

## CITY COUNCIL STUDY SESSION MINUTES

June 29, 2010

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a Study Session at 5:30 p.m. in the Municipal Building Conference Room on the 29th day of June, 2010, and notice and agenda of the meeting were posted at 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: Councilmembers Atkins, Butler Cubberley, Dillingham, Griffith, Kovach, Quinn, Mayor Rosenthal

ABSENT: Councilmember Ezzell

### DISCUSSION REGARDING LONG RANGE COMPREHENSIVE AND NEIGHBORHOOD PLANNING FOR THE CITY OF NORMAN.

Mayor Rosenthal said this topic originated due to recent discussions concerning major land use plan changes and it seems like an appropriate time to address this issue. Ms. Susan Connors, Planning and Community Development Director, highlighted comprehensive and neighborhood planning, to include the role of the Comprehensive Plan (Complan), issues raised as to when to amend the Complan, and the relationship of the Complan with zoning. She said it is important to remember amending a Complan is not the same as zoning. She said the Complan is an overall guide for land use decisions, determines where infrastructure should be placed, and identifies, to a certain extent, who provides and pays for the infrastructure and zoning regulations are an implementation tool designed to achieve the goals and policies of the Complan.

Ms. Connors said there is a legal basis for planning in the State of Oklahoma, but a municipality has no power to regulate use of land unless it is granted by the State. She said issues dealing with the grant of land use regulation are construed liberally in favor of municipalities, which basically means the City has quite a bit of authority of how we plan and zone. Some of the regulations and restrictions include height; number of stories; size of buildings and other structures; percentage of lot that may be occupied; size of yards, courts, and other open spaces; density of population; and location and use of buildings, structures, and land for trade, industry, residence or other purposes. Ms. Connors said 11 O.S. 43-103 states municipalities' regulations as to buildings, structures and land must be made in accordance with a comprehensive land use plan and designed to accomplish the following:

- Lessen street congestion;
- Secure safety from fire;
- Promote health and general welfare, including peace and quality of life;
- Provide adequate light and air;
- Prevent overcrowding of land;
- Promote historical preservation;
- Avoid undue concentration of population; or;
- Facilitate the adequate provision of transportation, water, sewerage, school, parks, and other public requirements;

Ms. Connors said a Complan has many purposes such as: identifying community goals and creating public policy. It is always broad in scope; covers the long-term horizon; is a tool to address physical development; looks at the elements that make a place unique; and has the ability to adapt to change and take advantage of opportunities.

Ms. Connor provided history of adopted plans in Norman stating from 1879 to the mid 1950's the only Complan that occurred was the subdivision of residential land and there were not many City regulations until the Zoning Ordinance was approved in 1954. In 1964 the 1985 General Plan was approved which extended development to the east side of the City. In 1981 the Complan was approved which reflected the annexation of Lake Thunderbird and primarily showed east Norman as residential and development was contained to the urban west side of the City. The 2020 Land Use and Transportation Plan (LUP) was adopted in 1997 and provided elevations and land uses not seen before that were specified in a much more detailed manner. In 2004, the 2025 LUP was approved, which was not a significant change from the 2020 Plan. Ms. Connors said the 2025 LUP developed new techniques and planning tools, i.e., special planning districts, looked more at mixed-use districts, and identified future elements that should be developed over the next few years.

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Ms. Connors said a Complan process should identify issues which occur with citizen participation; a very important part of the planning process. She said citizen participation can be promoted by requesting they join a Board and/or Commission so they can consider issues early on, and develop goals, objectives, and policies that will allow Staff to begin developing a Complan. She said data will need to be collected, to include existing conditions, in order to develop and evaluate alternatives so that implementation plans can be created. The final step is Council consideration and adoption of the Complan.

Elements that a Complan will address include existing conditions; future trends; goals and objectives; land use patterns; economic development; transportation; infrastructure; housing/population; and parks and recreation. She said having an idea of what direction the City is going in is key to attracting businesses to an area, making opportunities for unique developments, and enabling good and physical decisions as to where City services should be expanded. She said simply placing infrastructure does not always guarantee its usage therefore planning maximizes those assets by placing them where the decision-makers would like to see growth and development to occur.

Ms. Connors said the 2025 Plan was due to be updated in 2009, but was postponed to 2011 because of major events that occurred in the City in 2010. She said the economy slowed down and many plans were in progress or had recently been completed such as the Storm Water Master Plan (SWMP), Greenway Master Plan (GMP), Parks and Recreation Master Plan (PMP), waste water flow monitoring and modeling, and the update of the water model. She said another very important event that occurred was the 2010 U.S. Census and data will not be available until the fall of 2010 into early 2011.

Mayor Rosenthal asked what the difference is between a basic update versus a comprehensive update and Ms. Connors said the 2020 and 2025 Plan actually were not too different in scope, but simply narrowed what would have to occur from a time perspective. She said when talking about a major update its not only the changes that have occurred between the two plans, but new data will be reviewed, new directions the City is looking to go will be examined, and new policies to be created for certain areas of the City. Mayor Rosenthal said the additional planning done for the SWMP, GMP, PMP, wastewater, and water will presumably all fit into the next update and perhaps make it easier to take the next step(s). Ms. Connors said all work done for the afore-mentioned, lower-ranking plans will need to be incorporated into the next Complan, with the Complan being the overall policy document for the City. She said the sector and neighborhood plans can have a lot more detail but should fall under the policies and be consistent with the Complan.

