

SPECIAL MEETING

MINUTES

DEVELOPMENT REGULATIONS COMMITTEE OF THE OKLAHOMA CITY PLANNING COMMISSION

Thursday, March 14, 2024

11:00 a.m.

**Personnel Large Conference Room
420 W Main Street, Basement
Oklahoma City, OK**

(The agenda was filed with the City Clerk of The City of Oklahoma City
at 7:59 a.m. on March 11, 2024)

Committee Members Present: Nate Clair, Ward 1
Dan Govin, Ward 6
Don Noble, Ward 8

Committee Members Absent: None

Other Planning Commission Members Present:
Janis Powers, Ward 2
Jerimy Meek, Ward 3

Staff Present: Steven Barker, Municipal Counselor's Office
Geoff Butler, Planning Director
Sarah Welch, Planning Department
Lisa Chronister, Assistant Planning Director
Katie Friddle, Planning Department
Marilyn Allen, Planning Department
Michael Philbrick, Planning Department
Cindy Lakin, Planning Department
Ben Davis, Planning Department
Daryl Calloway, Planning Department
Barry Lodge, Public Works Department

Others Present: David Box, Williams, Box, Forshee & Bullard
Kaitlyn Turner, Williams, Box, Forshee & Bullard
Mark Zitzow, Johnson and Associates
Gary Jones, OKCMAR

I. Call to Order

The meeting was called to order at 11:08 a.m.

II. Receipt of the minutes from the February 10, 2022 Development Regulations Committee

Dan Govin moved to receive the minutes from the February 10, 2022 Development Regulations Committee meeting. Don Noble seconded the motion. The item was received.

III. Items for Consideration

B. Discussion and recommendation regarding a proposed ordinance amendment to Chapter 59 of the Oklahoma City Municipal, 2020, creating the Lake Hefner Parkway Scenic Corridor. Wards 2 and 8.

Item B was heard out of order after an accepted motion by Dan Govin and seconded by Don Noble.

Michael Philbrick, Senior Planner, presented an overview on this item describing the criteria for the establishment of a scenic corridor and the proposed boundary for the Lake Hefner Scenic Corridor.

Chair Clair and Commissioner Powers both inquired regarding the potential to coordinate with The Village on establishing a scenic corridor on their western boundary abutting Highway 74.

Geoff Butler noted that staff will reach out to The Village and discuss that opportunity.

Motion: Dan Govin motioned to forward recommendation of the proposed ordinance to the Planning Commission. Don Noble seconded the motion

Ayes: Clair, Govin, Noble
Nays: None.
Absent: None.
Abstain: None.
Action: **APPROVED**

A. Discussion and recommendation regarding an ordinance relating to Zoning and Planning Code, 2020, amending Article II, Section 2150, to add definition for Accessory Dwelling; amending Article VI, Table 6100.1 to allow accessory dwellings as a conditional use in the R-1, R-2, R-3, and R-4 districts; amending Article VIII, Section 8200, to add 8200.05 accessory dwellings as a residential use unit classification; and amending Article IX, Section 9350, to establish use conditions for accessory dwellings. All Wards.

Lisa Chronister explained that in November of 2022 the Planning Commission held a study session to explore concepts related to adopting a code amendment to allow for accessory dwellings. The body generally received the concepts positively and had some questions which staff have studied.

Ms. Chronister presented the updated concepts and background to the ordinance proposal in a Powerpoint presentation. She explained that code changes would include adding a definition for Accessory Dwelling, which is not defined in the current code. She also explained that planokc iterated specific policies to add Accessory Dwellings (L-12 and SU-9) to zoning regulations. In addition, surveys to the public during the ongoing code update process showed great support for living in an accessory dwelling and having an accessory dwelling next door.

Ms. Chronister mentioned several Simplified Planned Unit Developments in recent weeks and years and showed how each case has differed in terms of metrics like lot coverage, parking and building height. She also presented information about other cities that allow accessory dwellings.

Then, Ms. Chronister described the proposed ordinance provisions. The major provisions are the following:

- ADs would be allowed only in the Urban Medium and Urban High Land Use Typology areas as designated by the Comprehensive Plan. The reason for this is that staff has completed much research on metrics for ADs as new zones have been drafted for the Urban Medium and Urban High LUTAs. Research is ongoing on Urban Low and Rural LUTAs and recommendations for these areas will be made at a later date.
- Adding a definition for Accessory Dwelling.
- Allowing ADs as a Conditional use in the R-1, R-2, R-3 and R-4 zoning districts. Staff noted that they are continuing outreach and study for the HP zoning district and that zone would be considered for ADs at a later date.
- Adding a Use Standard for Accessory Dwellings that describes the conditions for the use. These include:
 - Limiting the number of ADs to one per lot

- Prohibiting subdivision or lot splits of the dwelling from the primary dwelling.
- Stipulating that none of the regulations in 59-12200 Accessory Buildings apply to Accessory Dwellings.
- Restricting height to 25 feet, as measured for primary dwellings (to the mid-point of the roof or top of a flat roof)
- Requiring that setbacks of the AD meet the base zoning district unless the building is existing and does not meet the setbacks.
- Ability to locate a new home on a vacant front part of the lot if an existing home was set to the back of the lot as long as setbacks are met. The original back home would become the accessory dwelling, regardless of if it meets the conditions.
- Lot coverage of the zone shall be met.
- The total of all accessory buildings and accessory dwellings shall not exceed 15% on a lot that is less than 15,000 square feet in size; and shall not exceed 10% on a lot that is more than 15,000 square feet in size. This is similar to a maximum footprint for accessory buildings that some cities have used but calibrates the provision to lot size and allows for flexibility.
- Roof top decks are prohibited, and balconies must face the interior of the property.
- No parking is required for an AD in the Urban Medium and the Urban High LUTAs. Staff explained that most of the UM and UH are within a ¼-mile of a transit stop or a bike lane and so residents could use alternate transportation methods if they did not have a car.

Committee members raised the following concerns and questions during a discussion after the presentation.

- After the adoption of this ordinance, lots outside the UM and UH LUTA areas would continue to need a SPUD zoning to build an accessory dwelling.
- ADs should have a separate address, particularly those that are being grandfathered in. Currently, a separate address would be assigned if it were a new structure seeking a building permit, or if it were a remodel to an existing accessory building changing its use to an accessory dwelling. Existing nonconforming accessory dwellings that don't require construction may never get an address. This may be an issue for fire and police response if they cannot figure out which building an emergency call comes from. Also, OGE requires a separate address for service.
- Will current utility infrastructure be able to handle increased dwellings in the UM and UH LUTAs? Staff have confirmed with the city Utilities department that there is generally system capacity to add accessory dwellings.

- Will the ADs have to meet fire code, especially if they are existing and do not meet setbacks for separation from adjacent lots? Staff has confirmed with Development Services that ADs will have to meet International Residential building and fire codes. The ordinance does not change those rules.

Other guests in attendance raised the following points:

- HP (Historic Preservation) base zones should be considered as an addition to the ordinance.
- Add provisions that a balcony on a corner side does not have to face the interior of the lot. It could face the side street.
- Add provisions that a corner side setback could be less than required by the base zone (15') if the wall of the existing primary dwelling is closer than 15'.
- The City of Norman is in the process of adopting similar AD provisions. ADs could assist home buyers with larger loans for properties, and open the door for smaller, incremental developers to be involved in increasing the housing supply in Oklahoma City.

Motion: Dan Govin motioned to forward recommendation of the proposed ordinance to the Planning Commission. Don Noble seconded the motion.

Ayes:	Clair, Govin, Noble
Nays:	None.
Absent:	None.
Abstain:	None.
Action:	APPROVED

IV. Adjournment

The meeting was adjourned at 12:40 p.m.

Lake Hefner Scenic Corridor

- Item** Proposed ordinance amendment to establish the Lake Hefner Scenic Corridor along Highway 74 adjacent to Lake Hefner
- Purpose** To prohibit billboards along this scenic stretch of Highway 74
- Authority** As a companion document to the recently adopted Sign Code, the establishment of new scenic corridors is consistent with the provisions of Section 59-16111.K.



