF APPROPRIATENESS; EDITS FOR CONSISTENCY OR CORRECTIVE PURPOSES; AND ALLOW HISTORIC PRESERVATION OFFICER TO GRANT TIME EXTENSION FOR CERTIFICATE OF APPROPRIATENESS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

### BACKGROUND:

These requested amendments are brought forward by the Historic Preservation Officer for review and adoption to provide a "cleaner" Certificate of Appropriateness application process. The requested amendments do not change the intent of the Historic District Ordinance but provide for a consistent application process, efficiency in the administration of the Historic Districts, and an administrative means for extension of the Certificate of Appropriateness.

### DISCUSSION:

On January 26, 2022, the City Council adopted amendments to the Historic District Ordinance along with the revised Preservation Guidelines. The Planning Department recently modified application processes to provide consistency amongst different Board and Commission application types. The Historic Preservation Officer requests these proposed minor amendments to bring the Historic District Commission application process in line with the other Planning application processes and to provide a "cleaner" administration of the Historic District program.

The proposed amendments are as follows:

- Amended 36-535.g.(3) *Certificates of Appropriateness, Submitting COA application materials*. This removes the list of application requirements from the section and replaces it with a reference to 36-535. (g).9.a. *Application*, for application requirements

to be met. Provided submission deadline for a Historic District Commission feedback session. Simplified wording for clarity.

- Amended 36-535.g.9.a. *COA Application Requirements and Procedures, Application*. Removed the required “24 calendar days prior to the meeting” for the submission deadline. The deadline for COA submissions will be the same as other Planning applications which is currently the first business day of each month. Wording was also modified to provide clarity regarding application process and documents required.
- Amended 36-535(g) 9. b. *Compliance with COA, Required Procedures for Certificate of Appropriateness, Notification of Historic District Commission*. Removed the word “working” to align the notification of the Historic District Commission with other Planning notification processes.
- Amended 36-535(g) 9.b.9. *Compliance with COA, Required Procedures for Certificate of Appropriateness, Amending a COA*. A deadline for the submission of a COA amendment request was added. This amendment also includes the addition of the ability for the Historic Preservation Officer to grant 6-month extensions of time for a Certificate of Appropriateness. This will provide relief for applicants and avoid a reapplication process to the HD Commission.

These requested amendments are shown in the annotated copy of the Historic District Ordinance attached to this item.

**RECOMMENDATION:**

Staff forwards this proposal for amendments to the Historic District Ordinance to Chapter 36, Zoning Ordinance, as Ordinance O-2425-17 for consideration by the Planning Commission and a recommendation to the City Council.

**CITY OF NORMAN  
ORDINANCE O-2425-17**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA  
AMENDING CHAPTER 36, ARTICLE V, ZONING, SECTION 36-535 HISTORIC  
DISTRICT, AMENDING APPLICATION SUBMISSION DEADLINE AND  
NOTIFICATION OF HISTORIC DISTRICT COMMISSION REQUIREMENT;  
AMENDING THE APPLICATION REQUIREMENTS FOR CERTIFICATE OF  
APPROPRIATENESS; EDITS FOR CONSISTENCY OR CORRECTIVE  
PURPOSES; AND ALLOW HISTORIC PRESERVATION OFFICER TO GRANT  
TIME EXTENTIONS FOR CERTIFICATE OF APPROPRIATENESS; 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** “36-535 HD, Historic District” of the City of Norman Municipal Code is hereby *amended* as follows:

**AMENDMENT**

36-535 HD, Historic District

(a) *Description and purpose.*

- (1) The Historic District Ordinance (HDO) and its regulations may be applied to property located in any zoning district in accordance with the provisions of this chapter. The HDO is intended to be an overlay zoning district and the regulations imposed by such district shall be in addition to the regulations of the underlying zoning district applicable to the subject parcel.
- (2) The City hereby declares that the historical, architectural, cultural, and aesthetic features of the City represent some of the finest and most valuable resources of the City, and such resources are the embodiment of the heritage of the people of the City. Therefore, it is hereby declared that the purposes of this chapter, to be known as the Historic District Ordinance, shall be as follows:
  - a. To promote the creation of historic districts for the educational, cultural, economic, and general welfare of the public through preservation, protection, and regulation of areas, buildings, and sites of historical interest throughout the City.
  - b. To safeguard the heritage of the City by preserving and regulating historic landmarks and districts which reflect elements of its cultural, social, political, and architectural history.
  - c. To preserve and enhance the environmental quality of neighborhoods.



- d. To strengthen the City's economic base by the stimulation of conservation and reuse.
  - e. To ensure the harmonious, orderly, and efficient growth and development of the municipality.
  - f. To enable preservation activities that preserve and enhance property values.
  - g. To safeguard the heritage of the City by preserving and regulating historic district structures in such a way that maintains or restores their historic integrity while allowing modern day uses and conveniences for their residents.
- (b) *Definitions*. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Addition* means construction that increase the size of the original structure by building outside of the existing structure. Additions can be either horizontal or vertical.

*Alteration* means an act that changes one or more of the exterior architectural features of a structure or its appurtenances, including, but not limited to, the erection, construction, reconstruction, or removal of any structure or appurtenance.

*Appropriate* means typical of the historic architectural style, compatible with the character of the historic district, and consistent with the Preservation Guidelines of the City.

*Architectural resources* means districts, structures, buildings, monuments, sites, or landscaping which possess local interest or artistic merit or which are particularly representative of their class or period, or represent achievements in architecture, engineering, or design.

*Certificate of appropriateness (COA)* means the official document issued by the Historic District Commission approving any application affecting the exterior of any structure designated by the authority of this chapter for permission to construct, erect, demolish, remove, relocate, reconstruct, restore, or alter said structure.

*Commission* means the Historic District Commission of the City.

*Compatible* means a design or use that does not conflict with the historical appearance of a building or district and does not require irreversible alteration.

*Contributing resource* means a resource, a building, site, or district, that retains its essential architectural integrity in design and whose architectural style is typical of or integral to a historic district.

*Elevation* means an exterior wall of a structure.

- (1) *Front elevation* means the facade or face of a structure which is visible and prominent from a public right-of-way and which often has distinguishing architectural features. Structures on corner lots shall be considered to have two front elevations. No structure shall be considered to have more than two front elevations.
- (2) *Primary elevation* means the front or side elevation of a structure.
- (3) *Rear elevation* means an elevation parallel to the front facade; the rear elevation usually includes the back door of the structure.
- (4) *Secondary elevation* means the rear elevation of a structure.
- (5) *Side elevation* means a wall adjacent to the front elevation that is usually visible from a public right-of-way.

*Facade* means the front wall or face of a building.

*Historic district* means a geographically definable area with a concentration or linkage of significant sites, buildings, structures, or monuments; or an individual structure, building, site or monument which contributes to the cultural, social, political, or architectural heritage of the City.

*Historic Preservation Officer* means the chief staff person responsible for historic preservation in the City's Planning and Community Development Department.

*Historic property* means any individual structure, building, site or monument which contributes to the historic, architectural, archeological and/or cultural heritage of the City as determined by the Historic District Commission.

*Historic resources* means sites, districts, structures, buildings, monuments, major landscape features that represent facets of history in the locality, State or nation; places where significant historical or unusual events occurred; places associated with a personality or group important to the past.

*Infill construction* means construction on property between or adjacent to existing buildings.

*In kind* means to replace existing materials or features with materials of identical design, size, texture and composition. (See *Matching*.)

*Landmark* means an individual structure, building, site, or monument that contributes to the historical, architectural, or archaeological heritage of the City.

*Matching*, in historic rehabilitations, means the use of replacement materials that are identical to the original in composition, size, shape, and profile. (See *In kind*.)

*National Register of Historic Places* means the national list of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, engineering and culture, maintained by the Secretary of the Interior under authority of

section 101(a)(1)(A) of the National Historic Preservation Act, as amended.

*Non-contributing resource* means a building, structure, or site that does not add to the historic significance of a property or district, and which detracts from the visual integrity or interpretability of an historic district.

*Ordinary maintenance and repair* means work meant to remedy damage or deterioration of a structure or its appurtenances, and which will involve no change in materials, dimensions, design, configuration, texture or visual appearance to the exterior of an historic structure. Ordinary maintenance and repair shall include, but is not limited to, painting and reroofing.

*Original* means buildings, building materials or features that were present during the period of significance for the historic district.

*Period of Significance* means the span of time during which a group of properties attained the significance that makes them eligible for designation as a historic district.

*Preservation* means the adaptive use, conservation, protection, reconstruction, rehabilitation, or stabilization of buildings, districts, monuments, sites, or structures significant to the heritage of the people of Norman. The following terms further define types of preservation activities:

- (1) *Adaptive use* means the restrained alteration of a historical or architectural resource to accommodate uses for which the resource was not originally constructed, but in such a way so as to maintain the historical and architectural character of the resource.
- (2) *Conservation* means the sustained use and appearance of a resource essentially in its existing State.
- (3) *Historic reconstruction* means the act or process of duplicating the original structure, building form and materials by means of new construction based on documentation of the historic condition.
- (4) *Historic rehabilitation* means the act or process of making a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historic, cultural or architectural values.

*Protection* means the security of a resource as it exists through the establishment of the mechanisms of this section.

*Relocation* means the movement of repositioning of a primary or accessory structure on its original site, or from one location to another.

*Restoration* means the process of accurately recovering all or a part of the form and details of a resource and its setting as it appeared at a particular period by means of the removal of later work and the replacement of missing earlier work.

*Secretary of the Interior Standards of Historic Buildings* means a set of principles

established in 1977 and amended periodically thereafter. by the Secretary of the Interior, who is responsible for all national preservation programs under Department of the Interior authority and for advising federal agencies on the preservation of historic properties listed or eligible for listing in the National Register of Historic Places. The Norman Historic District Commission utilizes the Secretary of Interior Standards as basis for developing the City of Norman Preservation Guidelines as well as for design review.

*Significant characteristics* means those characteristics that are important to or expressive of the historic or architectural quality and integrity of the resources and its setting and which include, but are not limited to, building material, detail, height, proportion, rhythm, scale, setback, setting, shape, street accessories, and workmanship.

- (1) *Building mass* means describes the relationship of a building's height to its width and depth.
- (2) *Building materials* means the physical characteristics which create the aesthetic and structural appearance of the resource, including, but not limited to, a consideration of the texture and style of the components and their combinations, such as brick, stone, shingle, wood, concrete, or stucco
- (3) *Detail* means architectural aspects which, due to particular treatment, draw attention to certain parts or features of a structure.
- (4) *Height* means the vertical dimension of a given structure, building or monument.
- (5) *Proportion* means the relative physical sizes within and between buildings and building components.
- (6) *Rhythm* means a discernible pattern of shapes, including, but not limited to, windows, doors, projections, and heights, within a building, structure or monument, or a group of same.
- (7) *Scale* means the proportion of parts of a building, structure, or monument to one another and to the human figure.
- (8) *Setting* means the surrounding structures, monuments, and landscaping which establish the visual, aesthetic, or auditory qualities of the historic or architectural resources.
- (9) *Shape* means the physical configuration of structures or landscaping and their component parts.
- (10) *Street accessories* means those sidewalk or street fixtures which include, but are not limited to, trash receptacles, benches, signs, lights, hydrants, and landscaping.

*Stabilization* means the process of applying measures designated to halt deterioration and to establish the structural stability of an unsafe or deteriorated resource while maintaining the essential form as it presently exists without changing the exterior appearance of the resource.

*State Historic Preservation Officer (SHPO)* means the official within the State who has been delegated and appointed by the Governor to administer the Historic Preservation Program in the State.

*State Register of Historic Places* means the State list of districts, sites, buildings, structures and objects significant in State history, architecture, archeology, engineering and culture, maintained by the State Historic Preservation Officer, under the authority of 53 O.S. §§ 351--355.

*Streetscape* means the view along a street from the perspective of a driver or pedestrian, of the natural and manmade elements in or near the street right-of-way, including buildings and their relationship to street trees, lawns, landscape buffers, signs, street lights, above-ground utilities, drainage structures, sidewalks, bus stop shelters and street furniture.

*Structure* means anything constructed or erected, the use of which requires permanent location on the ground, or which is attached to something having a permanent location on the ground. These include, but are not limited to, buildings, fences, walls, driveways, sidewalks and parking areas.

- (c) *District regulations.* The following regulations shall be applicable to the HD, Historic District and shall control the use of all properties within such district:
- (1) Any person responsible for a structure, building, landmark, or monument within a HD district shall keep all of the exterior portions of such resources in good repair.
  - (2) The erection, moving, demolition, removal, rehabilitation, reconstruction, restoration, or alteration of the exterior of any structure is prohibited unless a certificate of appropriateness (COA) is granted by the Historic Commission of the City, unless such certificate is not required by subsection (h) of this section.
  - (3) Changes to rear elevations do require a COA; however, the rear elevation of a historic structure is considered a secondary elevation and is, therefore, regulated to a lower standard to allow flexibility for additions or other modern-day appurtenances.
- (d) *Permitted uses.* Property located within the Historic District, may be used for only those purposes permitted within the zoning district in which such property is located, subject to compliance with all regulations imposed by such zoning district and subject to compliance with all provisions of the article.
- (e) *Historic District Commission.*
- (1) *Creation.* There is hereby created an Historic District Commission of the City. The Commission shall be composed of nine members in accordance with the following requirements:
    - a. Five of the members shall be owners of property in existing historic districts. At least three of these five members shall also reside in historic districts.
    - b. Two of the members shall be persons with specialized technical expertise in structural engineering, law, real estate, building construction, or similar fields.
    - c. Two of the members shall be persons with specific professional

backgrounds in areas such as history, architecture, planning, landscape architecture, archaeology, or related fields.

- d. Provided that all of the above criteria for membership composition are met, remaining Commission appointments may be filled by at-large City residents who have some demonstrated knowledge, experience, expertise or interest in historic preservation.

(2) *Duties of Historic District Commission.* Unless otherwise specified in this article, the duties of the Historic District Commission shall be as follows:

