



## CITY OF NORMAN, OK CITY COUNCIL SPECIAL SESSION

Municipal Building, Executive Conference Room, 201 West Gray, Norman,  
OK 73069

Tuesday, May 10, 2022 at 5:00 PM

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### MINUTES

*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, retaliation, 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.*

### CALL TO ORDER

Mayor Clark called the meeting to order at 5:00 p.m.

#### Present:

Mayor Clark  
Councilmember Ward 2 Schueler  
Councilmember Ward 3 Lynn  
Councilmember Ward 4 Hall  
Councilmember Ward 5 Tortorello  
Councilmember Ward 6 Foreman  
Councilmember Ward 7 Holman  
Councilmember Ward 8 Peacock

#### Absent:

Councilmember Ward 1 Studley

### AGENDA ITEMS

1. CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUTES, TITLE 25 TO DISCUSS THE FOLLOWING:

(1) WHETHER OR NOT TO DIRECT THE CITY MANAGER TO INVESTIGATE POSSIBLE MISCONDUCT OR INCOMPETENCE OF THE CHIEF OF THE FIRE DEPARTMENT AS AUTHORIZED BY OKLAHOMA STATUTES 25 § 307(B)(1) AND PURSUANT TO ARTICLE III, SECTION 6, OF THE CITY CHARTER;

Item 1, continued:

(2) NEGOTIATIONS CONCERNING EMPLOYEES AND REPRESENTATIVES OF EMPLOYEE GROUPS AS AUTHORIZED BY OKLAHOMA STATUTES 25 § 307(B)(2); AND

(3) CONFIDENTIAL COMMUNICATIONS BETWEEN THE CITY COUNCIL AND ITS ATTORNEY CONCERNING A PENDING INVESTIGATION, LITIGATION, OR PROCEEDING IN THE PUBLIC INTEREST, INCLUDING FRED HENDERSON, DAVID RANDOLPH, JONATHAN WILK, DEAN GREEN, JESSE BALDWIN, MEMBERS OF IAFF VS. CITY OF NORMAN, IAFF, MATTHEW HART, AND TRAVIS KING (CLEVELAND COUNTY DISTRICT COURT CJ-2016-610); FRED HENDERSON, DAVID RANDOLPH, JONATHAN WILK, DEAN GREEN, JESSE BALDWIN, MEMBERS OF IAFF VS. CITY OF NORMAN, IAFF, MATTHEW HART (OKLAHOMA SUPREME COURT DF-120316), AS AUTHORIZED BY OKLAHOMA STATUTES 25 307(B)(4).

Motion made by Councilmember Ward 8 Peacock, Seconded by Councilmember Ward 7 Holman.

Voting Yea: Mayor Clark, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

**Council Adjourned out of the Special Session and Convened into Executive Session.**

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 2 Schueler.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

The City Council convened into Executive Session at 5:03 p.m. Mr. Darrel Pyle, City Manager; Ms. Kathryn Walker, City Attorney; and Ms. Margaret Love, Law Office of Margaret Love, were in attendance at the Executive Session.

Whether or not to direct the City Manager to investigate possible misconduct or incompetence of the Fire Chief; negotiations concerning employees and representatives of employee groups; and a pending investigation, litigation, or proceeding in the public interest, including Fred Henderson, David Randolph, Jonathan Wilk, Dean Green, Jesse Baldwin, members of IAFF vs. City of Norman, IAFF, Matthew Hart, and Travis King were discussed in Executive Session. No Action was Taken and No Votes were Cast.

**Council Adjourned out of the Executive Session and Convened into the Special Session at 6:10 p.m.**

## 2. DISCUSSION REGARDING RECOMMENDATIONS FROM THE CENTER CITY FORM BASED CODE AD HOC COMMITTEE REGARDING THE CENTER CITY FORM BASED CODE ZONING REGULATIONS.

Mr. Logan Hubble, City of Norman Planner, provided an overview of the major changes to the Center City Form Based Code (CCFBC).

### Major Changes

Townhouse/Small Apartment and Neighborhood Middle frontages become Urban Residential frontage

Urban Residential frontage is more fleshed out

New maximum height and unit minimum maps

New unit minimums in Urban General frontage

Removed unit maximum in former Neighborhood Middle frontage

New parking requirements

He provided two maps in the PowerPoint presentation, the currently adopted regulating plan and the draft-regulating plan.

- The yellow area in both maps is Detached Frontage, which protects the single-family neighborhood, which is almost entirely unchanged.
- The orange area is Urban General Frontage. The structures in this area can be between two and five stories tall. The structures will be built close to the front property line and on each side of the property line, the ground floor can be either residential or commercial, and each structure must contain at least three residential units.
- The red area in both maps is Urban Storefront Frontage; structures here can be built to the Urban Building Form Standards but commercial is required on the ground floor.
- The small orange area to the southwest in the original map along University Boulevard is Urban Residential. Structures in this area are built to the same Urban General building form standards but residential is required on the ground floor.
- The blue area is Townhouse/Small Apartment Frontage; structures here can be between two and three stories, must have a finished floor elevation of at least 36 inches, and are built from property line to property line. Each structure must contain at least three (3) residential units.
- The pink area is Neighborhood Middle Frontage. These structures are two or three stories tall with a maximum of two residential units. Structures have a five-foot yard setback in that area.