Lake Hefner Scenic Corridor

Proposed Boundaries:

North – South side of Memorial Road

West – Generally aligned with N Portland Ave in combination with other streets and property lines as necessary to define the minimum area needed for the scenic corridor

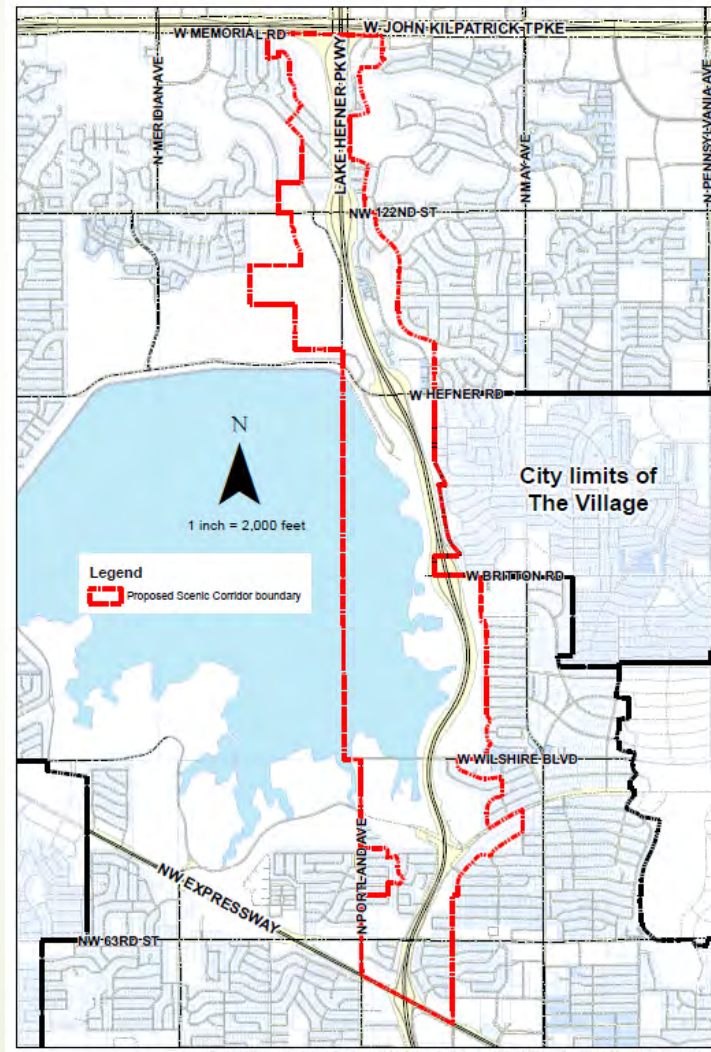
South - NW Expressway

East - Variety of various streets and property lines (and the City Limits of The Village) as necessary to define the minimum area needed for the scenic corridor



Lake Hefner Scenic Corridor

Proposed Lake Hefner Scenic Parkway



OKC Development Codes Update

Accessory Dwellings

Planning Commission

Development Regulations Committee (DRC)

March 14, 2024

Agenda

- What is an Accessory Dwelling (AD)?
- Support for Accessory Dwellings
- planokc re-cap and new code approach
- Proposed 2024 ordinance
- Discussion
- Next Steps



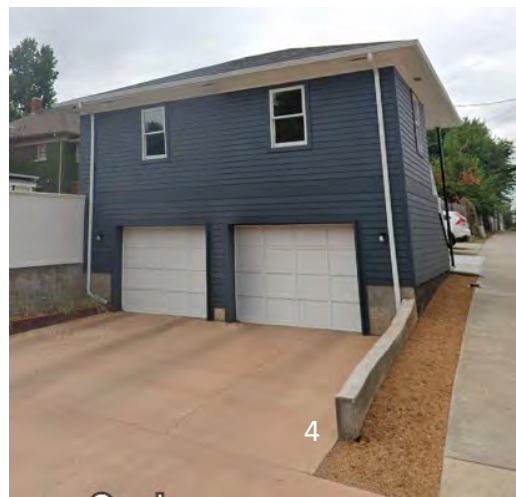
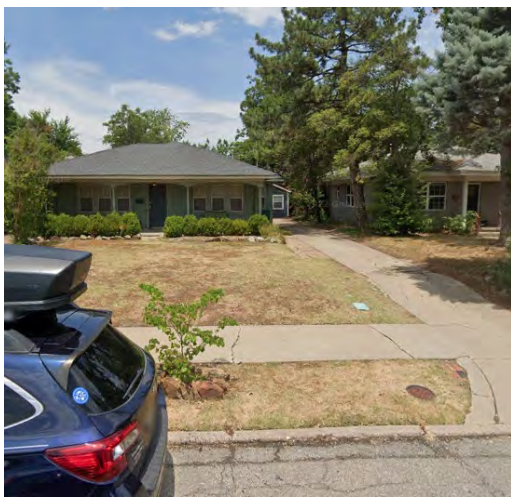
What is an Accessory Dwelling?

Small, secondary living units allowed in residential areas



8200.17 Accessory Dwelling: A dwelling that is accessory to a Principal Dwelling on the same lot. This includes a **building or part of a building** that provides complete independent living facilities for one (1) or more people, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Proposed definition



Benefits of Accessory Dwellings

- Expands housing capacity
- Creates affordable housing in traditional neighborhoods
- Supports home ownership (supplemental income)
- Improves social benefits
- Provides more housing in walkable areas
- Accommodates existing non-conforming dwellings



Dwellings in the existing code

One dwelling unit, other than a manufactured (mobile) home, that is a freestanding and structurally separated building used exclusively for residential purposes. It is located on a lot or building site that is unoccupied by any other dwelling unit or main building. A typical use is a single detached dwelling.

Description of R-1 Single-Family Residential per the municipal code



Support for Accessory Dwellings

Support for Accessory Dwellings

- planokc policies
- 2022 Code Update Survey
- 2021 Housing Affordability Study Survey
- 2020 Analysis of Impediments to Fair Housing Choice
- Recent rezoning applications
- Peer city approaches



planokc policies

- Increase density where appropriate
 - *Reduce cost of city services and infrastructure*
 - *Support transit, bike lanes, retail stores, schools and parks*
- Improve community health
 - *Opportunities for walking, instead of driving*
 - *Decrease negative health impacts due to respiratory issues and obesity*
- Decrease number of abandoned homes
- Provide housing choices for all stages of life



planokc policies



Policy L-12

Modify codes and/or regulations to create opportunities for more income diversity and mixed-income neighborhoods by **allowing a variety of housing ownership and leasing arrangements, diverse housing sizes and types – including accessory dwelling units, carriage homes, lofts, live-work spaces, cottages, and manufactured/modular housing.**

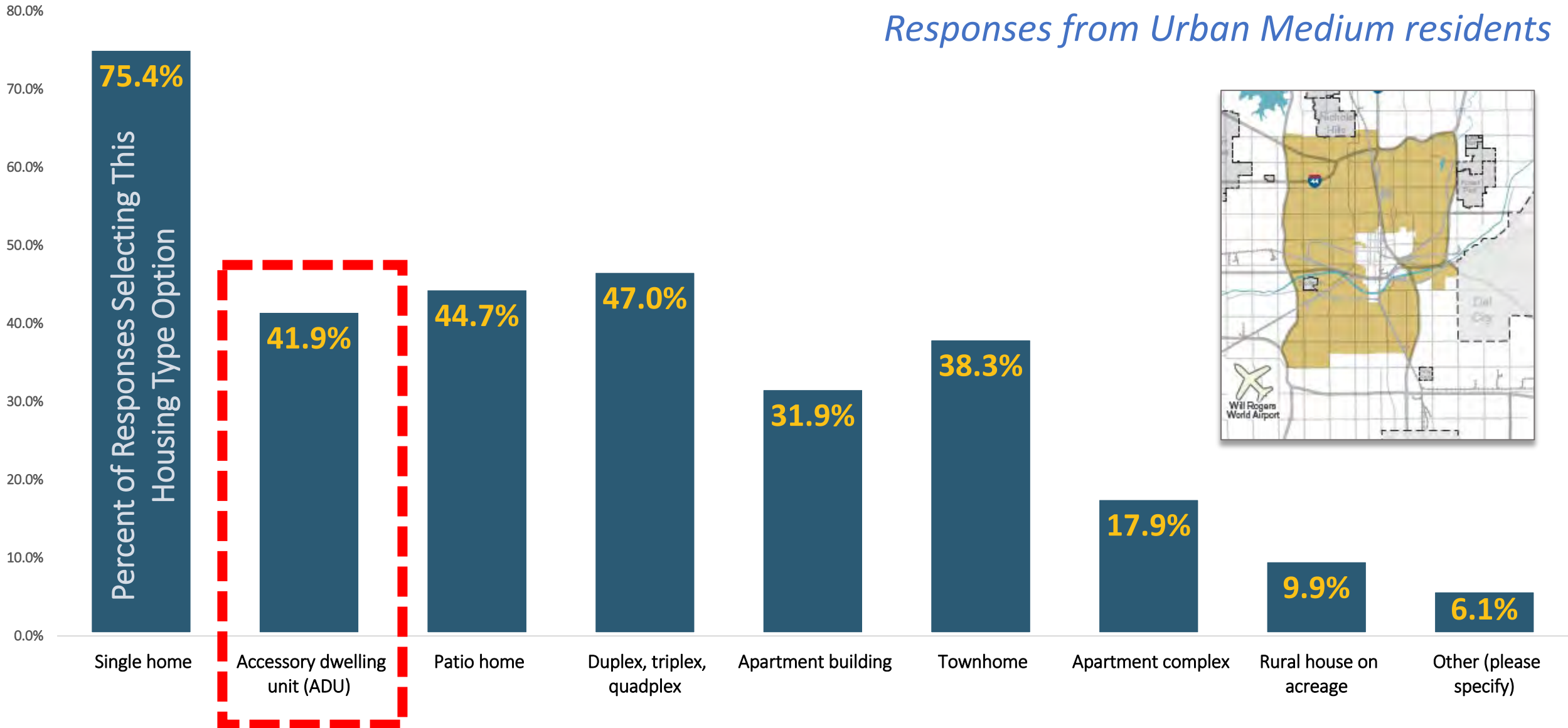
Policy SU-9

Revise subdivision and zoning regulations to allow increased densities as appropriate. For example, density potential could be increased by **allowing “cottage” or “pocket” neighborhoods and accessory dwelling units** (additional dwelling units allowed on owner-occupied properties) where appropriate.

2022 Code Update Survey Question (Select all that apply)

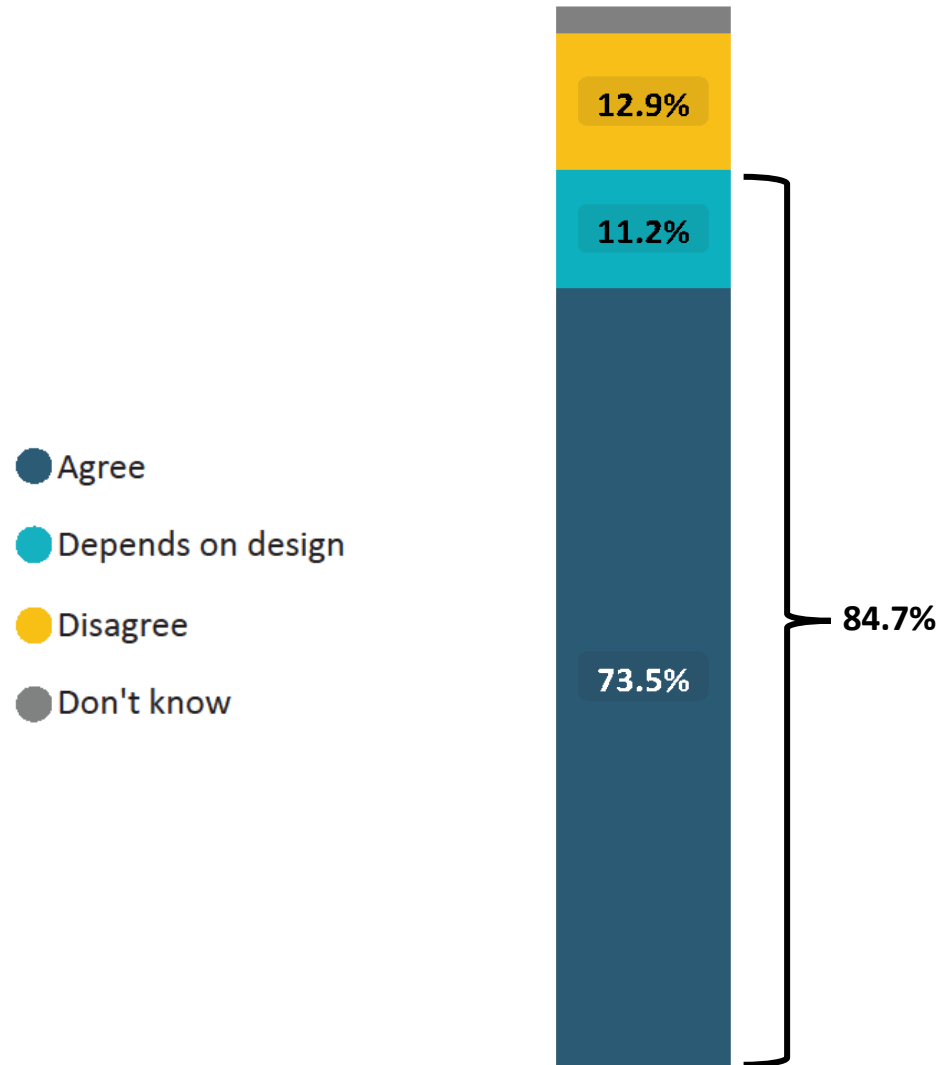
“I would be interested in living in the following other type of house”

Responses from Urban Medium residents



2022 Code Update Survey Question

Responses from Urban Medium residents



It is OK for a house next to me to have a freestanding, smaller dwelling in the backyard



SPUDs that have allowed ADs



SPUD-1136

Along Gatewood Avenue south of NW 23rd, R-4 base zone, **35-foot height** for all buildings; **two parking spaces** per dwelling, 60% lot coverage



SPUD-1316 (not yet built)

NW 30th near N Walker, R-2 base zone/HL overlay; **25-foot height**; footprint limited to 780 sf including any garage space, **two parking spaces** per dwelling, 50% lot coverage

SPUD-1478 (not yet built)

Along Eubanks between N Pennsylvania and N Youngs Blvd. R-1 base zone, **1-story height** limit, **one parking space** for the ADU, 50% lot coverage

What are other cities doing?

City	AD Allowed?	Where Are They Allowed	Max Size Allowed	Parking Requirements
Austin	Yes	In zones SF-3, SF-5, or SF-6, (Comparable to R-2, R-3, & R-4)	1,100 sq ft or 0.15 FAR, whichever is smaller	1/AD
Nashville	Yes	In limited zones; similar to R-4 and mixed office zones	750 sq ft	Determined by zoning
Minneapolis	Yes	Zones for single- and two-family homes	1,300 sq ft or 16% of lot area, whichever is greater	None
San Antonio	Yes	R-1, R-2, R-3, R-4, R-5, R-6, RM-4, RM-5, RM-6 and in MF	800 sq ft or 50% the size of main house whichever is larger	Only required for ADs over 800 sq ft
Atlanta	Yes	R-4, R-4A, & R-5	750 sq ft	No required dedicated space for ADs

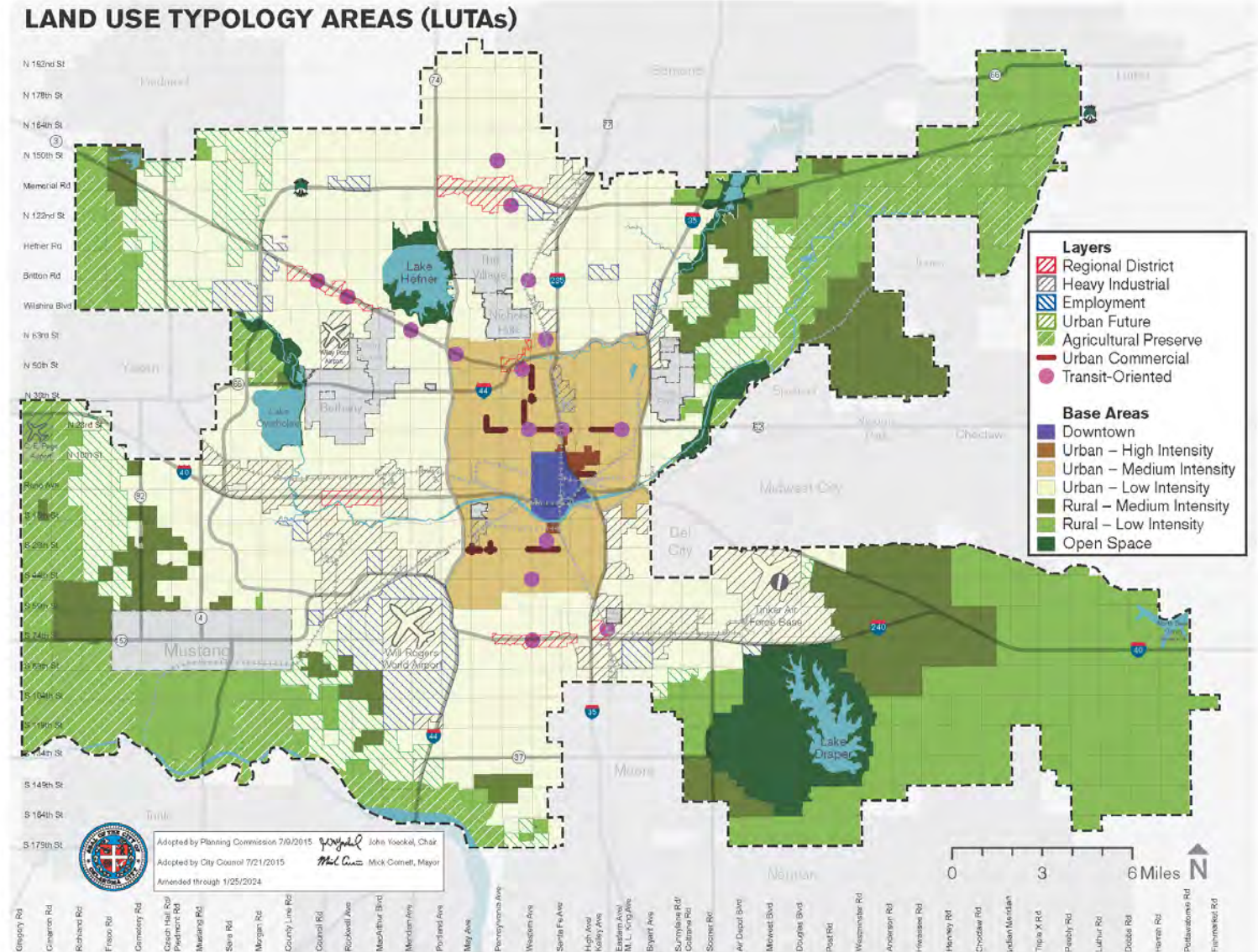


planokc recap & new code approach

planokc LUTAS



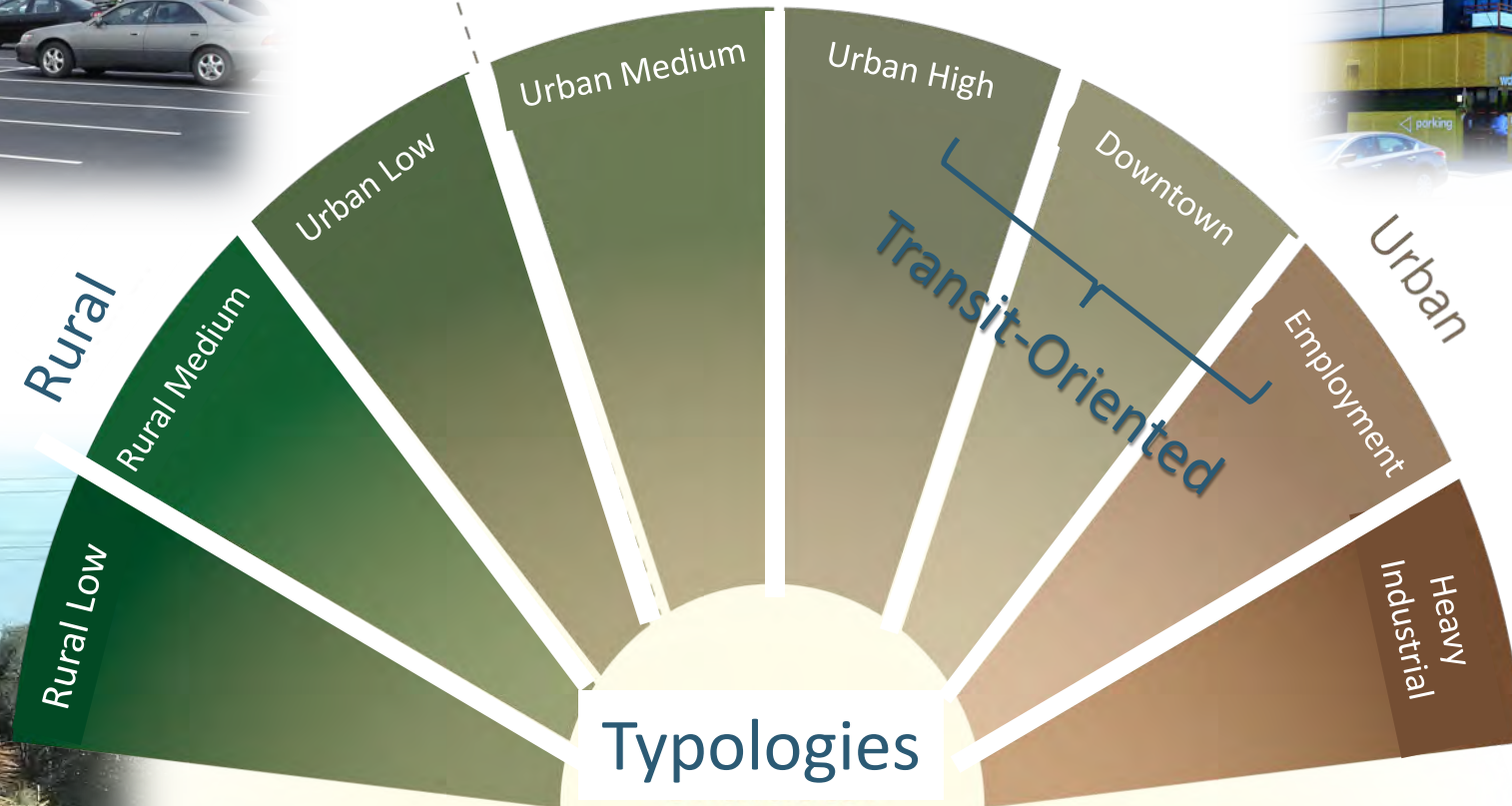
“The LUTAs are oriented around a spectrum of development intensities – from undeveloped Open Space, to the high intensity of Downtown.”
 - *planokc Development Guide*



