

**CENTER CITY ADMINISTRATIVE DELAY AD HOC COMMITTEE
MEETING MINUTES**

APRIL 7, 2022

The Center City Administrative Delay Ad Hoc Committee of the City of Norman, Cleveland County, State of Oklahoma, met in the Executive Conference Room of the Norman Municipal Building, 201 West Gray Street, on the 7th day of April, 2022.

Notice and agenda of the meeting were posted at the Norman Municipal Building and online at <https://www.normanok.gov/your-government/public-information/agendas-and-minutes> 24 hours prior to the beginning of the meeting.

MEMBERS PRESENT

Councilmember Lee Hall
Councilmember Stephen Holman
Councilmember Matthew Peacock
Keith McCabe
Jim Adair

MEMBERS ABSENT

Richard McKown
Autumn McMahon

A quorum was present.

STAFF MEMBERS PRESENT

Jane Hudson, Director of Planning &
Community Development
Logan Hubble, Planner I
Colton Wayman, Planner I
Anais Starr, Planner II
Rone' Tromble, Admin. Tech. IV
Beth Muckala, Assistant City Attorney
Scott Sturtz, City Engineer

GUESTS

Peter Petromilli

Councilmember Hall called the meeting to order at 11:36 a.m.

1. WELCOME

Councilmember Hall – Good morning, everybody. I want to welcome everyone who is here today. Mr. McKown and Ms. McMahon are not present with us today, but we have Mr. McCabe, Mr. Adair, Councilmember Peacock and Councilmember Holman, as well as City staff. We will move forward with our first agenda item.

2. STATEMENT REGARDING ETHICS POLICY FOR COMMITTEES AND BOARDS

Councilmember Hall – I would like to read a statement to continue to clarify and make sure we all understand the refresher that we had in the last couple of weeks on the Open Meetings Act, and this is just an abbreviated Ethics Code refresher. The City's ethics policy acknowledges that ad hoc committee members, in particular, will be interested to some extent in the matters they are discussing and addressing as a committee member. The policy's general conflict of interest provisions are not applicable in the same manner as other public actors. Instead, ad hoc committee members should keep in mind that they may be called upon to make recommendations that affect various groups and individuals. They should base their decision or recommendation on the merits and substance of the matter at hand, rather than unrelated matters. If anyone would like a new copy of this policy for their records, please feel free to ask City Legal. Our talented and competent City Attorney Beth Muckala prepared this statement to read to you all today, so if you have any questions about it, I would refer you to her for further legal clarity.

3. DISCUSSION REGARDING ARCHITECTURAL REQUIREMENTS TO ENSURE QUALITY STRUCTURES/PROPERTIES

a. PERMIT FOR SIDEWALK REMOVAL

Mr. Sturtz – This is something we are definitely interested in, and, by the way, not just for this area – throughout Norman. I've got other places I'm fighting the exact same problem, where people are tearing out the sidewalks at the beginning of their project. Now it's an ADA violation. We're looking into this and what our remedies are, but we do have this written into Section 9, which is actually Site Improvements, not Drainage. I like the way we worded that. I already had that included in there. As part of that permit, you do state that you're going to have it taken out for a certain timeframe. That gives us some ability to work with that. There is also a rental – across one of these lots I think I added it up and it's like a whopping \$50 a month or \$100 a month. Maybe it was \$30. Whatever it was, it was really low, so it's not really a big administrative issue, but then if you don't complete within that time, you have to get an extension, your fee doubles. If somebody comes in and goes, well, it's going to take us 210 days, we're going to say, no, it's not. We're writing that into this section so we'll have that for applicability and enforceability in the future.

Councilmember Hall – Okay. It's not currently included now; it's an edit that we're going to add to make it more clear for the future.

Mr. Sturtz – I added when I spoke about the Section 9 last time. It was in there then, but I didn't have the actual discussion that it's a permit that is obtained through Public Works Engineering. That language will be in there, and then I've got one other little minor correction in Section 9 that I'll be making that will be coming out and everyone will be able to see.

Councilmember Hall – And this is something that you're hoping to achieve across our lovely community.

Mr. Sturtz – It is. Actually, currently it's a permit that you're required to have, and there is a provision in there for rental, if you will, of the sidewalk. The only place I've really administered it so far is we did it on Main Street when one of the buildings was doing façade work and they needed to be able to close the Main Street sidewalk, and we had to move it out. We actually did apply it in that situation. But we think that it should be applied across our community. I've actually got a place right now where I've got an arterial road and two different projects on opposite sides of the street and there's no way to get connectivity for a mile. We can't have that situation in our community; it's an ADA violation.

Mr. Adair – Quick question. How do you avoid the ADA violation in a subdivision? Is it exempt until the subdivision bond expires?

Mr. Sturtz – Subdivisions are a little different in that regard, and it is written where they pay the bond up front. It does behave a little bit differently. Luckily we've never been challenged on that. It's pretty common in most communities that they don't come in and build all the sidewalks at the beginning because they're all just going to get ripped out and torn up by every contractor that comes in to work on a house. It is kind of a hard situation there.

Councilmember Hall – I have another question, because this is specifically for sidewalk permitting – sidewalk removal permitting. How do we handle blocking sidewalks with construction materials, which is currently taking place?

Mr. Sturtz – That's illegal, also.

Councilmember Hall – Okay. How do we enforce that?

Mr. Sturtz – Those are the things that we need to iron out. I don't, technically, have a lot of enforcement action. I think it may go back to our Code Enforcement Officers. That is also in the paragraph that I wrote. Basically, what I've said is that all work has to be contained within the limits of the property. I think we also have had problems with people storing a lot of their construction equipment and other items and trailers in the alleyway, which is causing problems for access for other people who need to utilize that alley for getting to their homes. As we move forward and we have more of these, that's going to continue to grow as a problem. Basically, we said you've got to be able to operate within your footprint of your property, and that if you're going to do any work outside, you have to get the permit, including removing sidewalks. It's kind of all worded in there altogether in one new paragraph or two in there.

Councilmember Hall – Okay. Thank you.

Mr. Sturtz – But I agree. Enforcement is always where we have problems.

Councilmember Hall – And it is something that we've talked about previously in an earlier meeting, of how we can possibly address more robust enforcement.

Mr. Sturtz – We're looking into this and I haven't even been working with Planning on this, yet, so it's kind of new. In the building permits that we issue, it does basically say that if you're in violation the permit becomes null and void. Well, if they don't have this right-of-way permit, technically they're now in violation of their building permit. Is that a tool that we can use? I don't know. We'll also have to be working with Legal on what our remedies are. But, like I said, this is a problem beyond this area. We did have a situation where one of the developers had stuff all across the sidewalk and it did wind up we had an ADA complaint from an individual that lived in the area and was not able to get around sufficiently because of the damages to the sidewalks and the locations that they were. Just kind of was highlighted in this area and brought to my attention there.

Mr. McCabe – I think what goes hand-in-hand with what Scott is saying is any time we do any type of work on a property – case in point, I go get a dumpster from the City, I have to show on my site plan where that dumpster goes and it has to be able to fit completely on my property, without crossing the sidewalk. One of the best people you have are the guys that deliver that roll-off, because if you try to get them to cheat, they know – they won't do it. So they're actually the best enforcement, because they're the ones delivering it. But anything that I do, from sidewalk to street, I have to get a special permit for the driveways, all of that. In Core Norman, we're actually able to get a parking permit from the Police Department, so if we need to park our work vehicles in the street, even though it's posted no parking, we can get that permit and there's a timeframe on it, also – you're only good for this day to this day – but that allows us to park our work vehicles in the street. So those mechanisms are already really there to keep going with that. I think that's a great idea.

Mr. Sturtz – So we'll be doing more investigation on that, but that will be included in the section.

Councilmember Hall – Okay. So we'll see that in the draft. Great.

