

Topic:	Clustering & Cluster Development
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State:	Oklahoma
Jurisdiction Type:	Municipal
Municipality:	City of Oklahoma City
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Community Type – applicable to:	Urban; Suburban
Title:	Oklahoma City Cluster Housing Regulations
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Abstract

This ordinance is a subsection zoning ordinance regulating Planned Unit Development. Cluster zoning allows for a higher density of housing units to be developed in a given area to protect more contiguous open space in another section of the development. The overall density of housing units cannot exceed the limits for the zoning class the development sits in.

Resource

§ 59-5300. Cluster housing regulations.

5300.1. Cluster Housing Defined. Cluster housing is a form of planned development whereby residential units are grouped or bunched together through a density transfer in order to provide an improved design, more efficient construction techniques, community green or open space, shared parking or access, and other amenities that might not be obtainable through conventional development.

5300.2. Purpose and Intent. The purpose of this section is to provide a mechanism that permits more flexible housing development and design within residentially zoned property and within zoning districts that permit residential uses. The intent of this regulation is to allow deviations from the development regulations of a zoning district without increasing the overall permitted density to provide the owner/applicant with a variety of housing types and design alternatives. It is also the intent of this regulation to encourage construction of infill housing by providing for more innovative methods of housing design and construction.

5300.3. General Provisions. When utilized, these cluster housing regulations shall be permitted to modify the provisions of the zoning district regulations applicable to the subject parcel. Cluster housing shall be authorized in either of the three following situations:

A. Use Permitted by Administrative Review. The following types of cluster housing development proposals may be authorized by the Director upon application and administrative review of all requirements of these regulations:

(1) All proposed cluster housing development in the R-4, O-2, C-3 and C-4 zoning districts.

B. Use Permitted Through Creation of an Overlay Zoning District:

(1) In the R-2 and R-3 zoning districts, the City Council of The City may designate areas, tracts, or sites for cluster housing development by creation of an overlay zoning district through amendment of the Official Zoning Districts Map.

(2) Application, public hearing, review, and approval procedures shall be conducted in the same manner prescribed in this chapter for a change on the Official Zoning Districts Map of the zoning district classification of a parcel, subject to the additional requirements contained in this section.

(3) Areas, tracts, or sites approved through the rezoning process for cluster housing shall be identified on the Official Zoning Districts Map by the suffix "CH" which shall follow the underlying zoning district classification. For example, a parcel in the R-2 district which has been approved for a cluster housing project shall be designated R-2-CH, and the development of said property shall be subject to the provisions of this section and to the approved site plan.

C. Development and Sale of Individual Dwelling Units in Multiple-Unit Structures Permitted. These cluster housing regulations shall permit the sale of individual dwelling units which are attached by a party wall to one or more similar dwelling units which are part of a larger structure constructed in conformance with the use and development regulations of this chapter, provided:

(1) The original parcel to be subdivided will have an identifiable lot and is part of an approved subdivision plat which has been filed of record.

(2) The original parcel being subdivided conforms to all development regulations of the zoning district in which it is located.

(3) The individual parcels being created have a size no smaller than the minimum density requirement for a dwelling unit in the applicable zoning district. If individual parcel size is

to be smaller for purposes of creating common open space an application for cluster housing review shall be required in accordance with other provisions in these regulations.

(4) Each dwelling unit shall have individual utility connections.

(5) The subdivision approval for each parcel shall be conducted by either of the following methods:

(a) The subdivision plat to be approved and filed of record shall show proposed property lines for each parcel to be created; or

(b) Where a plat has been approved without said property lines, administrative deed approval may be granted regardless of the number of parcels being granted.

5300.4. Cluster Housing Application Requirements.

A. Administrative Review. Application for administrative review of a cluster housing development, as permitted in the zoning districts specified herein, shall be accompanied by the payment of the required fee and submission of the following information:

(1) A site plan drawn to scale containing:

(a) All proposed structures, including walls and fences, as they will be located on the parcel;

(b) Location of all proposed driveways, sidewalks, and utility easements;

(c) A detailed landscaping and open space plan including a statement covering the method of continuing future maintenance.

(2) Drawings of the building elevations as seen from the street and all abutting properties.

(3) Supporting information, including but not necessarily limited to:

(a) Location of all existing driveways and sidewalks.

(b) Location and yard areas of all structures not in the development area which are abutting on the side and on the rear.

(c) Calculation of total density.

(d) A description of all interior yard areas proposed to be modified.