planokc LUTAS

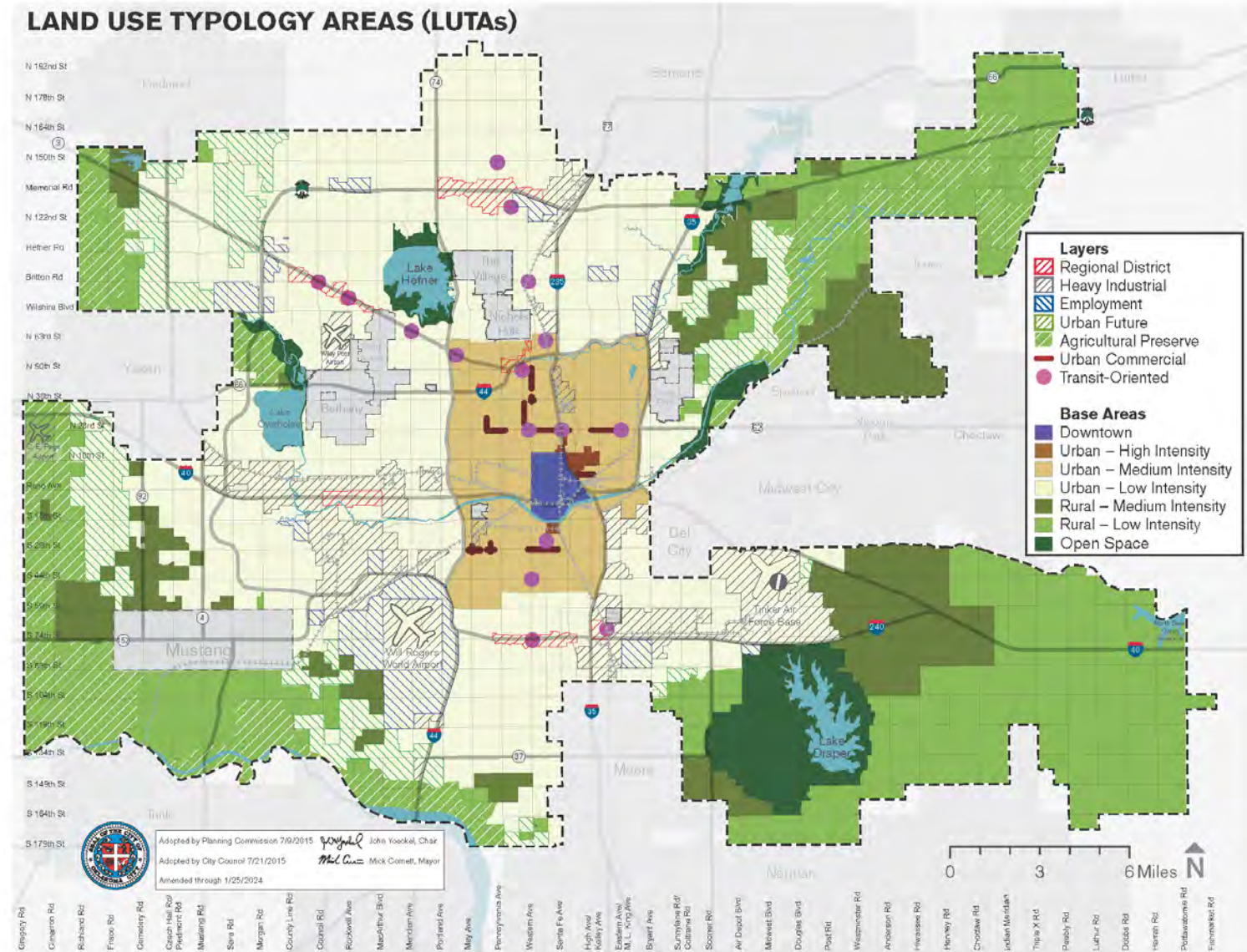


Suburban



New code: LUTA zone approach

- Organize new zoning districts based on LUTAs
- Integrate more deliberate standards to align with LUTAs
 - Compatibility
 - Building and streetscape design
 - Parking
 - Walkability
 - Transit usage



New code: proposed zones

LUTA	Proposed Districts	Current District(s)
RL , Rural: Low Intensity & AP, Agricultural Preserve	RL-AG , Agriculture RL-AR , Agricultural Residential RL-RC , Rural Commercial	AA
RM , Rural: Medium Intensity	RM-SD , Single Dwelling RM-RC , Rural Commercial	RA-2, RA, RC
UL , Urban: Low Intensity	UL-SD , Single-Dwelling UL-MR , Mixed Residential	R-1, R-MH-1, R-1ZL, R-2, R-3, R-4
	UL-MX , Mixed Use UL-NC , Neighborhood Commercial UL-O , Office UL-LI , Light Industry	O-1, O-2, C-1, C-3, C-4, C-HC, I-1, I-2, I-3
UM , Urban: Medium Intensity	UM-SD , Single-Dwelling UM-MD , Multi-Dwelling	R-3, R-3M, R-4
	UM-O , Office UM-MC , Mixed Commercial UM-MX , Mixed Use UM-LI , Infill Industry	O-1, O-2, NB, C-1, C-3, C-CBD, I-1,

New code approach to accessory dwellings

- Consider in all LUTAs with deliberate, context-specific regulations
 - Height
 - Lot coverage/building coverage
 - Setbacks
 - Parking