- a. Prepare or cause to be prepared a comprehensive inventory of historical, architectural and archaeological resources within the City, and to update same on a regular basis.
- b. Prepare or cause to be prepared a general historic preservation plan to be incorporated within the Comprehensive Plan of the City.
- c. Review, revise, or cause to be reviewed or revised the Preservation Guidelines (formerly known as the Design Guidelines) that govern the Historic District Commission's review of applications for certificates of appropriateness.
- d. Prepare findings of fact relating to the recommendation for designation of historic, architectural, and archaeological resources.
- e. Prepare findings of fact pursuant to action taken by the Historic District Commission relating to certificates of appropriateness.
- f. Make recommendations to City Council concerning the development of historic preservation plans historical and historical easements.
- g. Make recommendations to City Council concerning grants from federal, State, or private sources, and the utilization of budgetary appropriations to promote the preservation of historic, architectural, and archaeological resources; and when so directed by Council, the Historic District Commission may oversee historical projects or programs.
- h. Develop rules governing the meetings of the Historic District Commission and the standards for materials presented to the Commission.
- i. Make recommendations to the Council, Planning Commission and/or other bodies regarding historic designations, certificates of appropriateness, and the amendment and enforcement of this article and other City ordinances.
- j. Comment and make recommendations on actions undertaken by other City agencies or governmental units with respect to the effects of their actions upon historic, architectural, and archaeological resources.
- k. Conduct a periodic review of the status of designated historic districts and individual landmarks and provide periodic reports on the findings of said, along with any resolutions for action, as considered appropriate.
- l. Any other functions as imposed by this article, or which may be

specified by the City Council.

- (3) *Continuation in office.* Historic District Commission members shall be appointed to staggered, three-year terms. No member shall serve more than three consecutive terms. Members who have served more than three consecutive terms may be reappointed after having rotated off the Commission for at least one full year. Members shall continue in office during their term until such time that:
- a. Their term expires and their successor has been appointed and approved;
  - b. They die;
  - c. They resign;
  - d. They are removed by a majority action of the Council;
  - e. They are no longer a City resident;
  - f. They are hired as a full-time City employee;
  - g. They absent themselves from three consecutive meetings, and such absences are shown by the official minutes of that board or commission.
- (4) *Meetings and rules of Commission.* The Commission shall be empowered to adopt rules for the conduct of its business. The Commission shall elect a Chairman who shall serve for one year or until his successor takes office, and who shall be eligible for reelection. All meetings of the Commission shall be open to the public. Any person, or his duly appointed representative, shall be entitled to appear and be heard on any matter before the Commission. The Commission shall keep a record of its proceedings, a copy of which shall be filed for public view in the office of the City Clerk.
- (5) *Quorum.* A quorum shall consist of five members.
- (6) *Historic Preservation Officer.* The Historic Preservation Officer is the City's representative to the Historic District Commission. He shall act in an advisory capacity only and may participate in the Commission's discussions but may not have a vote in any Commission decisions.
- (f) *Historic District designation.*
- (1) *Procedure for designation of Historic District.* Historic District designation is an overlay to the City zoning ordinance. Either the City Council or individual property owners or their authorized agents may recommend tracts and sites for inclusion within an Historic District in the same manner prescribed for the designation of other zoning districts by this Code and subject to compliance with this section. Rezoning application fees in the case of Historic District designation shall be waived, though applicants for Historic District status are still responsible for all other associated costs of district designation.
  - (2) *Commission review.* All recommendations of tracts and sites for inclusion within the Historic District shall first be reviewed and considered by the Historic District Commission. The Commission shall forward its recommendation regarding a proposed district designation to the Planning Commission for recommendation to the City Council. Any such application shall be made upon forms and pursuant to standards set by the Planning

Commission for the purpose of rezoning.

- (3) *Required documentation.* After the Historic District Commission has reviewed and approved a proposal to designate a historic district, any individual or group seeking to designate or expand a historic district shall be responsible for providing the following:
- a. A current historic survey of all structures in the proposed district;
  - b. A certified ownership list of all property owners within the district as well as properties within the 350-foot notification boundary surrounding the district;
  - c. A zoning application made on forms and pursuant to standards set by the Planning Commission for the purpose of rezoning;
  - d. A legal notice published in the newspaper of record advertising the request for the formation of the Historic District;
  - e. Copies of deeds for all properties to be rezoned.
- (4) *Expansion of an existing Historic District.* Parcels may be added to an existing Historic District, provided the following criteria are in place:
- a. The parcels have been previously surveyed and deemed to be eligible for Historic District designation.
  - b. The parcels are contiguous with an existing district.
  - c. The parcels include at least one whole block, both sides of the street.
  - d. After these criteria are met, the procedure for expanding a district is the same as the designation of a new Historic District described above.
- (5) *Notice of consideration.* Notice of consideration of a historic district designation by the Historic District Commission shall be the same as is required for consideration of the adoption or amendment of zoning district boundaries by the City Council. As a part of such notice, the Historic Preservation Officer shall notify the owners of record of affected properties by mail of the proposed designation and include a letter outlining the basis for the designation.
- (6) *Expert testimony.* The Historic District Commission may solicit and present expert testimony or documentary evidence regarding the historic, architectural, archeological, or cultural importance of the property proposed for designation.
- (7) *Written description.* As part of every such designation, or amendment of a designation, the Historic District Commission shall describe in writing the attributes of the area or site designated as such attributes relate to and comply with the review criteria for district designation, as provided in this section.
- (8) *Commission notification of designation.* The Historic Preservation Officer shall officially notify the Historic District Commission of all approvals or disapprovals of designation ordinances at the next regular meeting of the Historic District Commission following Council action.
- (9) *Amendment or repeal.* Historic District designations may be amended or repealed in the same manner and according to the same procedure, as provided herein for the original designation.



- (10) *No alterations while Historic District designation pending.* No application for a permit to construct, alter, demolish, remove, or relocate any characteristic of a designated site, building, structure, district, open space or monument filed subsequent to the day that an application has been filed or a resolution adopted to initiate designation of proposed Historic District status shall be approved by the City while proceedings are pending regarding such historic preservation district designation application, unless such work is determined by the Historic District Commission to be essential to the preservation or stabilization of the resources.
- (11) *Criteria for Historic District designation.* A concentration of significant sites, structures, buildings, including surrounding open space, may be designated for preservation and may be included within the historic district if such possesses at least one of the following attributes within the categories below:
- a. Historical, cultural category:
    1. Has significant character, interest or value as part of the development, heritage or cultural characteristics of the locality, State, or nation; or is associated with the life of a personality significant to the past;
    2. Is the site of a historic event with a significant effect upon the development, heritage, or cultural characteristics of the locality, State, or nation;
    3. Exemplifies the cultural, political, economic, social, or historic heritage of the community.
  - b. Architectural, engineering category:
    1. Portrays the environment in an era of history characterized by a distinctive architectural style;
    2. Embodies those distinguishing characteristics of an architectural type engineering specimen;
    3. Is the work of a designer or architect or contractor whose individual work has influenced the development of the community or of this nation;
    4. Contains elements of design, detail, materials, or craftsmanship which represent a style unique to the past;
    5. Is a part of or related to a square, park or other distinctive area and thus should be developed and preserved according to a plan based upon a historical, cultural, or architectural motif;
    6. Represents an established and familiar visual feature of the neighborhood, community, or sky-line owing to its unique location or singular physical characteristic.
  - c. Archeological category:
    1. Has yielded, or is likely to yield information important to history or prehistory based upon physical evidence;
    2. Is part of or related to a distinctive geographical area which should be developed or preserved according to a plan based on cultural, historic, or architectural motifs.

(g) *Certificates of appropriateness.*

- (1) *COA required.* A certificate of appropriateness shall be required in the following instances before the commencement of work upon any structure or site located within a Historic District:
  - a. Whenever such work includes alteration to the exterior of any building, structure or site, including erection, moving, demolition, reconstruction, or restoration, except when such work satisfies all the requirements for ordinary maintenance and repair, as defined in subsection (b) of this section.
  - b. Whenever such work requires a building permit issued by the City.
  - c. Whenever such work includes the construction or enlargement of a driveway or parking area.
- (2) *General provisions and procedures for certificates of appropriateness.* No building permit shall be issued by the City for any structure or site located within the Historic District until the application for such permit has been reviewed by the Historic District Commission and a certificate of appropriateness approved by the Historic District Commission.
- (3) *Submitting COA application materials.* When applying for a certificate of appropriateness, the applicant shall furnish ~~copies of all detailed site and building plans, elevations, perspectives, material samples, and specifications, required COA application packet information listed in 36-535(g)9(a)~~ with sufficient detail to clearly illustrate the applicant's intent. ~~Incomplete applications will not be forwarded to the Commission for review.~~ Applicants may meet and consult with the Historic Preservation Officer before submitting an application. Applicants and may also request a meeting with the Historic District Commission before submitting an application in order to ~~get~~receive feedback from the Commission on a forthcoming application. Such request must be filed by the submission deadline. ~~Applicants may also consult with the Historic Preservation Officer as needed during the review of the (COA) application. Incomplete applications will not be forwarded to the Commission for review.~~
- (4) *Historic District Commission review.* Upon receipt of the application for a certificate of appropriateness, the Historic District Commission shall determine whether the proposed work is of a nature which will adversely affect any historical or architectural resource and whether such work is appropriate and consistent with the spirit and intent of this chapter and the Preservation Guidelines. The Historic District Commission shall apply the criteria established by this chapter and the Preservation Guidelines and based thereon shall approve or disapprove requests for certificates of appropriateness. If the Historic District Commission denies a certificate of appropriateness, no permit shall be issued, and the applicant shall not proceed with the proposed work. NCC 36-V establishes the process for appealing decisions of the Historic District Commission.
- (5) *Development of Preservation Guidelines.* The Historic District Commission

shall develop such guidelines as it may find necessary to supplement the provisions of this chapter and to inform owners, residents, and the general public of those techniques which are considered most appropriate for undertaking work relating to historical and architectural resources. The Historic District Commission shall have the opportunity to advise the City Council concerning provisions in the building, electrical, plumbing, heat and air and housing codes and other codes which affect preservation work.

