

CITY COUNCIL
PLANNING AND COMMUNITY DEVELOPMENT
COMMITTEE MINUTES
September 10, 2010

The City Council Planning and Community Development Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 8:00 a.m. in the Conference Room on the 10th day of September, 2010, 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:	Councilmembers Atkins, Cubberley, Griffith, and Chairman Butler
ABSENT:	None
OTHERS PRESENT:	Mayor Cindy Rosenthal Councilmember Carol Dillingham Ms. Karla Chapman, Administrative Technician Ms. Susan Connors, Planning and Community Development Director Mr. Patrick Copeland, Development Services Manager Mr. Ken Danner, Development Manager Mr. Shawn O'Leary, Director of Public Works Ms. Kathryn Walker, Assistant City Attorney Mr. Tom Knotts, Planning Commission Liaison Ms. Wanda Frost, Norman Builders Association Mr. Harold Heiple, Attorney for Norman Developers Council Ms. Jane Ingels, Greenbelt Commissioner Ms. Lyntha Wesner, Greenbelt Commissioner Ms. Mary Francis, Sierra Club

CONTINUED DISCUSSION REGARDING THE PROPOSED GREENBELT ORDINANCE AND RESOLUTION SUPPORTING THE DEVELOPMENT OF A GREENBELT SYSTEM AND THE REVIEW OF CERTAIN DEVELOPMENTS BY THE GREENBELT COMMISSION.

The Planning and Community Development Committee (PCDC) considered proposed amendments to the Greenbelt Ordinance developed by the Greenbelt Commission (GC) during several meetings over the last few months, most recently in July 2010. Ms. Kathryn Walker, Assistant City Attorney, said Staff presented the proposed Greenbelt Ordinance to Council during a Study Session on August 17, 2010, and was instructed to bring additional language addressing the Greenbelt Enhancement Statement (GES) review process back to the PCDC for discussion and review. Ms. Walker provided three options and the procedures to the Committee as follows:

Option 1: Ms. Walker said the language proposed during the recent Council Study Session provided for an administrative bypass procedure similar to that employed by the Historic District Commission. She said this procedure would allow for Staff to review development applications prior to any review by the GC to determine whether any opportunity for greenbelt development existed and if a finding of No Greenbelt Opportunity was made by Staff, then such information would be provided to the GC in the form of a report at the next GC meeting. She said the application would go on to the Planning Commission (PC) and ultimately, to Council for review without input from the GC.

Option 2: Ms. Walker said the GC expressed concern with the original proposed language, Option 1, the process would eliminate their input on developments for which they may disagree with Staff as to whether opportunities for greenbelt development exist. She said Staff was instructed to develop language that would give the GC the opportunity to review Staff's decision and ultimately the development application if the GC disagreed with Staff's finding of No Greenbelt Opportunity. Option 2 is responsive to this request and would still provide for a potential administrative bypass, but Staff's finding of No Greenbelt Opportunity would be presented to the GC in a consent docket format. She said if a Greenbelt Commissioner believed Staff's decision to be in error, he or she could remove the item from the Consent Docket and it would be reviewed by the GC as any other development before the GC would be reviewed.

Option 3: Ms. Walker said the development community has also expressed concern about the review process because it would require review of developments with opportunities for greenbelt development by the GC two times. The first review will be upon application for a Pre-Development and the second review will be upon application for the PC to review. Ms. Walker said Option 3 provides for the same process regarding Findings of No Greenbelt Opportunity as in Option 2, but alters the review process to provide for only one review of applications that do not substantially change between the GC's initial review and application for PC consideration.

The Committee discussed and felt Option 3 would be best since it allowed the GC to review Staff decisions regarding "Findings of No Greenbelt Opportunity" and it also allowed the developer(s) to attend only one GC meeting if their application does not substantially change between applications for Pre-Development meeting and PC review. The Committee discussed the timing of the review process and language changes were suggested as follows:

- Section 4-2025: change "decisions" to "recommendations" to reflect the following, "...*recommendations* by the GC..." in recognition that they are an advisory board
- Section 4-2027(a): Submission: should be clarified regarding *when* GES is to be submitted
- Section 4-2027(c)(2)(a): delete "at the next Commission meeting"
- Section 4-2027(c)(2)(b): change the verbiage "after" to "when" to reflect the following, "...all other applications for which a GES is completed shall be considered by the GC for an initial review *when*..."

Ms. Walker said Council also requested Staff to remove the "whereas" clauses drafted by the GC from the ordinance and instead place them in a resolution. She distributed copies of the proposed resolution as well as proposed Ordinance No. O-1011-6 amending Chapter 4. Mr. Harold Heiple, Attorney for Norman Developers Council, objected to Sections 4 through 9 of the proposed resolution, but Councilmember Dillingham felt there was language to recognize the ordinance may not be applicable to all developments or all green spaces. However, Staff was directed to add "*generally*" to Section 5 and "*often*" to Section 9.

Councilmember Butler requested Staff make the changes discussed today and submit the ordinance for First Reading on the September 28th Council agenda.

Items submitted for record

1. Memorandum dated August 30, 2010, from Ms. Kathryn L. Walker, Assistant City Attorney, through Mr. Jeff H. Bryant, City Attorney, to Planning and Community Development Committee Members
2. Greenbelt Commission Review Options dated August 30, 2010
3. Proposed Resolution Supporting the Development of a Greenbelt System and the Review of Certain Developments by the Greenbelt Commission
4. Proposed Greenbelt Ordinance O-1011-6

MISCELLANEOUS DISCUSSION

Ms. Susan Connors, Planning and Community Development Director, informed the Committee the lighting issue has been discussed at the Planning Commission (PC) meeting the previous evening, September 9, 2010. She said the main concern was not with new construction lighting issues, but with lighting issues on additions and/or remodel construction. She said the PC did not make as much progress as they hoped on this topic and will resume discussions at the next scheduled PC study session on September 23, 2010.

The meeting adjourned at 8:31 a.m.

Attest: City Clerk

Mayor