



Legislation Details (With Text)

File #: R-1617-72 **Version:** 1 **Name:** Administrative Delay Resolution
Type: Resolution **Status:** Passed
File created: 1/5/2017 **In control:** City Council
On agenda: 1/10/2017 **Final action:** 1/10/2017
Title: RESOLUTION R-1617-72: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, DECLARING A TEMPORARY ADMINISTRATIVE DELAY FOR A PERIOD OF (6) SIX MONTHS ON THE ACCEPTANCE OF ALL APPLICATIONS FOR BUILDING, DEMOLITION, PAVING, PLATTING, AND REZONING ACTIVITIES IN THE CENTRAL NORMAN STUDY AREA; DECLARING POSSIBLE EXCEPTIONS; DECLARING A PROCEDURE FOR ADMINISTRATIVE REVIEW AND APPEALS PROCESS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Text File R-1617-72, 2. R-1617-72, 3. Exhibit A Study Area Map, 4. Exhibit B Affected Building Permit Table, 5. Building Permits in Core Area

Date	Ver.	Action By	Action	Result
1/10/2017	1	City Council		
1/10/2017	1	City Council		

RESOLUTION R-1617-72: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, DECLARING A TEMPORARY ADMINISTRATIVE DELAY FOR A PERIOD OF (6) SIX MONTHS ON THE ACCEPTANCE OF ALL APPLICATIONS FOR BUILDING, DEMOLITION, PAVING, PLATTING, AND REZONING ACTIVITIES IN THE CENTRAL NORMAN STUDY AREA; DECLARING POSSIBLE EXCEPTIONS; DECLARING A PROCEDURE FOR ADMINISTRATIVE REVIEW AND APPEALS PROCESS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

BACKGROUND: On January 3, 2017, City Council discussed the status of several ongoing Central Norman planning processes during a Study Session. The current planning processes underway are: Center City Form Based Code; Plan Norman; Griffin - ULI; garage apartment zoning overlay district; and neighborhood downzonings to R-1 from R-3. In addition, there are several other development concerns in Core Norman. They are: unresolved parking issues Downtown and on Campus Corner; intensified interest in increased density redevelopment; and the impact of increased density on City infrastructure.

Due to these processes and concerns occurring simultaneously in Core Norman, tensions have occurred between them. As examples:

- The Center City Form Based Code encourages increased density
- Downzonings to R-1 reduces allowed density in effected neighborhoods
- Proposed garage apartment overlay would increase allowed density
- Construction of large multiple-bedroom duplexes changes the character of neighborhoods
- Griffin-ULI proposal contemplates mixed commercial and residential uses with increased density
- Increased density impacts public infrastructure particularly in the older Core Norman neighborhoods
- Staff presented Council with several options in order to resolve these tensions. One of those options was a Resolution declaring a temporary administrative delay. Council requested that Staff place such a Resolution on their January 10, 2017 City Council agenda.

DISCUSSION: An administrative delay is the temporary halt in the issuance of certain building permits and development applications in a defined area for a defined period of time. A delay is typically enacted in order to call a 'time out' on rapid

redevelopment to ensure future impacts are carefully studied. As an example, Norman enacted a year-long administrative delay while the Porter Corridor Study was completed to balance interests of residential and commercial property owners within the study area. The Resolution, R-1617-72, is attached. It includes an Exhibit with a list of types of building permits that would either be allowed to be issued or would be delayed during the term of the administrative delay. Also attached is a chart showing the number of building permits approved and/or issued on R-3 zoned property in Ward 4 from October 7, 2016 to December 29, 2016.

An administrative delay would preserve the current conditions in Core Norman while allowing Council the opportunity, with citizen input, to review all current activities in Core Norman holistically and implement policies to harmonize those activities.

The Resolution also recognizes the impact that adoption of an administrative delay may have on property owners within Central Norman, and, as a result, it limits the delay to only six months, provides for an appeal process, and only delays certain permits, for example demolition and new construction, while allowing interior remodeling and the installation of storm shelters to continue. As drafted, the appeal process allows an applicant for a permit, after receiving a written denial of the permit from the Planning and Community Development Department based on the terms of the administrative delay, to appeal to the City Council and be heard on the next regular agenda, or as soon as practicable. The Resolution also provides criteria for the Council to consider when hearing an appeal including: the City's interest in protecting the public health, safety, and welfare; the City's interest in avoiding creating uses or structures that may not be in harmony with the existing character of Central Norman; the extent to which the proposed use will negatively impact the value of the property and surrounding properties; and the economic impact and hardship of the delay on the property owner.

RECOMMENDATION: If Council wishes to proceed with enacting a temporary administrative delay for development and building permits within the Central Norman Study Area, Staff recommends adoption of Resolution R-1617-72.