



# office memorandum

**TO:** Community Planning and Transportation Committee Members  
Administrative Delay Advisory Committee Members

**FROM:** Jane Hudson, Interim-Director, Planning and Community Development

**DATE:** March 28, 2019

**RE:** Center City Form Based Code – Administrative Delay Discussion

**RECENT DISCUSSION:**

Staff presented information to City Council at their January 29, 2019 Study Session meeting regarding 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. Following the January 29<sup>th</sup> Study Session meeting, City Council held a Special Session meeting to discuss and vote on the possible Temporary Administrative Delay, City Council adopted Resolution R-1819-75 which implemented a six-month administrative delay for the Center City Area.

Since the adoption of the CCFBC more than 18 months ago, twelve projects have applied 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. All twelve applications have received COC (Exhibit A). Staff noted an increase of submittals since September 2018, with six of the twelve COC applications having been submitted between September 2018 and February 2019. In addition to those twelve projects, four Center City projects have been submitted as CCPUDs with three already approved by City Council; the fourth is expected to appear before City Council in April of 2019.

Staff was requested to evaluate the status of the CCFBC’s implementation and make recommendations for moving forward, due to recurring concerns with implementation of CCFBC, and City Council’s observations, which indicate there may be a potential “disconnect” between the Center City Vision and CCFBC implementation, including the expectations of the Center City Steering Committee and Norman citizens and property owners. Following staff research and conclusions of the implementation of the CCFBC, the number and density of application submittals, staff was directed to prepare a resolution placing a six-month administrative delay on permit issuance within Center City; as noted above, Resolution R-1819-75 was adopted allowing City Council, staff and the community the opportunity to revisit implementation of the CCFBC.

**BACKGROUND OF CCFBC:**

Beginning in January of 2014, the Norman City Council approved a Memo of Understanding (MOU) between Center City Vision Project partners the City of Norman and the University of Oklahoma. The MOU established that the Center City Vision

Project would be governed by a Steering Committee, which also included an Executive Steering Committee. After approximately three and a half years, on May 23, 2017, City Council passed O-1617-35, and adopted the City of Norman's first form-based code, the Center City Form Based Code ("CCFBC"). Attached as Exhibit B is a copy of the Center City Form Based Code (CCFBC); also, the link to view the CCFBC and all supporting documentation from the charrettes, the Steering Committee agendas and minutes can be found on the City of Norman website under City Government, Planning & Development, Center City Vision Project.

Center City in Norman was a vision that resulted from this collaborative process, including a Charrette making the following recommendations/observations:

- Center City is not the same as the rest of Norman
- Mixed-use should be promoted in key locations
- Pedestrian- and bicycle-friendly character should be increased
- Should create a "park once" environment-structures & management strategy
- Should provide a range of housing options
- Connections between Downtown and Campus Corner should be promoted
- Small scale infill development should be made easier

The CCFBC was adopted with this vision in mind, in order to provide a zoning tool to achieve a very particular type of development in the Center City area of Norman, these visions or goals need to be supported or the Center City area will not develop as envisioned. At this time, these questions are being asked: Is the City of Norman, and the Center City Area, achieving the directed Vision? Are a range of housing options offered to the community? Is small scale infill development moving forward as desired? Where is our connection between Downtown and Campus Corner? For your review and consideration is a copy of the Norman Center City Vision, Charrette Summary Report from July of 2014. (Exhibit C)

In addition to the adoption of the CCFBC and due to the level of anticipated development and the need to fund public infrastructure improvements in this area the City Council approved O-1718-27, the Norman Center City Project Plan, on December 19, 2017. The Project Plan established a date for creating a Norman Tax Increment Financing District No. 3, and authorized the Norman Tax Increment Finance Authority and the City of Norman administration of certain portions of the Project Plan. The Project Plan area is the same as the area subject to the CCFBC (referred to collectively as "Center City"). (Exhibit D)

#### **CURRENT REVIEW:**

Staff's observations from the various projects submitted, as well as City Council and citizen input, have uncovered the following concerns with implementation of CCFBC and the Center City Vision. This list below is a summary and is not comprehensive of all items of review (also see Exhibit E):

- Parking availability and public safety concerns

- Dedicated City's Public Open Space
- Setback inconsistencies, including those impacting corner and irregular lots
- Requiring commercial/retail on the ground floor of the Urban General District
- Lack of architectural guidance and a disconnect of function and form,
- A need for development to accomplish a connection between downtown and OU Campus while still embodying the Center City Vision and promoting a walkable, "park once" environment
- Development consistent with Center City's vision for James Garner Avenue's role as a "gateway" to downtown Norman
- Difficulties for architects, developers and staff to interpret the Code as adopted with the Vision promoted
- Evaluation of incentives for development in-line with the Center City Vision, plans for public infrastructure projects, and use of the Project Plan adopted as O-1718-27 – alley improvements are piecemeal/partial, creating issues with grades, making it almost impossible to develop the alley behind a single lot
- Recent neighborhood downzoning from R-3 to R-1 reduces allowed density, however CCFBC now allows increased density in the same neighborhood
- Construction of large multiple-bedroom duplexes changes the character of neighborhoods and this increased density impacts public infrastructure particularly in the older Core Norman neighborhoods
- Removal of the "Missing Middle Neighborhood" and residual issues resulting from this removal
- Coverage/impervious area allowances
- Impact of the CCFBC on adjacent properties (Example: Park Drive)
- Do the boundaries of the CCFBC need to be reviewed?
- On-street parking does not allow for placement of trees and sidewalk – Engineering needs to review and include an approved on-street/parallel parking accommodation.
- Pedestrian lighting, including alleyway lighting – location, responsibility for installation and servicing
- The role of "Block" development per the Vision: with the scattered development the opportunity to fully develop a block; alley improvements, on-street parking, pedestrian lighting is being missed.

#### **ADDITIONAL CENTER CITY HISTORY:**

Several committee meetings in the last 4 years have considered the topics of density, accessibility, design, redevelopment and parking on their agenda. Below is an outline of several of those meetings dealing specifically with development within the Center City:

December 2015:	Discussion Regarding Maximum Parking Standards.
February 2016:	Possible Amendments to the R-3 Zoning District
May 2016:	Possible Amendments to the R-3 Zoning District (Early discussions of what became the Central Norman Zoning Overlay District - CNZOD)

December 2016: Core Norman Planning Process (Evaluation of possible Administrative Delay in the Core Area/Center City)  
January 2017: Continuation of Core Norman Planning Process (Move forward with Temporary Administrative Delay in the Core Area/Center City)

From December of 2015 through March of 2019 the continued analysis of what the best practices are to effectively control future development, both residential and commercial, in the Center City area, to avoid negatively impacting the residents, market trends and public infrastructure is still a topic of discussion and needs to be revisited.

Staff presents this information to you as a starting point for further discussion of how the CCFBC can be a supportive document to the direction of growth, community and development in the future of Center City.

Exhibit A – CoC List  
Exhibit B – Center City Form Based Code  
Exhibit C – Norman Center City Vision Charrette Summary Report  
Exhibit D – Project Plan  
Exhibit E – CCFBC Review/Discussion Items