Neighborhood Planning focuses on more manageable areas and considers the development needs unique to that particular neighborhood or area. Ms. Connors said the scope is narrowed; critical issues and how the area should look in the future are studied; the neighborhood's place in community, as well as what it should be, is examined; and both physical and social needs are analyzed. She said neighborhood planning allows a different scope of services to be considered, not just physical development.

Ms. Connors highlighted the neighborhood and sector projects that have been completed in the City from 1999 to 2010 to include the Downtown Norman Revitalization Plan, 1999; Lions Park Neighborhood Plan, 2007; South Pickard Neighborhood Plan, 2007; Porter Avenue Corridor Study, 2009; and the Community Development Block Grant (CDBG) 2010-2014 Consolidated Plan, 2010. She highlighted the Porter Avenue Corridor Study in more detail since it was recently accepted by Council stating the study identified short and long term issues, both citizen and business input was obtained which helped to create community dialogue and a vision for Council consideration; and a Zoning Overlay District (ZOD) was designed as a tool to address short term issues.

Ms. Connors said the Complan is an overall guide for land use decisions compared to neighborhood plans which are used for specific development within boundaries of a smaller planning area. She said plans are used as a basis for fiscal appropriations and encourage the creation of new regulations which assist in the implementing the vision and policies identified in plans. She said it is important for the City to plan because it gives direction for the future and allows for citizen participation. She said planning gives consistency to decision-making; is the framework for ordinances and regulations, helps assist with going from the general to the specific, i.e., from the Complan, to the neighborhood plans, to the ordinances; guides implementation, scheduling, and financing of projects; and keeps information current.

Mayor Rosenthal asked Staff when the last substantial change was made to the Subdivision Regulations and Mr. Patrick Copeland, Development Services Manager, said approximately ten years ago. Councilmember Kovach

asked when would be a good time to look at the Norman 2030 Complan and Ms. Connors said the intention is to begin in 2011 once current data is obtained from the Census Bureau. She said it will cost approximately \$200,000 to \$250,000 to hire a consultant to prepare a 2030 Complan and it is currently not budgeted. Mayor Rosenthal said it should be included in the 2012 Budget and asked Staff to explain what the consultant typically does compared to what Staff does not do. Ms. Connors said the consultants provide the expertise of the economic development research; the figure and number projections; develop the graphics; and manage the meetings. She said while the consultant does most of the bulk work, Staff will assist them while performing their regular daily responsibilities. Ms. Connors said if prepared in-house, it would require at least two full time employees to carry out the 2030 Complan and even then a consultant would need to be hired because City does not have economic development expert on staff to make sure the legal consultation of all federal laws were considered.

Mayor Rosenthal asked if the Complan should be codified and Ms. Connors said if adopted as an ordinance it becomes less flexible. She said the idea is to be able to interpret policies in a flexible manner in order to accommodate various decision making methods. She said in her experience, having the Complan as a policy document is most appropriate and if Council desires to be more specific, i.e., in reference to zoning and land use, neighborhood planning is the direction to go. Councilmember Quinn said issues change within a five-year period and if you codify a Complan, it is more difficult to make it adhere to the changes that take place. Councilmember Dillingham asked how enabling legislation fits in with a decision to codify, or not, a Municipal Land Use Plan and Ms. Walker said it does not address whether it should be a policy or a regulation, but it does suggest that it is the umbrella that guides all other regulation decisions. Ms. Walker felt the current system fits very well for the City and will continue to allow flexibility, but will also allow more regulatory authority if the City needs to enact regulations that address specific needs.

Mr. Steve Lewis, City Manager, said the transportation component of the Complan is fairly limited and going forward the City may want to put more effort in transportation planning to be included in the 2030 Plan. Mr. Shawn O'Leary, Director of Public Works, agreed and said the City does need a basic transportation plan and have a larger focus on the transportation component. He said Norman is a growing community and has seen evidence of a limited transportation plan when trying to manage the City's transportation system, various transportation projects, working with the Oklahoma Department of Transportation (ODOT), and pedestrian and bike trailways.

Mayor Rosenthal felt Council should address early on, possible at a future Council Retreat, what Council would like to see in a Plan. Councilmember Kovach whether a comprehensive traffic study should be conducted and Mr. O'Leary said a scoping plan should be identified. Councilmember Dillingham said Staff should continue to gather public input over the next year to utilize during a scoping plan. Councilmember Kovach felt Council should discuss budget guidelines at a retreat for various levels of scope. Mr. Lewis said for a city Norman's size, it is not unusual to spend \$250,000 for a transportation plan. Mayor Rosenthal said population projections came up in recent water forums and sometimes there can be a disconnect when looking at planning horizons in reference to population. She said in reference to the population projections that are done in the neighborhood planning process; she asked how reliable are they, what are based on, and why are they important to the Complan? Ms. Connors said that is one reason to wait until the Census 2010 data is available because very many communities rely on the Census data as the basis and then project going that figure with the number of building permits issued; on a vacancy rate; and on a number persons per households. The population projections are important for the City's infrastructure and will assist the City in knowing how many people they will need to serve/service in the future, i.e., sewer, water, roadways, etc.

Items submitted for the record

1. PowerPoint presentation entitled, "Comprehensive and Neighborhood Planning," presented by Ms. Susan Connors, Planning and Community Development Director

The meeting adjourned at 6:15 p.m.

ATTEST: