



## CITY OF NORMAN, OK STAFF REPORT

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**MEETING DATE:** 06/07/2022

**REQUESTER:** Center City Administrative Delay Ad Hoc Committee

**PRESENTER:** Jane Hudson, Director of Planning & Community Development

**ITEM TITLE:** CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF ORDINANCE O-2122-47 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA IMPLEMENTING AMENDMENTS THROUGHOUT THE CENTER CITY FORM BASED CODE ("CCFBC") DOCUMENT, WHICH IS INCORPORATED BY REFERENCE IN CHAPTER 22 OF THE CITY CODE AT SECTION 429.7, TO AMEND, REPLACE, SUPPLEMENT, RENUMBER OR REORDER PROVISIONS, CORRECT LANGUAGE, AND PROVIDE DEFINITIONS FOR TERMS FOUND THROUGHOUT THE CCFBC DOCUMENT TO RESOLVE INCONSISTENCIES OR INACCURACIES AND PROVIDE CLARIFICATION TO THE PROVISIONS, INCLUDING "HOW TO USE THIS CODE", PART 1 ("GENERAL PROVISIONS"), PART 2 ("ADMINISTRATION, APPLICATION PROCESS & APPEALS"), PART 3 ("THE REGULATING PLAN"), PART 4 ("BUILDING FORM STANDARDS"), PART 5 ("URBAN SPACE STANDARDS"), PART 6 ("PARKING AND LOADING STANDARDS"), PART 7 ("BUILDING FUNCTIONS"), PART 8 ("SITE DEVELOPMENT REQUIREMENTS"), PART 9 ("DEFINITIONS") AND APPENDICES A THROUGH C; TO AMEND SECTIONS 204 AND 205 OF PART 2 ("ADMINISTRATION, APPLICATION PROCESS & APPEALS") TO ACCOMMODATE POTENTIAL PATTERN ZONING AND CLEARLY ESTABLISH CERTIFICATE OF COMPLIANCE ENFORCEMENT AS WELL AS SECTION 208 TO CLARIFY THE TREATMENT OF NON-CONFORMING STRUCTURES AND USES; TO AMEND SECTION 302 ("ILLUSTRATIVE FORM DISTRICT MAPS") OF PART 3 ("THE REGULATING PLAN"), TO ADD "CENTER CITY MAXIMUM BUILDING HEIGHT MAP" AND "CENTER CITY UNIT MINIMUM MAP" AND TO AMEND THE CENTER CITY REGULATING PLAN MAP; TO AMEND PART 4 ("BUILDING FORM STANDARDS") TO CONSOLIDATE CERTAIN BUILDING FORM STANDARDS AND EXPAND GEOGRAPHICAL APPLICATION OF THE URBAN RESIDENTIAL BUILDING FORM STANDARD, TO INCREASE CERTAIN BUILDING FORM STANDARD REQUIRED UNIT MINIMUMS, AND TO REVISE LIGHTING AND MECHANICAL EQUIPMENT REQUIREMENTS; TO AMEND SECTION 504 ("STREETSCAPE ELEMENTS") OF PART 5 ("URBAN SPACE STANDARDS") TO REMOVE STREETLIGHT PROVISIONS AND

CLARIFY BICYCLE PARKING DESIGN REQUIREMENTS; TO AMEND VARIOUS ALLOWANCES AND REQUIREMENTS IN PART 6 ("PARKING AND LOADING STANDARDS"), INCLUDING MINIMUMS AND MAXIMUMS AND SPECIAL PARKING STANDARDS; TO AMEND PART 7 ("BUILDING FUNCTIONS"), TO CLARIFY AND DEFINE USES AND CATEGORIES, INCLUDING REVISIONS TO THE USE TABLE (SECTION 702) AND SPECIAL USES; TO RENUMBER AND AMEND PART 8 ("SITE DEVELOPMENT REQUIREMENTS"); TO RENUMBER, AMEND AND ADD DEFINITIONS TO PART 9 ("DEFINITIONS"), TO AMEND APPENDIX A TO REFERENCE POTENTIAL PATTERN ZONING, AND TO ADD APPENDIX C; AND TO MAKE OTHER LANGUAGE ALTERATIONS AS NECESSITATED BY OR CONSISTENT WITH THESE AMENDMENTS, DECLARING AN EMERGENCY, AND PROVIDING FOR THE SEVERABILITY THEREOF.

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## **BACKGROUND:**

Since the adoption of the CCFBC on May 23, 2018, five-plus years ago, thirty-two (32) projects have proposed development in the Center City. Of the thirty-two projects, twenty-seven (27) applied for review to the Center City Design Review Team, (DRT) for a Certificate of Compliance (COC), a prerequisite to issuance of a building permit within the Center City. Of the twenty-seven projects, twenty-six are completed or under construction, one withdrew. Included in the thirty-two projects, five (5) Center City projects have been submitted as CCPUDs (Center City Planned Unit Developments) to be reviewed by City Council for adoption. Of those five CCPUD projects, four were adopted by City Council, one was not recommended for adoption. The breakdown of the submittals is as follows: 2017 – 6, 2018 – 7, 2019 – 10, 2020 - 4; and 2021 – 5.