B. Public Hearing Review. Application for public hearing review of a cluster housing development, as permitted in the zoning districts specified herein, shall be accompanied by the payment of the required fee and submission of the following information:

(1) All items required under Subsection A. above;

(2) A list of all property owners within 300 feet of the parcel in conformance with the regular provisions of this chapter for an application for rezoning.

C. Establishment of Underlying Zoning. Where the underlying zoning must be changed in order to establish a district that would permit a cluster housing development, the application of rezoning and the cluster housing application may be filed and heard concurrently.

5300.5. Cluster Housing Review Guidelines. Administrative or public body review and approval of a cluster housing development should be based on a minimum of the following elements:

A. General Standards:

(1) The proposal conforms to the spirit, intent and guidelines of the Comprehensive Plan.

(2) The proposed density conforms to the underlying zoning district.

(3) The development design is at a scale that will keep the development in harmony with existing or proposed development in the area.

(4) Access, parking, and provisions of open space, sidewalks, and other amenities are adequate to guarantee a development that will be more of a contributor to the stability of a neighborhood than a conventional development.

B. Specific Standards:

(1) Uses Permitted. A cluster housing development shall be subject to the district use regulations of the zoning district in which it is located.

(2) Development Regulations:

(a) Intensity of Use. The permitted residential density shall not exceed a maximum number of dwelling units computed as follows:

Maximum number of permitted dwelling units = Gross area of residential property located within the zoning district divided by minimum land area per dwelling unit permitted in the applicable district.

(b) Minimum Lot Size Requirements:

1. R-4, O-2, C-3, and C-4 Districts: See minimum lot size and intensity of use requirements in the individual zoning district.

2. R-2 District: To be eligible for a cluster housing development in the R-2 zoning district, a parcel shall conform to the following standards:

(i) Minimum lot size:

1 unit structures--5,000 square feet per structure

2 units--6,000 square feet

3 or 4 units--12,000 square feet

5 or 6 units--18,000 square feet

7 or more units--21,000 square feet plus an additional 3,000 square feet of lot area for each dwelling unit.

(ii) Maximum number of units per structure. A cluster housing design in the R-2 zoning district shall provide for a maximum of six units attached by a common wall, roof, or other structural element. Where the intensity of use regulations in (i) above permit it, multiple groupings of structures containing six or less units should be permitted.

(c) R-3 District. To be eligible for a cluster housing development in the R-3 zoning district, a parcel shall conform to the following minimum standards:

(i) Minimum lot size:

1 unit structures--5,000 square feet per structure

2 units--5,000 square feet

3 or 4 units--7,000 square feet

5 or 6 units--10,500 square feet

7 or more units--12,250 square feet plus an additional 1,750 square feet of lot area for each dwelling unit.

(ii) Maximum number of units per structure. A cluster housing design in the R-3 zoning district shall provide for a maximum of eight units attached by a common wall, roof, or other structural element. Where the intensity of use regulations in (i) above permit, multiple groupings of structures containing eight or less units should be permitted.

(d) Yard Requirements:

1. Front Yard Setback: 25 feet for that part of a development abutting a street; provided that a 20-foot front yard shall be permitted in new residential areas where there is no existing platted 25-foot building line or where there is no greater setback established by existing construction in same frontage of the block.

2. Side Yard Abutting Adjacent Property: Five feet.

3. Side Yard Abutting a Street: 15 feet.

4. Rear Yard Abutting Adjacent Property: Ten feet.

5. Rear Yard Abutting Street with Access to Street: Same as front yard requirement.

6. Minimum Separation Between Buildings: Ten feet.

(e) Building Heights. Cluster housing shall not exceed the height provisions permitted under the development regulations of the zoning district in which the site is located.

C. Common Ownership. Where property within a cluster housing development is to be held in common ownership, such development shall comply with provision in Subsection 5300.6 below.

D. Accessory Buildings. Accessory buildings shall be subject to the regulations of the zoning district in which the parcel is located.

E. Parking, Loading and Access. Cluster housing development shall comply with all applicable provisions of the parking, loading and access regulations; provided further that each cluster dwelling unit shall be required to provide a minimum of two off-street parking spaces per unit. Garages may be included in the calculation of this requirement where there is a group facility, where there is a common driveway access for more than one unit, and where sidewalks or pathways are provided for pedestrian access on the perimeter of the development.

5300.6. Common Open Space and Common Improvement Regulations. A property owners' association shall be created if other satisfactory arrangements have not been made for improving, operating, and maintaining common facilities, including private streets, drives, services and parking areas; private recreation and open space areas; and any accessory structures designed for joint use.

(Ord. No. 16333, 8-11-81; Ord. No. 16422, § 1, 10-20-81; Ord. No. 16423, § 2, 10-20-81)