

ORDINANCE NO. O-1617-35

ITEM NO. 2

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**STAFF REPORT**

**ITEM:** AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 22 OF THE CITY CODE TO ADD SECTION 429.7 – NORMAN CENTER CITY FORM-BASED CODE, WHICH INCORPORATES BY REFERENCE THE CENTER CITY FORM-BASED CODE DOCUMENT, AND AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE THE FOLLOWING DESCRIBED PROPERTIES FROM R-1, R-3, R-O, RM-6, MUD, CO, C-1, C-2, C-3, I-1 AND PUD AND PLACE THE SAME IN THE NORMAN CENTER CITY FORM-BASED CODE DISTRICTS OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEROF.

**REQUEST SUMMARY:**

This is a request to amend Chapter 22 of the City Code (Zoning Ordinance) to add a new Section 429.7 to the Zoning Ordinance creating the Center City Form-Based Code (CCFBC) Zoning District.

**BACKGROUND:**

City Council approved a Memorandum of Understanding (MOU) between the City of Norman and the University of Oklahoma (OU) on January 14, 2014. The MOU set forth the terms and conditions that would govern the development of a Center City Master Plan/Visioning Project and outlined the responsibilities of the City of Norman and the University of Oklahoma. Under the terms of the MOU, each party was responsible for providing representation in the selection of a Consultant for the Project; providing representation on the Project Steering Committee; providing support to the Consultant in their respective areas of expertise; and providing funding for the project up to \$100,000 each with a total funding allocation not to exceed \$200,000.

The Form-Based Code, which is the outcome for this Project, was generated and recommended through a Steering Committee. In addition there was an Executive Subcommittee of the Steering Committee which was comprised of one representative from the City of Norman, one representative from the University of Oklahoma, and one citizen chosen jointly by the City of Norman and the University of Oklahoma. The Executive Subcommittee included Cindy Rosenthal for the City of Norman, Richard McKown as the citizen representative and Daniel Pullin for the University of Oklahoma.

The consultants hired for the project were Bill Lennertz with the National Charrette Institute as project manager and the other project team members included staff from Opticos and Ferrell Madden. City Council approved the Contract on February 11, 2014.

The Kick-Off Center City Vision meeting was held on Wednesday, March 26th. The purpose of this meeting was to describe the project to the public and to gather different viewpoints from community members regarding what is important about the future of Norman's Center City. More than 140 citizens attended this first public meeting.

The Center City Vision Design Charrette was held the week of May 12-16 at 127 W. Main Street. This week-long event provided three public meeting events. On Monday May 12th a Hands-On Design Workshop was held, Wednesday May 14th was an Open House and Friday May 16th was the Final Presentation. The remainder of the week included Steering Committee meetings, technical meetings, numerous ad hoc meetings with property owners and interested citizens and an open design studio so visitors could see the design progress. The Charrette Summary Report was posted on the City of Norman website in July, 2014.

After the Charrette, the Steering Committee met numerous times over two years to discuss and recommend a form-based code document for adoption. That is the document before you. In addition Mary Madden from Ferrell Madden has made presentations to City Council most recently on October 18, 2016 and November 17, 2016 on the history of the project, what is a Form Based Code, how the Center City Code has developed and the administration of the Code.

### **DISCUSSION:**

The City Council moved forward with this project in cooperation with the University of Oklahoma for many reasons. Some of the reasons were that the current zoning regulations were not adequately handling the growing, modern demand for infill development in Norman's Center City area; that there was significant community disagreement about market-driven proposals for infill development; that the professional charrette process was the best technique available to articulate community-supported vision; and that building community support for a vision followed by development of land use regulations that allows the achievement of the vision will provide both community and investors' confidence and certainty. The results of the Charrette process became the foundation for an illustrated, well-articulated, community-supported vision for the future of the Center City area.

The Charrette process resulted in the following recommendations:

- Center City isn't the same as the rest of Norman
- Promote mixed-use in key locations
- Increase pedestrian and bike-friendly character
- Create a "park once" environment—structures & management strategy
- Provide a range of housing options
- Promote connections between Downtown and Campus Corner
- Make small scale infill development easier

Once the recommendations were identified, the Steering Committee began to work on the draft of the Form-Based Code as provided by Ferrell Madden.