Mr. Hubble said to make the document easier to use and administer, staff looked at these various frontage types. The product being built in Urban Townhouse/Small Apartment area is almost identical to the product being built in Urban General Area. He said the Neighborhood Middle Area requires a much lower level of density than the rest of the Center City area with the exception of the Detached Frontage despite the fact that it is the area closest to campus.

He said the proposal put forth by the Planning Department and the Center City Form Based Code (CCFBC) Ad Hoc Committee involves combining the existing Blue and Pink areas into what is currently the existing Urban Residential Frontage type. He said this type uses the Urban General Building Form Standards but only requires residential on the ground floor. He said the periwinkle area of the map represents the new Urban Residential frontage. This new type will

allow staff to focus on fewer individual frontages, requires less updating, and increases density near campus where housing is needed the most.

Urban Residential follows the Urban General Building Form Standards but only allows residential units. He said finished floor elevation has been lowered to 14-inches from 36-inch minimum in Townhouse/Small Apartment and Neighborhood Middle Frontages. He said there is no finished floor elevation in the Urban General Frontage and there is a 36-inch finished floor elevation in the existing Townhouse/Small Apartment frontage. He said 14-inches will provide some separation from the street space but would not require the construction of a 36-foot wheelchair ramp for accessible units, which is required in a dwelling with a 36-inch minimum finished floor elevation. He said courtyards would also be allowed. Courtyards had been previously been allowed in the Neighborhood Middle Area but nowhere else in the Center City area.

Mr. Hubble provided a slide showing the New Maximum Height Map, which shows the maximum number of stories on each block or portion of each block. This map primarily was added to make it easier for developers who are new to the Center City area to help them understand the code. He said the yellow, orange, and red heights remain the same as the currently adopted code and some heights were increased to five stories from the previous maximum of three stories in the periwinkle Urban Residential area north of Duffy Street. He said staff kept the gradual stair step down to the single-family neighborhood

Councilmember Holman asked if buildings on Main Street still had unlimited stories. Mr. Hubble said yes. He said anything that was zoned C-3 prior to the original 2017 CCFBC on Main Street remains the same.

Mr. Hubble said the maximum height in the periwinkle area south of Duffy Street between Campus Corner and the railroad tracks was changed to five stories to allow for the increased density that staff would like to see in that area. He said all frontage types still allow developers to build two stories if they want; the minimums have not changed.

Mr. Hubble outlined the changes in the New Unit Minimum Map, which is very similar to the New Maximum Height Map; it actually shows the minimum number of residential units that must be built on each parcel. All areas are the same except for the orange, Urban General. The Urban General minimum was changed to one less than the Maximum Building Height Map. In these areas with the maximum building height of five stories, a developer must build at least four residential units. Urban General and Urban Storefront structures can count a commercial unit towards the residential unit minimum. For example, when an area has a requirement of four units, if a commercial unit is built, only three residential units are needed. South of Duffy Street in the Urban Residential, any number of units can be built while the original plan had a maximum of two units.

He said the major change made was reworking the parking requirements. Currently, parking requirements are based on the square footage of residential units resulting in a lack of parking area. He said now the requirement would be for three or more bedrooms, one parking space per bedroom. He said because staff wants to include incentives for developers to build more units in buildings with fewer bedrooms per unit, a half-parking space per bedroom is allowed for units with one bedroom, two bedrooms, and studio units.

He said other changes are:

- Detached frontage – ancillary structure can be as tall as primary structure
- All exterior walls must meet fenestration requirements (as building code allows)
- Clarified non-conforming structure and uses
- Added or amended 37 definitions
- Use section is categorical, with no references to zoning code
- Parking lot design is up to the discretion of developer
- Storage tanks must be screened on to at least two sides
- Sidewalk removals must have plans for immediate replacement

Councilmember Hall thanked Mr. Hubble and the Planning Staff who have been involved in this process. She said this is the second Ad Hoc Committee that has met since the CCFBC was adopted in 2017. She said the document is intended to be reviewed and amended from time to time. She said in 2019, many issues were addressed; she said she wants to make sure that staff is addressing any questions before the formal process begins. She said the purpose of adopting the resolution was to simplify the code, to make it easier for the staff to interpret, working with developers to make it an easier process to go forward for those who chose to develop in the area, continuing to try to get a mixture of inventory of housing within CCFBC. She said the revised CCFBC allows for more creativity, encourages other types of housing, and more units with less bedrooms. She said the CCFBC would probably be revisited in the next few years.

Mayor Clark thanked Councilmembers Hall, Holman, and Peacock for helping with this process.

## **ADJOURNMENT**

The Meeting Adjourned at 6:30 p.m.

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City Clerk

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Mayor