

COUNCIL
COMMUNITY PLANNING AND TRANSPORTATION
COMMITTEE MINUTES

March 8, 2017

The City Council Community Planning and Transportation Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 4:33 p.m. in the Conference Room on the 8th day of March, 2017, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT:	Councilmember Clark, Hickman, Karjala, and Chairman Holman
ABSENT:	Councilmember Allison
OTHERS PRESENT:	Mayor Lynne Miller Ms. Kate Bierman, Ward 1 Councilmember-Elect Mr. Jeff Bryant, City Attorney Ms. Susan Connors, Director of Planning and Community Development Ms. Jane Hudson, Principal Planner Ms. Leah Messner, Assistant City Attorney Ms. Karla Chapman, Administrative Technician III

Item 1, being:

CONTINUED DISCUSSION REGARDING POSSIBLE AMENDMENTS TO THE R-3 ZONING DISTRICT.

Ms. Susan Connors, Director of Planning Community Development, said Council recently approved an administrative delay on building permits for the central portion of Norman to allow discussion on several topics that included R-3, Multi-Family Dwelling District; Center City Form Based Code (CCFBC); garage apartments in specific R-1, Single Family Dwelling District zoned neighborhoods; and Plan Norman (a comprehensive plan). The boundaries of the administrative delay are Lindsey Street on the south, Robinson Street on the north, Flood Avenue on the west, and 12th Avenue N.E. on the east.

In the January 26, 2017 meeting, the Community Planning and Transportation Committee (CPTC), reviewed proposed solutions for R-3 properties in Core Norman and Councilmember Hickman suggested the City use the boundaries created in the administrative delay to create an Overlay District that would include a Special Use requirement for structures with four or more bedrooms; lighting standards; tree canopy requirements; and changes to impervious surface and building coverages.

In the February 23, 2017 meeting, CPTC requested Staff prepare an Overlay District for the Silk Stocking Neighborhood and remaining areas of the Miller Neighborhood not covered by the Miller Historic District Overlay District or the recent properties downzoned from R-3 to R-1. The Central Norman Zoning Overlay District (CNZOD) for the Silk Stocking and Miller Neighborhoods would include purpose and intent statements, definition of the boundary, and applicability of the CNZOD development standards.

Ms. Connors said the CPTC wanted protection of trees in lots undergoing redevelopment in Core Norman. She said amendments to the 2004 International Residential Code for One and Two-Family Dwellings require the planting of one tree per lot designated for single-family or two-family prior to the

Community Planning and Transportation Committee Minutes

March 8, 2017

Page 2

issuance of a Certificate of Occupancy for all urban residential areas when a new residential permit is issued. For lots larger than 10,000 square feet, two trees are required and duplexes require one tree per lot with new construction. Staff has not been able to adequately determine regulations regarding a tree management plan (Tree Canopy Ordinance), but included Councilmember Hickman's information on trees provided at the February 23rd meeting for further discussion. She said a Tree Canopy Ordinance should encompass the entire City rather than specific areas. Chairman Holman asked if that discussion could take place independently from the Overlay District discussions and Ms. Connors said yes, this could be a separate discussion to be continued at a later date.

Mayor Miller said she has been advised by the City Attorney to recuse herself from this discussion and future voting as she owns two properties on the east side of Peters Avenue, which are zoned R-3 and located within the Overlay District boundary.

In the February 23rd meeting, Staff recommended amendments to Chapter 22, Section 431.8, Landscaping Requirements of Off-Street Parking Facilities, as well as Section 431.9, Fencing, Walls, and Screening. She said these sections really apply to three units or more and have not been specifically applied to single-family homes or duplexes. She said both sections would require property owners to provide peripheral landscaping and street landscaping for all off-street parking areas in any zoning district having at least six (6) parking spaces and/or other vehicular use areas of at least "900" square feet of impervious area to be used as parking. Councilmember Hickman asked if the type of landscaping required is defined in the ordinance and Ms. Connors said yes, the landscaping requirements establish a five foot landscape buffer on each side of the parking area abutting another lot as well as planting of trees and sod.

