



MEMORANDUM

Council Agenda
Item No. XI. U
12/17/2024

The City of OKLAHOMA CITY

TO: Mayor and City Council

FROM: Craig Freeman, City Manager

Ordinance to be introduced, set for public hearing on December 31, 2024, and final adoption on January 14, 2025, relating to Zoning and Planning code, amending Chapter 59 of the Oklahoma City Municipal Code, 2020, amending Article II - Definitions, by amending Section 59-2150 - Definitions, to add definition for accessory dwelling; amending Article VI – Zoning Base Districts, 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 VII – Special Purpose Districts, Table 7300.1, to allow accessory dwellings as a conditional use in the NC Neighborhood Conservation Districts; amending Article VIII – Use Unit Classifications, by amending Section 59-8200 – Residential Use Unit Classifications, to add 8200.05 accessory dwelling as a residential use unit classification; and amending Article IX – Use Standards, by amending Section 59-9350 – Standards for Specific Uses, to establish use standards for accessory dwellings.

Background:

Planning Department staff and a consultant team have been working since 2019 to develop updates to the City's zoning code. One of the early implementation goals of this process is to promote the development of accessory dwellings in urban areas to align with planokc policies that recommend allowing diverse housing types and increased density in the urban core, including modifying zoning regulations to allow accessory dwellings. Allowing accessory dwellings in the code will provide immediate and beneficial options for housing issues that face Oklahoma City, including expanding housing supply, creating affordable housing, supporting home ownership, and promoting social benefits.

Planning staff worked with the code update consultant and Development Services staff to research peer city approaches to accessory dwellings, study existing accessory dwellings in the city's urban core, evaluate compatibility measures, and consider interpretation issues between different types of accessory buildings and uses.

Planning staff presented concepts to allow accessory dwellings in the new code to focus groups of residents and developers, the Code Update Stakeholder Advisory Team, and the Planning Commission in 2022 and 2023. Planning staff also presented this proposed ordinance amendment to the Planning Commission at their study session on November 2, 2023 and at their Development Regulations Committee meeting on March 14, 2024. Staff provided a draft of the ordinance to the Code Update Stakeholder Advisory Team in January 2024 and received comments. Staff also released a draft of the ordinance for public comment on April 22, 2024 and received comments.

On May 9, 2024, the ordinance was introduced at Planning Commission (Item IV.B.7).

On June 13, 2024, the Planning Commission formed a small task force to further consider issues of support and concern that were voiced at previous meetings regarding the proposed ordinance. Task force members were Commissioners Powers (Ward 2), Govin (Ward 6), Pennington (Ward 7/task force chair), and Noble (Ward 8). The task force and staff met many times with a variety of stakeholders in community meetings and small group settings.

On November 14, 2024, the Planning Commission recommended approval of the ordinance subject to a condition that the comprehensive plan be amended to modify the Urban – Medium Intensity Land Use Typology, where accessory dwelling units would be allowed (Item IV.B.10). A comprehensive plan amendment to adopt these changes is expected to be considered by the Planning Commission on December 12, 2024.

Summary of proposed changes:

The proposed ordinance amendment for the existing code would allow accessory dwellings as a conditional use in the Urban Medium (UM) and Urban High (UH) LUTAs, where properties are either zoned NC Neighborhood Conservation Districts or R-1 or are occupied by a single-family structure in R-2, R-3, and R-4 districts, except if the property is also zoned as a Historic Landmark Overlay District or if the site is zoned in a SPUD or PUD and the use was not specifically allowed. The ordinance includes Use Conditions addressing compatibility that must be met before an accessory dwelling can be constructed or occupied. These conditions include, among other things:

- Limiting one accessory dwelling per lot;
- Setting maximum size (950 sq. ft.) and limiting the height of the Accessory Dwelling to the height of the Principal Dwelling (except for existing garage apartments);
- Prohibiting roof top decks;
- Requiring off-street parking unless certain conditions are met;
- Specifying that Accessory Dwellings can only be used for Home Sharing under certain conditions and that a Special Exception must be obtained from the Board of Adjustment;
- Requiring the property owners/applicants, if a new Accessory Dwelling is planned to be constructed or renovated, to install a sign that includes the property address, building permit number and the website/QR code link to the City’s permit search database.

Review:
Planning

Recommendation: Ordinance be introduced, set for public hearing on December 31, 2024, and final adoption on January 14, 2025.