## **DISCUSSION:**

City staff presented information to City Council at their December 14, 2021, regularly scheduled meeting regarding a myriad of issues in administering the Center City Form Based Code (CCFBC) that prompted consideration of a possible Temporary Administrative Delay for acceptance of applications for demolition and construction, as well as rezoning applications from Center City Form Based Code (CCFBC) to Center City Planned Unit Development (CCPUD) for properties located in the Center City Study Area. City Council adopted Resolution R-2122-76 on December 14, 2021, which implemented a six-month administrative delay for the Center City Area; this six-month administrative delay will expire on June 14, 2022. An Ad Hoc Committee was recommended, and the Center City Administrative Delay Ad Hoc Committee first met on January 20, 2022.

## **AD HOC COMMITTEE:**

On January 11, 2022, the City Council passed Resolution R-2122-83, which appointed the Center City Ad Hoc Committee for the length of the Administrative Delay, or until it had addressed all subjects enumerated within the committee's authority in R-2122-83, whichever occurred first. The Center City Administrative Delay Ad Hoc Committee met 11 times (the last meeting held on April 28) for the purpose of reviewing the existing CCFBC and discussing the scope of potential amendments. The Ad Hoc Committee discussed topics of concern expressed by many on the Committee as well as residents and neighbors in the community.

Staff's observations from the various projects submitted, as well as City Council and citizen input, uncovered the following concerns with implementation of CCFBC and the Center City Vision, which were enumerated in R-2122-83:

- Side yard setbacks – lot line to lot line for the first 12 feet;
- Possible consolidation in number of frontages;
- Clarify terms and definitions and address incompatible or conflicting language or provisions;
- Consolidate and simplify code format and provisions while clarifying inter-capability with other aspects of City Code and regulations (i.e. building codes - ground floor residential/commercial, Engineering Design Criteria);
- Structure elevation, 3' elevation/accessibility issues where applicable;
- Fully identify and define "triggers" to CCFBC applicability and better define the treatment of legacy-zoned properties (or otherwise legal nonconforming structures and uses) existing in CCFBC (as of adoption), adopting Section 208. Designed Deviations, previously removed;
- Discuss allowed signage – location, size and dimensions;
- Refine definition of "bedroom" to better respond to needs of code and to coordinate with other implicated definitions (such as Zoning Ordinance generally, CNZOD specifically, or other regulating bodies such as the County);
- The number of bedrooms allowed per unit before a Special Use is required – now at 4;
- Increase in and provision for application of architectural requirements to ensure quality structures/properties;
- Impervious lot coverage issues, and what should be allowed in terms of design and approach, coordinated with Public Works/Storm water division
- Setback inconsistencies, including corner lot design issues, explore opportunity for pattern zoning to benefit corner lot design, including amendment to the Regulating Plan;
- Pedestrian lighting;
- Alley improvements;
- On-street parking design guideline;
- Clarification dumpster/polycart provision and placement requirements;

- Reformulation of parking requirements:
  - To increase/decrease parking spaces required
  - Fix the “fee in-lieu of” sections of the code
- Amend, supplement and clarify Use Chart and relating provisions;
- Fix elements that prevent quality structures, address barriers to courtyard development;
- Potential Regulating Plan Amendment - reduce the size of CCFBC area;
- Creation of quality open space, including public spaces;
- Residential Block Face landscape requirements to promote a walkable neighborhood;
- Protection the downtown structures, including non-conforming one-story structures and existing signage.

All of these items were discussed at the Ad Hoc meetings; however, the Ad Hoc Committee was not able to make a recommendation on all items. Core Norman, and particularly the CCFBC area, will continue to grow and change over the years, as we have already witnessed. With this continued growth and development, it will be necessary for Council and staff to re-evaluate the direction of this area of Norman, and thus future continued work by the Ad Hoc Committee is anticipated, including discussion on subjects left unresolved by the current Administrative Delay.

The Center City Ad Hoc Committee Summary Report (attached) provides a review of the topics discussed at each meeting. Additionally, the attachment titled “CCFBC 2022 Presentation of Proposed Changes” provides an overview of all of the proposed changes.

## **COMMENTS:**

The proposed revisions from the Ad Hoc Committee are shown in the attachment titled “CCFBC Track Changes Format”. All proposed changes are noted in blue and pink text for easier review of the document. This document is adopted by reference in the City’s zoning ordinance. Ordinance O-2122-47 updates the reference in the zoning ordinance and if adopted by Council, would adopt by reference the updated CCFBC with the annotated changes incorporated.

Staff forwards O-2122-47 for Council consideration on Second and Final Reading and if adopted, Staff recommends the emergency clause also be adopted to coincide with the expiration of the Administrative Delay.

Attachment – Center City Form Based Code – May 2022 Draft  
Attachment – May 26, 2022 Pre-Development Meeting Summary