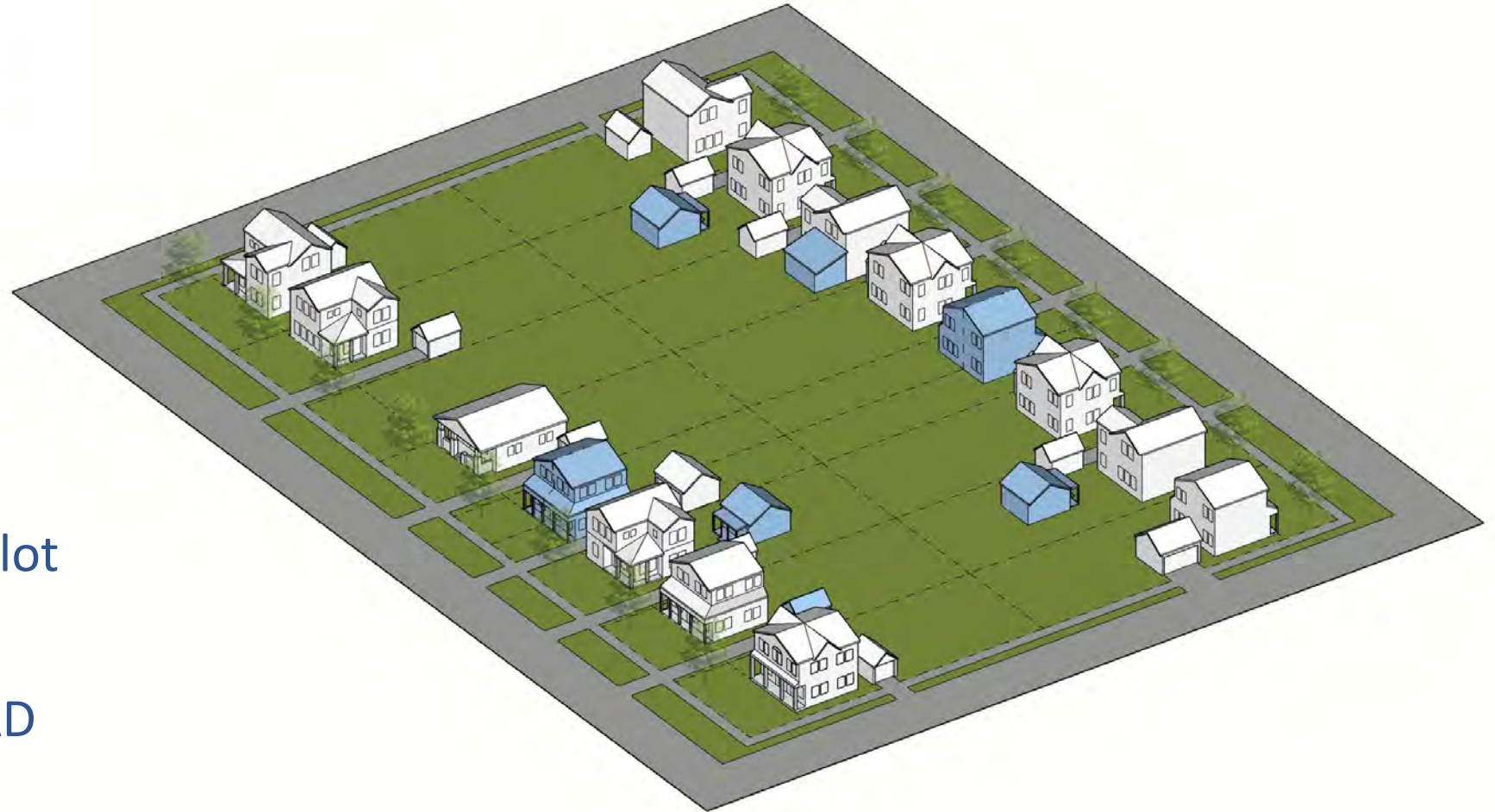
Accessory dwellings in the new code



UM-SD Pattern 1

One primary building,
up to two dwellings per lot

- Single dwelling
- Single dwelling + AD
- Duplex



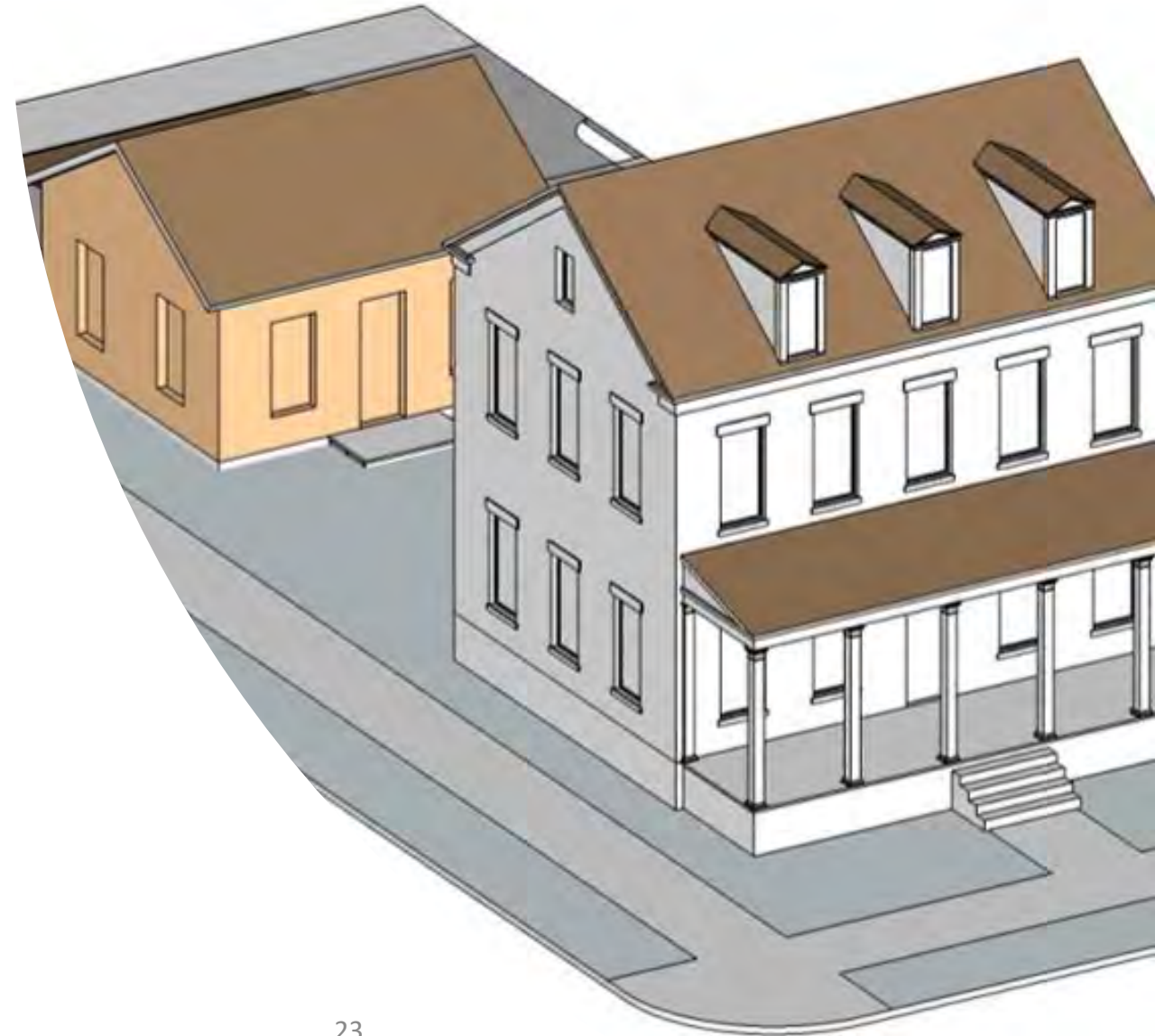


Proposed ordinance (2024)

Approach

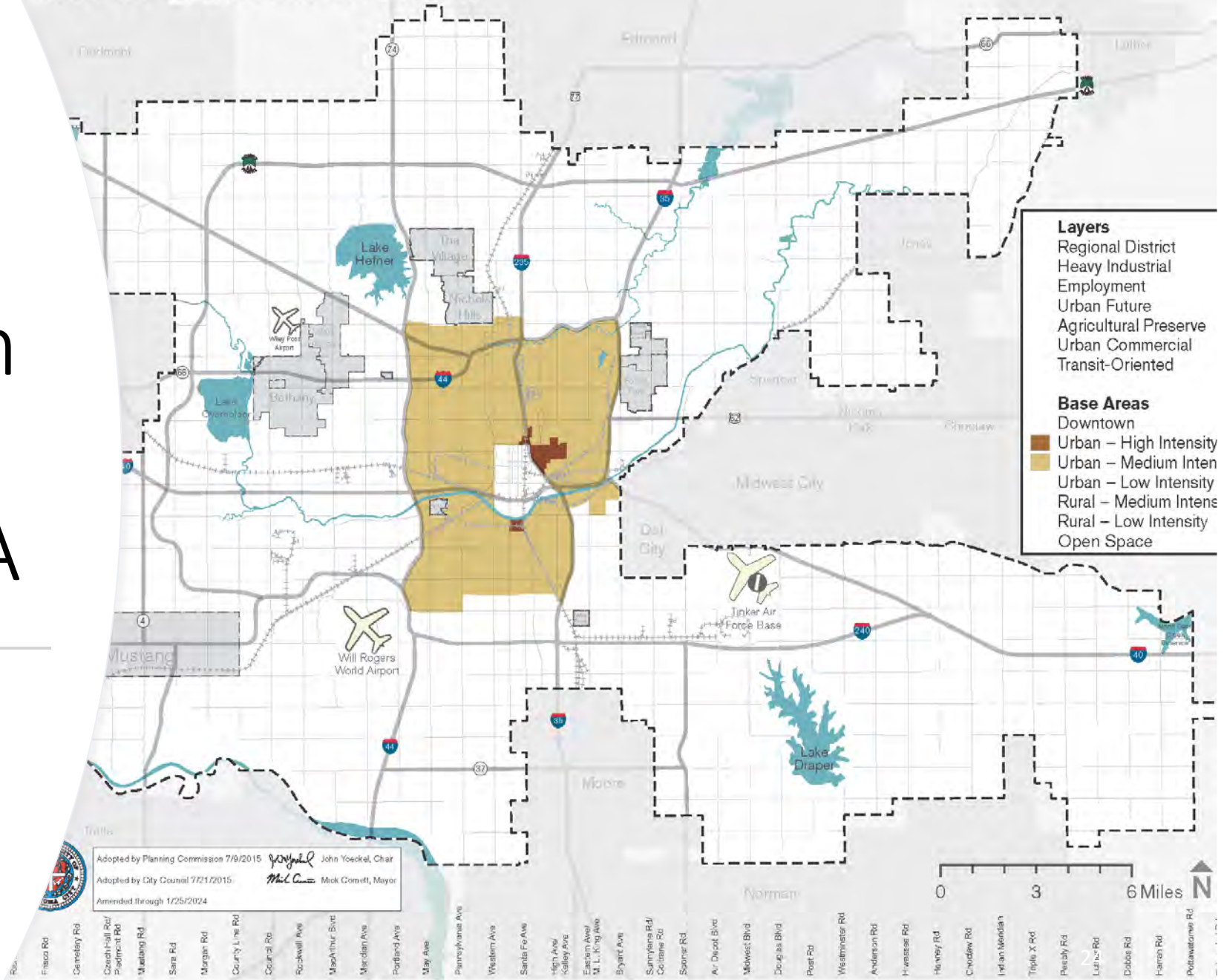
In advance of the rest of the code update:

- Allow Accessory Dwellings in the UM and UH LUTAs if they meet certain conditions



Urban Medium (UM) & Urban High (UH) LUTA

LAND USE TYPOLOGY AREAS (LUTAs)



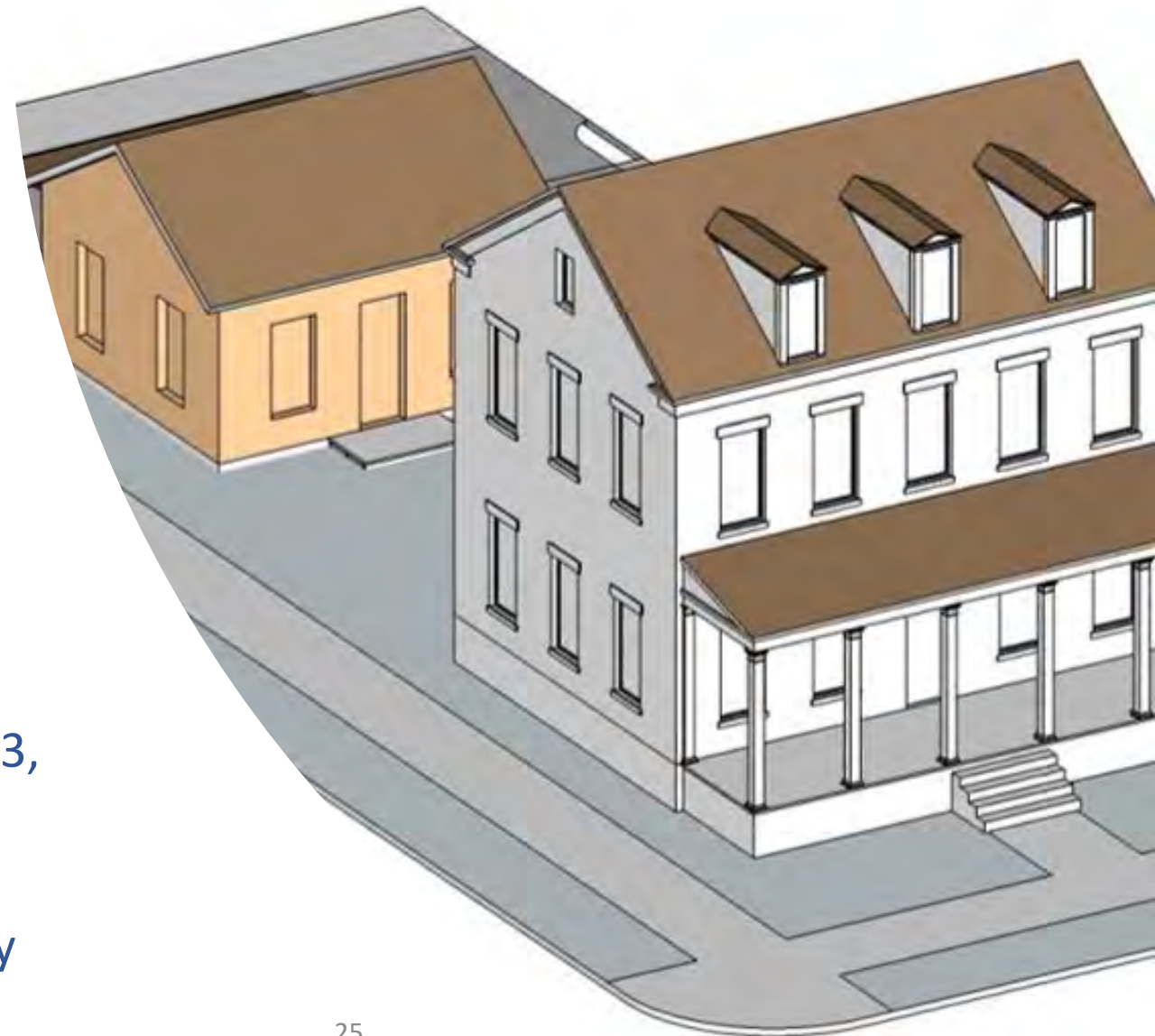
Approach

In advance of the rest of the code update:

- Allow Accessory Dwellings in the UM and UH LUTAs if they meet certain conditions

By:

- Adding “Accessory Dwelling” to 59-2150 Definitions and 59-8200 Residential use unit classifications
- Adding AD’s as a Conditional Use in R-1, R-2, R-3, and R-4 districts to Table 6100.1 Agricultural and Residential Districts Use Regulations
- Adding Conditional Use standards for Accessory Dwelling to 59-9350 Standards for Specific Uses



Why start with UH & UM?

- Many UM & UH neighborhoods already have accessory dwellings (which are not supported by the existing zoning code)
- Incentivize development in the core to meet **planokc**, **adaptokc**, and **preserveokc** goals of less driving, more walkability
- Desire for increased infill development
 - Currently being done on a case-by-case basis at Planning Commission/City Council
 - No uniformity and predictability for neighbors or developers



Proposed Conditions

- Site is located in the Urban Medium (UM) or Urban High (UH) LUTA
- Site is zoned R-1 or is a single-family structure located on property zoned R-2, R-3, or R-4
- One AD allowed per lot
 - Detached or attached
- AD may not be divided from the property ownership of the Principal Dwelling



Conditions, cont'd

- Accessory Dwellings follow Conditions in 59-9350 Standards for Specific Uses, not 59-12200 Standards for Accessory Buildings



Conditions, cont'd

- Maximum height of 25 ft
- Setbacks: as per zoning district
 - Exemptions if an existing AD does not meet setbacks
- Ability to locate a new dwelling in front of a home that was built to the back of the lot (but still must meet front setback)



Conditions, cont'd

- Accessory Dwellings and all other accessory buildings and structures count toward the lot coverage maximum of the zone
- In addition, the ground floor of an AD plus all accessory buildings cannot exceed:
 - Lots up to 15,000 sf: 15%
 - Lots over 15,000 sf: 10%
- *Avoids interpretation between accessory dwellings and accessory buildings*
- *Based on as-built examples*
- *Accounts for different lot sizes*



Conditions, cont'd

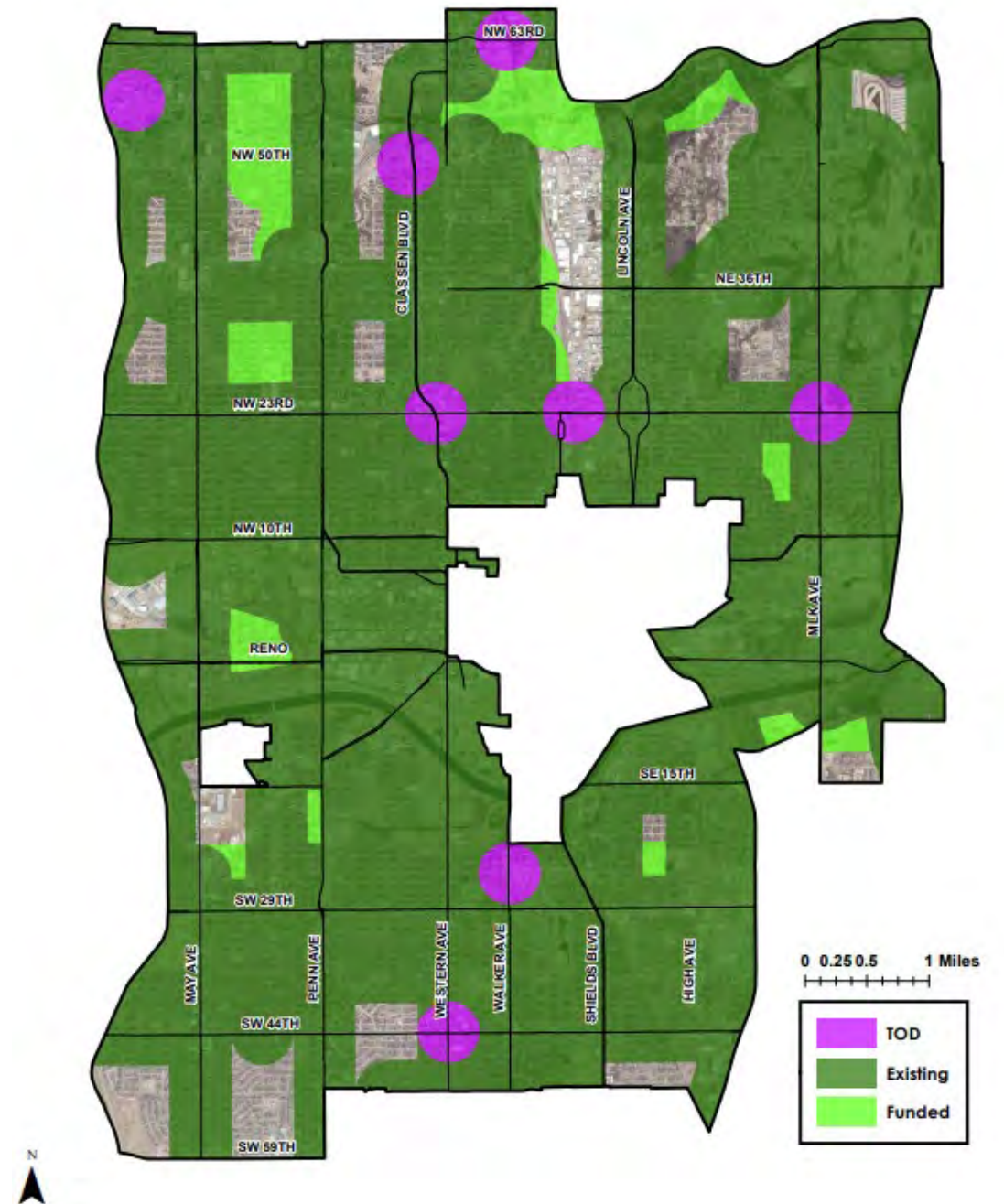
- Carports, porches, and decks do not count toward lot coverage
- Roof top decks prohibited
- Second floor decks and balconies allowed when:
 - facing the interior of the property
 - including sight-proof sidewall screening
 - widest dimension oriented toward Primary Dwelling



Conditions, cont'd

- No on-site parking required

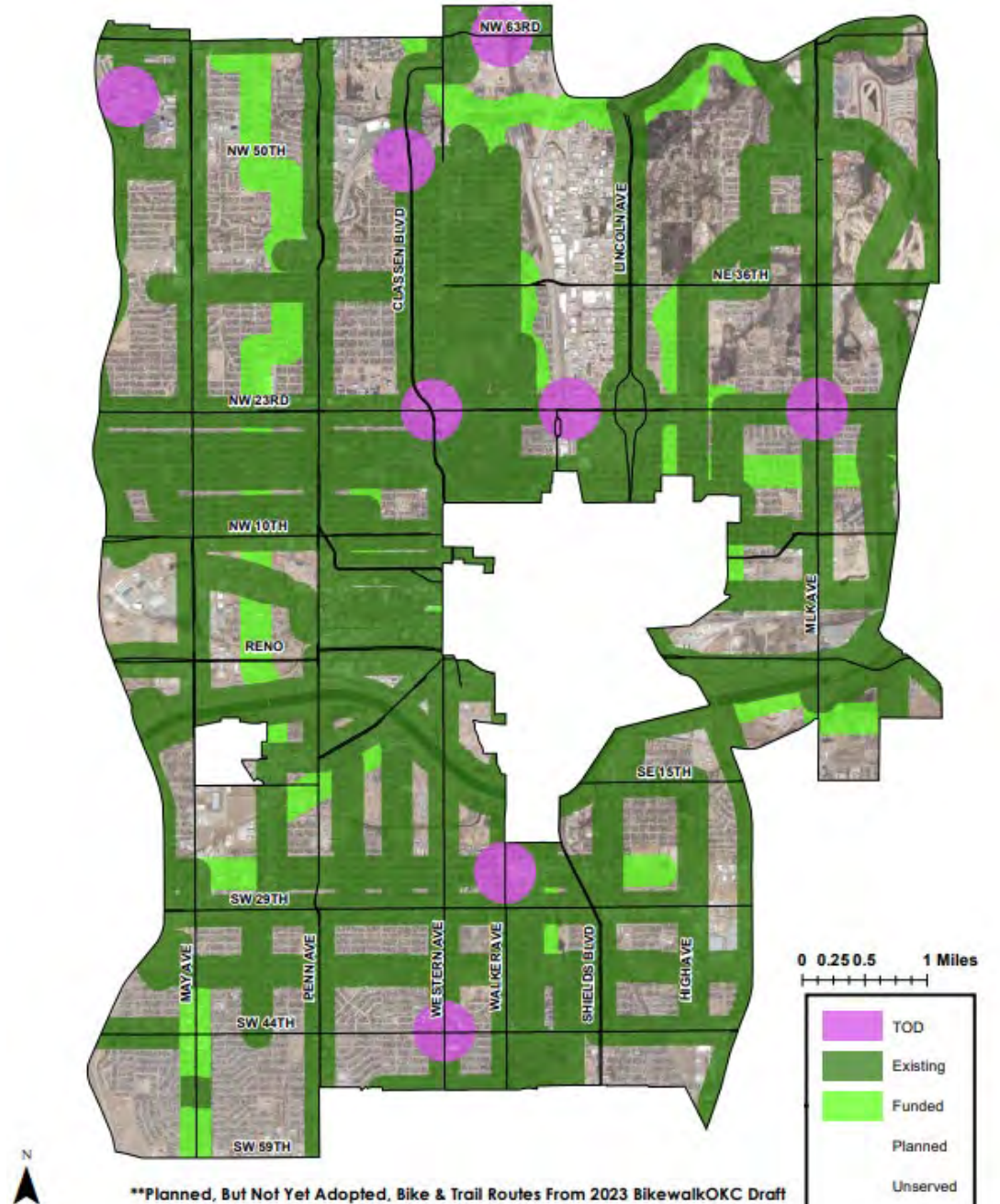
*Vast majority of UM and UH sites are **within 1/4 mile** of existing or funded transit stop, an existing or planned multi-use trail, bike lane, or shared route bike facility;*



Conditions, cont'd

within 1/8 mile of transit

Urban Medium - Bicycle, Transit, & Trail Eighth Mile Service Levels



UM & UH Approach – FAQ's

What about Historic Preservation/Historic Landmark (HP/HL) Districts?

- Proposed changes would allow ADs in base zones with Historic Landmark (HL) overlay; Historic Preservation guidelines still apply
- Continued outreach for Historic Preservation (HP) base zoning districts

What about all other LUTAs?

- Code development continues



Quadplex at NW 25th St & Hudson Ave



Discussion

Comment process & next steps

- Reviewed by Stakeholder Advisory Committee, January 2024
- Presentation at Neighborhood Alliance events, March 12 & 13
- Planning Commission
 - Development Regulations Committee to forward recommendation on the proposed ordinance to the Planning Commission
 - Introduction, recommendation (t.b.d.)
- City Council (t.b.d.)



OKC Code Update Contact Information

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<https://www.okc.gov/departments/planning/current-projects/development-codes-update>