Ms. Connors said the Silk Stocking and Miller Historic District neighborhoods include more than just R-3 zoning. It also contains R-2, Two Family Dwelling District, RM-2, Low Density Apartment District, and RM-6, Medium Density Apartment District, so Staff wants to clarify the Committee only wants R-3 zoned lots to be affected. Councilmember Hickman felt the rules need to be applied to any property not zoned R-1.

Another item included in the Overlay District that caused some concern was the requirement of Special Use for dwelling units with four or more bedrooms due to scrutiny about the number of bedrooms in single-family homes/duplexes or triplexes. She wanted to get some clarification whether the Committee wanted that to remain as a requirement and the Committee concurred.

Ms. Connors said in the January 26th meeting, the Committee proposed to reduce impervious coverage per lot from 65% to 55% and reduce paving in the front yard from 50% to 45%. She said if the City requires landscaping for parking lots, the required impervious surface is already being reduced so the Committee may want to consider whether both the impervious surface requirement and landscaping requirement should be included. Councilmember Hickman said personally, parking is the more important issue so he is comfortable with leaving the impervious surface as is and requiring one parking space per bedroom for four bedrooms or more. Ms. Connor said the change to the off-street parking landscaping was intended for all zoning districts, not just the Overlay District, so if Council wants the landscaping requirement to kick in for four or more bedrooms perhaps that requirement should be in the Overlay District regulations and not in the off-street parking regulations. She would still like it to be clear that six or more parking spaces for any development requires landscaping.

Councilmember Hickman asked if the parking requirement would include residential and commercial and Ms. Connors said yes, if Council amended the ordinance. Councilmember Hickman asked if notification of these changes would need to be sent to the entire City or if notification would be by publication and Ms. Connors said it is done by publication for changes to the Code. She said if the City creates an Overlay District, the City would notify property owners within the District.

Ms. Connors said recommendations provided in the last meeting regarding lighting in the Overlay District was not agreed upon. She said lighting in residential areas is a difficult discussion; however, providing full cutoff fixtures is an important mechanism to protect adjacent properties from unwanted light spill-over. She said the goal is to reduce the impact to adjacent properties from possible flood lights. Councilmember Hickman said he is willing to withdraw previous requests for lighting regulations in the Overlay District if they can be discussed at a later date.

Mr. Jeff Bryant, City Attorney, wanted to clarify that requirements regarding lighting and trees are being removed from the proposed CNZOD and Ms. Connors said that is correct.

Chairman Holman asked if all of the properties in the Overlay District would become R-1 and Ms. Connors said no, the current zoning will remain and the Overlay District requirements will become another layer to that zoning. The uses allowed would not change, but development would have to comply with the new regulations. Councilmember Hickman said, basically, if someone builds a unit with four or more bedrooms, they will have to apply for a Special Use Permit, have one parking space for each bedroom up to four bedrooms and landscaping/screening.

Chairman Holman said under the proposed regulations, if he had a three bedroom house and wanted to add a fourth bedroom, would he need a Special Use Permit and Ms. Connors said yes and more parking would have to be added. Councilmember Hickman asked if a two-car driveway with a two-car garage is considered to be parking for four cars or two cars and Ms. Connors said the current requirement for single-family and two-family is two off-street parking spaces. She said those cars can be in the garage or they can be on the driveway so if there is two cars in the garage and two cars in the driveway that would be four cars making the parking tandem which is allowed. Councilmember Holman felt the City should continue to allow tandem parking and Mr. Bryant suggested the allowance of tandem parking be referenced in the ordinance language.

Councilmember Hickman asked if the City could require residential structures, citywide, with four or more bedrooms that do not require platting to obtain a Special Use Permit. Ms. Connors said most of the developed City is platted so if someone added a fourth bedroom to their house in Brookhaven, for instance, they would have to obtain a Special Use Permit. Councilmember Holman asked if once a lot is platted is it platted forever and Ms. Connors said yes unless they re-plat for some reason.

Councilmember Hickman asked if language could be added to the R-3 Zoning Code stating that new construction of units with four or more bedrooms would only require publication notification and not notification of individuals. Ms. Connors said she would want to consult with the Legal Department before answering that question. Mr. Bryant said there is a fine line about whether someone is actually changing the character of a particular zoning district versus tweaking a regulation so the Legal Department would want to study that closely before giving a definitive answer. He said if the City changes the character of a zoning district then individual notification would be required.

Mr. Keith McCabe said he agrees with the CCFBC and the Overlay District because he understands the City needs direction on development in Core Norman. He urged Council to keep the dialogue open to the public and developers because there are still a few regulations he believes need to be ironed out. He said as a developer in that area he may not agree with a lot of the proposed regulations but he can make it work; however, he may argue for things going forward.

Mr. Dave Boeck said he wants diversity and whatever the City decides to do whether that is CCFBC or Overlay Districts, he wants diversity to be part of that process. He said the Silk Stocking and Miller neighborhoods have structures with different architectural designs instead of the same design throughout the neighborhood and that is what gives those neighborhoods diversity.

Ms. Ellen Frank asked if there will be an appeal process and Ms. Connors said yes, appeals can be made to the Board of Adjustment, which is a five member citizen board. Ms. Frank felt the City needed an overall plan about how neighborhoods are developed instead of developments having “patchy areas.” She hopes the CCFBC or Overlay District gets approved before the administrative delay expires.

Mr. Martin Wernich owns property in Core Norman that he has spent a lot of money and time improving and remodeling. He believes there are property owners who are not speaking up because they are unaware this is being discussed or are intimidated by the process. His preference would be for the City to not allow any development in Core Norman, except for restoration and preservation of original structures; however, for those that want to redevelop, these regulations do not give those property owners or developers the flexibility to build what they want in order to recoup their investments. He said he provides more than ample parking for the people he rents to and feels the parking regulations are overreaching. He hopes the Committee understands the “silent people” need advocates as well as those being vocal.

Mr. Robert Alaniz owns three properties in the Silk Stocking Neighborhood because he was attracted to the neighborhood because of its character and he rents out those properties. He said that character does not include student housing and he would like to retain that character by preserving and protecting these types of neighborhoods. Councilmember Holman said an Overlay District would encourage revitalization, preservation, and would not allow redevelopment to negatively impact neighborhoods. Councilmember Hickman agreed and said the Overlay District is a different zoning solution than the CCFBC because the idea of an Overlay District is to protect property owners so they do not wake up to bulldozers tearing down the house next door and building four to eight bedroom mini-plexes without some type of notification process and City Council review.

Councilmember Hickman asked what the next step will be and Ms. Connors said with the Committee’s approval, the information regarding an Overlay District would be presented to the full Council in a Study Session or Conference. She said after that there would be a public hearing process at Planning Commission and City Council meetings.

Chairman Holman said the next CPTC meeting will be held April 27th.

Items submitted for the record

1. Memorandum dated March 6, 2017, from Susan Connors, AICP, Director of Planning and Community Development, to Community Planning and Transportation Committee Members, with Exhibit A, Map of Central Norman Study Area; Exhibit B, Map of Old Silk Stocking Neighborhood; Exhibit C, Map of Central Norman Zoning Overlay District;
2. Draft Zoning Code, Chapter 22, Section 429 – CNZOD, Central Norman Zoning Overlay District
3. Copy of Zoning Code, Chapter 22, Section 431.8 – Landscaping Requirements For Off-Street Parking Facilities and Section 431.9, Fencing, Walls, and Screening;
4. Background information on a Commercial Lighting Ordinance
5. City Council Charge to the Planning Commission to Develop and Ordinance Addressing Commercial Lighting
6. Summary of Planning and Community Development Committee Meetings on the Lighting Ordinance

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Item 2, being:

MISCELLANEOUS PUBLIC COMMENTS.

None

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The meeting adjourned at 5:30 p.m.

ATTEST:

City Clerk

Mayor