- (6) *Infill construction.* In the case of new or infill construction in Historic Districts, it is not the intent of this chapter to limit new construction to any one period or architectural style, but to preserve the overall integrity of Historic Districts and architectural resources and to ensure that new construction is compatible with existing historic and architectural resources. In the case of denial of plans by the Historic District Commission, the Commission shall State in writing the reasons for such denial and may include suggestions of the Commission in regard to actions the applicant might take to secure the approval of the Commission.
- (7) *Archaeological resources.* With regard to the development of a property containing a designated archeological resource, a certificate of appropriateness shall be required prior to the issuance of the permit for which the applicant has applied; and further, the following requirements shall be satisfied:
- a. Archeological resources shall be protected from inappropriate or improper digging by demonstration by the applicant that the appropriate permits and standards are met for study as set by the Oklahoma Archaeological Survey.
  - b. Any discovered materials shall be properly recorded, reported, stored, or exhibited according to the standards set by the Oklahoma Archaeological Survey.
  - c. All development affecting the designated archeological resource shall provide for the permanent preservation of the resources or provide for the completion of the necessary work as recommended by a qualified archeologist.
  - d. Prior to the hearing by the Historic District Commission for issuance of the certificate of appropriateness, the applicant or the Commission shall cause to have presented and shall review the comments and recommendations of a qualified archeologist with respect to the resource under consideration and the application which would affect it.
- (8) *Compliance with COA.* The Historic District Commission may approve certificates of appropriateness subject to certain conditions to be Stated in writing. Work performed pursuant to the issuance of a certificate of appropriateness shall conform to the conditions of such certificate, if any. It shall be the duty of the Historic Preservation Officer of the City to inspect from time to time any work performed pursuant to a certificate of appropriateness to ensure such compliance. In the event that such work is not

in compliance, the Historic Preservation Officer shall issue a stop work order. The Historic District Commission may request by resolution that the Historic Preservation Officer inspect work at a particular location and, if found to be non-compliant, issue a stop work order.

- (9) *COA application requirements and procedures.* Property owners, developers or agents applying for a certificate of appropriateness shall be required to submit the following as applicable:

a. *Application.* An application form for a certificate of appropriateness shall be obtained from and filed with the Historic Preservation Officer. Applications requests for certificates of appropriateness shall be considered by the Historic District Commission at its next regular monthly meeting, provided that ~~they an application has have~~ been filed, complete in form and content, ~~at least 24 calendar days before the regularly scheduled monthly meeting of the~~ by the submission deadline for the Historic District Commission; otherwise, consideration shall be deferred until the following meeting. Application ~~packets~~ requests require the following support documents: shall include:

1. Standard COA application form as developed by the Historic Preservation Officer.
2. Plot plans drawn to scale, showing the location of existing structures, major trees, and property lines easements and rights-of-way.
3. Scaled elevation drawings of any proposed building exterior modifications, including elevations. Proposals that include vertical additions, expansions of building footprint of more than 25 percent of original area, or new construction shall include elevation drawings depicting subject property and also primary structures on adjacent properties.
4. Architectural ~~plans, including drawings~~ drawings depicting the proposed alterations, and specifications.
5. Proposals from contractors, if any.
6. ~~Color and m~~Material samples and/or specification sheets.
7. Photographs of subject property ~~and materials or items to be altered.~~
8. Copy of the property deed to demonstrate ownership.
9. A certified list of adjacent property owners in any direction of the subject property.

b. Required procedures for certificate of appropriateness:

1. *Notification of Historic District Commission.* Upon receipt of an application for a certificate of appropriateness, the Historic Preservation Officer shall notify the Historic District Commission at least five ~~working~~ days before the regularly scheduled monthly meeting.

2. *Notification of affected property owners.* All recorded property owners immediately adjacent to or directly across the street or alley in any direction from the subject property shall be notified of an application for a certificate of appropriateness. This notice, as provided by the Historic Preservation Officer, shall contain adequate information to notify adjacent property owners of the specific request of the applicant for a certificate of appropriateness, as well as the time, date, and place of the meeting of the Historic District Commission at least (7) seven days before the hearing. In addition, the Historic Preservation Officer shall post a sign in the yard of the subject property at least (7) seven days before the hearing that shall include the time, date, and place of the meeting of the Historic District Commission. The sign shall be removed (10) ten days after the application is reviewed.
3. *Action required.* The Historic District Commission shall take official action upon any application for a certificate of appropriateness at the next regularly scheduled meeting based on established meeting times.
4. *Special public hearings.* All regular meeting of the Historic District Commission are considered public hearings. If the Historic District Commission deems it necessary, a special public hearing may be held concerning any actions of the Commission in the discharge and conduct of its duties. Hearings shall be properly advertised and conducted as a public meeting.
5. *Issuance of certificate of appropriateness.* If the Historic District Commission determines that the proposed construction, rehabilitation, reconstruction, alteration, restoration, moving, or demolition of a structure is appropriate, it shall approve and issue to the applicant a certificate of appropriateness.
6. *Denial of certificate of appropriateness.* If the Historic District Commission determines that a certificate of appropriateness should not be issued, it shall place in its records the reason for the denial and shall notify the applicant of such determination, including a copy of its reasons, and its recommendations, if any, as they appear in the records of the Commission.
7. *Notification of Building Official.* Upon the issuance or denial of a certificate of appropriateness, the Historic District Commission shall transmit a letter to the Building Official stating that a certificate of appropriateness has or has not been approved and issued to the property in question.
8. *Resubmitting of an application.* If the Historic District

Commission determines that a certificate of appropriateness should not be issued, a new application may be submitted on the proposed construction, rehabilitation, reconstruction, alteration, restoration, or moving, only if substantive change is made to the original plans for the proposed work. In such a case, applicants will be required to submit a new application with all supporting documentation, including the payment of another application fee and a certified list of adjacent property owners. ~~Reapplication fees may be waived when the Commission denies a request for COA due to incomplete application information.~~

9. *Amending a COA.* A request to amend a certificate of appropriateness currently in effect ~~does not require~~ requires a new application, though the submission of a new COA application form listing the requested amendment(s) along with any required supporting documents such as elevations, site plan, specification sheets and pictures. The application fee shall be waived for COA amendment requests. Proposed amendments requests filed complete, in form and content, by the submission deadline shall be reviewed by the Historic District Commission at the next regularly scheduled meeting.
  10. *Time limits of certificate of appropriateness.* A certificate of appropriateness issued by the Historic District Commission shall become null and void if construction, reconstruction, alteration, restoration, moving or demolition ~~is~~ has not commenced within (12) twelve months of the date of issuance or if a building permit has not been issued within (12) months. An extension of time for the certificate of appropriateness, not to exceed six months, may be granted by the Historic ~~District Commission~~ Preservation Officer upon review, provided ~~application for~~ such extension request is submitted in writing prior to expiration of the certificate of appropriateness. The Historic Preservation Officer may grant a maximum of (2) two extensions of time. Any additional request for an extension of time would require review by the Historic District Commission.
- c. Review criteria.
1. The Historic District Commission shall have responsibility for reviewing requests for building and demolition permits for designated historic structures within any area designated as a historic district, and for issuing or denying certificates of appropriateness for such requests. The purpose of this section to specify for Historic District Commission members policies and criteria that they shall follow in reaching decisions on

matters relative to such changes.

2. Review criteria, procedural policies and consequences of decisions will extend beyond the tenure of any Historic District Commission members. It is essential that policies be based on consistency and basic preservation guidelines. Highest priority should go to the preservation and restoration of historically and architecturally significant structures and sites that express the unique characteristics of the particular periods in which they were built.

- i. Preservation Guidelines. In addition to the above-mentioned criteria, the Historic District Commission shall use specific Preservation Guidelines which shall be prepared by the Commission to outline and describe the evaluation criteria used in assessing the appropriateness of proposed project work within the designated Historic Districts. These Preservation Guidelines shall be prepared and periodically amended by Historic District Commission action as part of the regular duties of the Commission and shall be adopted by the Commission prior to their application in the review process.

- ii. Secretary of the Interior standards. The Historic District Commission shall utilize those criteria in "Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (Revised 2017)." The Standards are as follows:

- (a) Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure or site and its environment, or to use a property for its originally intended purpose.
        - (b) The distinguishing original qualities or character of a building, structure, or site and its environment should not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
        - (c) All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance

shall be discouraged.

- (d) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (e) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site shall be treated with sensitivity.
- (f) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (g) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
- (h) Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to, any project.
- (i) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (j) Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations



were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

3. Reviewing non-contributing structures. Non-contributing structures should be controlled only to the degree necessary to make them compatible with the general atmosphere of any district with regard to exterior alteration, additions, signs, site work and related activities.

(h) *Demolitions.*

- (1) *General provisions.* No structure or resource within any Historic District shall be demolished and/or removed unless such demolition has been reviewed by the Historic District Commission and a certificate of appropriateness for such demolition and/or removal has been granted.

- (2) *Procedure and postponement orders.*

- a. The Historic District Commission shall hold a public hearing for the purpose of considering certificates of appropriateness for demolition or removal. After such hearing, the Historic District Commission may approve the certificate of appropriateness authorizing the demolition or may enter an order postponing demolition for up to 90 days.

- b. At the conclusion of such period of postponement as specified in the Historic District Commission's order, the Commission shall within 45 days thereafter hold a second public hearing to consider whether or not to recommend to the City Council that additional postponement of demolition be ordered.

- c. In the event that the Historic District Commission recommends additional postponement to the City Council, the City Council shall hold a public hearing for the purpose of considering additional postponement of demolition.

- d. After such public hearing, the City Council may enter an order approving the demolition or may enter an order postponing demolition for an additional period not to exceed 60 days from the date of such order. At the conclusion of this final postponement period, the City Council shall hold a public hearing and may either approve the requested demolition or may disapprove such requested demolition. In the event demolition is not approved, no demolition shall occur. For the purposes of this chapter, the term "demolition" shall include removal.

- (3) *Criteria for review of demolitions.* The Historic District Commission and City Council shall be guided by the following criteria in considering certificates of appropriateness and authorizations for demolition or removal of structures or sites within the Historic District:

- a. The purposes and intent of this chapter.
- b. The degree to which the proposed removal of the historical resource would damage or destroy the integrity and continuity of the Historic

District of which it is a part.

- c. The nature of the resource as a representative type of style of architecture, a socio-economic development, a historical association, or other element of the original designation criteria applicable to such structure or site.
  - d. The condition of the resource from the standpoint of structural integrity and the extent of work necessary to stabilize the structure.
  - e. The alternatives available to the demolition applicant, including:
    - 1. Donation of the subject structure or site to a public or benevolent agency.
    - 2. Donation of a part of the value of the subject structure or site to a public or benevolent agency, including the conveyance of historical easements.
    - 3. The possibility of sale of the structure or site, or any part thereof, to a prospective purchaser capable of preserving such structure or site.
    - 4. The potential of such structure or site for renovation and its potential for continuing same.
    - 5. The potential of the subject structure or site for rezoning in an effort to render such property more compatible with the physical potential of the structure.
  - f. The ability of the subject structure or site to produce a reasonable economic return on investment to its owner; provided, however, that it is specifically intended that this factor shall not have exclusive control and effect but shall be considered along with all other criteria contained in this section.
- (i) *Exceptions to COA.* A certificate of appropriateness shall not be required under the following conditions:
- (1) *No exterior changes.* No COA is required for any work affecting the exterior of a structure that does not alter the character of the exterior appearance of the resource; or for any work for which a building permit or any other City permit or certificate is not required for any work where the purpose of such work is stabilization and/or ordinary maintenance and repair. The painting or repainting of any structure shall be considered ordinary maintenance and repair, regardless of color.
  - (2) *Meets all requirements for ordinary maintenance and repair.* See subsection (b) of this section for definition of the term "ordinary maintenance and repair." Any work not satisfying all of the requirements for ordinary maintenance and repair as defined in subsection (b) of this section shall not be considered ordinary maintenance and repair. The construction or enlargement of a driveway or parking area shall not be considered ordinary maintenance and repair.
  - (3) *Interior changes only.* Any work affecting the interior of a structure for which a building permit or any other City permit or certificate is required but which

does not alter the exterior appearance of the structure does not require a certificate of appropriateness.

- (4) *Administrative bypass for the certificate of appropriateness.* A certificate of appropriateness may be granted by the Historic Preservation Officer or authorized designee as listed in the current edition of the Historic District Guidelines. The Historic Preservation Officer shall inform the Historic District Commission of Administrative Bypass actions at its next regular meeting. If a request for Administrative Bypass is denied by the Historic Preservation Officer, the applicant shall have the right to submit an application for a Certificate of Appropriateness to the Historic District Commission to be reviewed at its next regularly scheduled meeting time in order to request formal action regarding approval or denial of the Certificate of Appropriateness. All application fees and requirements shall apply.

(j) *Appeals.*

- (1) Any person aggrieved by a decision of the Historic District Commission, excluding postponements as defined in subsection (b) of this section, shall have such right of appeal to the Board of Adjustment within ten days from the decision of the Historic District Commission.
- (2) Aggrieved persons must exhaust all administrative processes before any appeal is valid.

(k) *Penalty.*

- (1) Any person, firm or corporation who violates any provision of this chapter shall, upon conviction, be punished by a fine, as provided for in NCC 36-569(a). A violation exists whenever there is a performance of an act which is prohibited by the provisions of this chapter, or a failure to perform an act which is required by this chapter. Each day this chapter is violated shall be considered a separate offense.
- (2) In case any building or structure is erected, constructed, externally reconstructed, externally altered, added to or demolished in violation of this chapter, the City or any person may institute an appropriate action or proceeding in a court with competent jurisdiction to prevent such unlawful erection, construction, reconstruction, exterior alteration, addition or demolition, and the violating party shall pay all court costs and expenses, including reasonable attorney's fee, if the Court should find in favor of the City or persons suing on behalf of the City to enforce this chapter.

(l) *City Council approval of revisions to Preservation Guidelines.*

- (1) Upon receiving or drafting a proposed revision of the Preservation Guidelines, the Historic District Commission shall submit said revisions to the City Council along with a recommendation for approval or disapproval. Said report shall outline efforts made to gather community input from residents of the Historic District as well as summarize such input.
- (2) Upon City Council receiving said revisions, City Council shall have the duty to review proposed revisions and vote to either approve or disapprove the

inclusion of the revisions in the Preservation Guidelines during the next available City Council meeting. The effective date of any approved revisions shall be 30 days from the date the City Council vote on the proposed revisions is recorded.

(Ord. No. O-9293-30, 8-10-1993; Ord. No. O-9900-11, 10-12-1999; Ord. No. O-0405-26, 11-23-2004; Ord. No. O-0506-56, 6-27-2006; Ord. No. O-0708-35, 4-22-2008; Ord. No. O-0910-12, 12-12-2009; Ord. No. 0-2122-31, 01-25-2022; Ord. No. O-2021-31)

**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.

**SECTION 3:**        **EFFECTIVE DATE** This Ordinance shall be in full force and effect after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF NORMAN CITY COUNCIL

_____	_____	_____	_____
<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>

Presiding Officer

Attest

\_\_\_\_\_  
Larry Heikkila, Mayor, City of Norman

\_\_\_\_\_  
Brenda Hall, City Clerk, City of Norman