The Form-Based Code (FBC) is a zoning tool and a different way to regulate development to achieve a specific type of place. FBC's are a response to the past half-century of urban development, when regulations have been more concerned with controlling land uses rather than shaping the physical form of our communities. The current system of zoning was devised to prevent undesirable juxtapositions, like factories next to homes, and incompatible scales of development. Separating incompatible land uses is sensible. But many diverse land uses are compatible and their unnatural separation can be harmful to communities. However, the rationale of separation became a planning convention. Standard zoning has led to communities being divided and separated into sectors, with zones for apartments, large houses, small houses, shopping, offices and industry. To move among these, everyone has to drive. The unintended consequence has been sprawl, the disassembling of our cities, populations divided by income, and the disappearance of social gathering places.

Form-based codes offer a new way of thinking about development regulation and helping communities holistically shape their futures. They help to achieve desired urban forms, such as: vital centers supportive of businesses both big and small; neighborhoods and streets that are safe and attractive for walking and bicycling; preservation of community history; and protection of the environment.

The CCFBC contains standards that are regulatory, not advisory. They are not mere design guidelines. They don't just propose, they require. The CCFBC is composed of Building Form Standards and Public Space Standards mapped to a Regulating Plan.

Building Form Standards regulate simple things like: how far buildings are from sidewalks, how much window area at a minimum a building must have, how tall it is in relation to the width of the street, how accessible and welcoming front entrances are, and where a building's parking goes. Building Form Standards require buildings to have windows and welcoming entries that contribute to life on the sidewalk and they require the placement of parking to the rear of buildings to ensure that it doesn't get between buildings and pedestrians. These standards require that buildings support and shape the public spaces of our city.

Building Form Standards control the use of land in a more indirect way than standard zoning. They don't give the long and ever expanding lists of permitted and special uses that zoning codes typically contain. Rather, they describe general uses. And they try to guide land use through building type. For example, if a community wants a pedestrian-friendly main street, its standards would prescribe shopfront or mixed-use buildings.

Public Space Standards regulate the form of streets and squares. These standards provide for comfortable and useful spaces for many activities, including walking, bicycling, driving, public transit, and a community's social life rather than just providing for the movement and storage of cars. A shopping street is a different kind of street than a boulevard, which is different from a residential street, which is different from a rear alley. The street sections in Part 5 of the CCFBC identify these different types of streets.

The different Building Form Standards and Public Space Standards are assigned to streets and blocks in a Regulating Plan as appropriate. The Regulating Plan plays a key role in the form-based code. By looking at the Regulating Plan, a property owner can quickly see the majority of design regulations governing the property without having to study the entire code. Form-Based Codes, with their generous illustrations and simple diagrams, clearly convey a community's intentions for an area, provide greater certainty of outcome and their regulations ensure that a community's vision can be achieved.

### **Center City Form-Based Code Contents:**

How to Use This Code

Table of Contents

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: Definitions

Appendix A

Appendix B (CCPUD)

Appendix B is currently a stand-alone document, but will be incorporated into the bound CCFBC once approved by City Council.

### **ZONING DISTRICTS:**

- **Urban General** – The basic urban street frontage, once common across the United States. The purpose is to develop multi-story buildings placed directly at the sidewalk or behind small dooryards.
- **Urban Residential** – Same as the Urban General except that the uses are limited to residential and related support services.
- **Urban Storefront** – Represents the prototypical “main street” form with shopfronts along the sidewalk and a mix of uses above. A high level of pedestrian activity is anticipated. It is a subset of the Urban General frontage, with more specific requirements at the street level.
- **Townhouse/Small Apartment** – This frontage is of moderate intensity, often created by a series of smaller attached structures configured as single-family residential or stacked flats. The character and intensity of this frontage varies depending on the street-space and the location of the required building line.
- **Detached** – This frontage is represented by the traditional single-family house with small front, side and rear yards along tree-lined streets.

### **STAFF RECOMMENDATION:**

The proposed ordinance comes to the Planning Commission for a recommendation to City Council. As the attached draft CCFBC and Ordinance are the result of three years of discussion which included a week-long Charrette, numerous meetings with the Center City Steering Committee, several presentations to City Council and public meetings to gather input, Staff recommends adoption of the CCFBC, O-1617-35.