Mr. Adair – To echo what Keith is saying, I was in City Hall last week working on a roll-off location on Peters where we're covering 100% of the lot. Their first answer was to put it on the roof.

b. SCREENING OF RAIN BARRELS/STORAGE TANKS

Mr. Hubble – We're trying to wrap up the conversation on the storage tanks. What we're wanting to move forward with is any tank that is above 100 gallons would have to be enclosed on at least two sides by the main structure. You'll see that in the Part 4 draft that we have, but I just wanted to highlight it separately, because that is something we talked about for quite a few meetings now.

Councilmember Peacock – Main structure, so you can't put just a fence around two sides of it? Okay. Just want to make sure.

Mr. McCabe – That's what I was going to ask. So the surround – did we decide on a hard surface, like a fence or vegetation?

Mr. Hubble – Essentially, they might still be visible, but they will be recessed into the building, ideally. That's what this is intended for. Whereas the ones that we've seen pictures of many times are just sitting out there. Now at least it would be sitting back so there would be a notch in the building that these would be in so they're more out of the way – technically still visible, but less of a nuisance.

Councilmember Peacock – You have to keep one side open basically for access if you ever need to get to it, but could we require that third side to be covered by vegetation or a fence? I think the recess is great, but getting that extra layer of screening on it, from my vantage, I think it would help clean it up a lot better. I don't know if anybody is open to that idea.

Councilmember Hall – Not my favorite things, as I've said, so anything to have them not be a prominent feature – definitely supportive of that. Is there a reason that you're choosing tanks above 100 gallons? So what happens if it's below 100 gallons?

Mr. Hubble – It almost seems silly to have to create a notch in the building for a 50-gallon rain barrel. I did 100 because maybe there are big rain barrels, but anything above that would be a storage tank.

Councilmember Hall – Just as a visual reference, the storage tank that has most recently been installed – how many gallons is that one, again?

Mr. Sturtz – 2,500 gallons.

Councilmember Hall – Okay. Thank you.

Mr. Hubble – Anything near that would have to be enclosed.

Councilmember Peacock – A rain barrel is 55 gallons. Big difference.

Mr. McCabe – Just to clarify. So it does have to be recessed into the building?

Mr. Hubble – Yeah. That's the idea. If we had Richard here, he might be able to think of some sort of other way – some sort of crazy way someone might be able to figure out to do it. All that I can think is, yeah, it would have to be recessed in, because it has to be enclosed on two sides.

Ms. Hoggatt – Is that cumulative? Or could you have six 50-gallon rain barrels?

Mr. Hubble – I'm not sure. I'd probably have to think about that. How it's written now, it would be any individual tank, but it would have to be 100 gallons. So how it's written now would be if you had six 50-gallon ones then they would not have to be enclosed. But we could write it differently.

Councilmember Hall – Might want to think about that.

Councilmember Peacock – It's a slippery slope. I think somebody would most definitely try to take advantage of 50-55 gallon rain barrels and try to defeat that capacity. I don't think you could make it work, but I wouldn't want to leave that door open.

c. CERTIFICATE OF COMPLIANCE

Ms. Starr – In reviewing Part 4, we remembered that we needed to address this issue – it has to do with our Certificate of Compliance. When a person comes in and does a development proposal, they go to DRT and then afterwards at the time of building permit, which is usually when they come back with the complete set of all their drawings, they're issued a Certificate of Compliance that's stating that they're complying with the Center City Form-Based Code. The issue we run into is that we have the approved set of elevations and site plans and floorplans that they've gone to DRT, and the Planning Department goes out to do inspections to see if they meet those, and they're different. They're different either with materials or configuration of the structure, or they're different because they've omitted some architectural elements. In Section 205 of the Center City Form-Based Code, which is the Certificate of Compliance issuance, it requires adherence to the plans that are approved and issued a CoC, but the language is not quite strong enough to require adherence to those architectural elements that we see on the CoCs and on the DRT plans, including the exterior elevation plans and the site plan. So, like I said, we get changes – differences. We're proposing clarification of this adherence to what is proposed and reviewed by the DRT, and approved by the DRT. It would basically say that development proposals, including the elevation drawings and the site plan which are reviewed by DRT and issued a CoC, must be constructed as submitted, and any modifications to that development proposal, site plan or elevation drawings, would be required to return to DRT for approval. That is what we're proposing, because we've seen this issue, just so that it's clear to the developers and everybody what you're putting on the drawings is what you need to build. If you don't want to build it, then you don't put it on the drawings.

Councilmember Peacock – We had a similar circumstance in architecture, and we always use the term "deviation", so I don't know if that might help hone in the language a little bit. I think that's completely reasonable what's being asked.

Mr. McCabe – Maybe the fact of us requiring a written letter of how you plan to build it, or how you actually state it, because I know that we typically don't say in a building plan or a permit that the materials or whatever, so you're going off of an architectural drawing, which in the field we kind of take that as a suggestion. So if that's something that you really are having a problem with – we've never really had to spell it out what we're doing, and maybe that might help, is if we actually have to start listing how that material is, how it's applied to mount, as opposed to just the architectural blueprint.

Ms. Starr – You do have a narrative that you're supposed to turn in with the proposal. It depends on the person that's submitting that narrative. We can maybe beef it up, because we don't really have real strict parameters for that. But right now it could be as simple as I'm proposing a 5-unit, 3-bedrooms per unit, and I'm going to build a 2-story structure and have 10 parking spaces – or whatever it is. That's basically what it says. We could maybe beef that up, and that might be an idea.

Mr. McCabe – Is that something that you're able to withhold their occupancy permit if it's – is that what you're trying to do?

Ms. Starr – That's where we've had the issue, because we go out and – well, this isn't ...

Mr. McCabe – I'll speak from personal experience. When I built on Eddington and I didn't build my street walls correctly, when you came out and looked and you said this is not what you did, I did not get my occupancy permit until I took them down and did them. So is that how we're enforcing that?

Ms. Starr – Yes. I think we've had some pushback on that, probably since you've done, that's led to this. Because they're like, well, it's not required in the CCFBC code that you adhere to those elements. Because, if you remember, we used to have the complete and discreet that people were adhering to. I think it got lost in there.

Ms. Muckala – So for the legal overview of it – what it is is people come forward, they explain their plans, they submit a site drawing that, I think, in some cases has had a little extra detail, like we're going to do this here around the window, or this or that – just little examples. And they are in compliance with the Form-Based Code and they go through and the DRT sees it and they say that looks great. Well, something like that might get removed and they might still be in compliance with the code, it's just that they kind of made extra promises that they didn't follow through on. What the DRT process has been is to look at their plans and say are they complying with the code or not? If they've met that base barrier, then those extra promises that they made couldn't be forced – couldn't be kept. So, basically, it's like just show us what you're going to do. Don't show us what you can do, just show us what you really plan to do, and that way everyone knows what's on the same page. It's just to make that clear. I don't think the goal is to actually require the submittal of any additional information; it's just to make it crystal clear what's going to be built, and that's what we expect.

Councilmember Hall – I think that's definitely a step in the right direction.

Mr. McCabe – Maybe wording in that that does say that a picture is worth a thousand words, and if you submit it as a drawing and this is what you're showing us, this is what we're going to take, and this is what we're going to expect.

Ms. Starr – We hope to add language in there that basically you know when you're submitting for a CoC, which is what you're doing when you're going to DRT, that's a binding document and we're going to hold you to that document.

Mr. McCabe – Because right, wrong, or indifferent, again, the architectural plan that somebody will give me, and all of a sudden my job is to build it to budget. When they draw it, they don't do a budget. You look at the key aspects to an architectural plan, but a lot of the smaller stuff – you don't look at it as need to be. That might be wrong in the profession, but that's just the way it is. So maybe if we put the wording to help say that the drawing is what we expect, that would help.

Ms. Starr – Right. I agree. That's what we're trying to do.

Councilmember Peacock – To build on what Keith said, there are a lot of architects out there that do require the builder to actually build it as per the drawings specifically, and if there's any deviations from that, then that could be termination of a contract. Some architects are very hard-nosed about that. I agree with what you're saying. A lot of builders do take the flexibility to get it under budget and get it built, but I think there could be both cases, so we should probably account for that.

Councilmember Hall – Again, in trying to achieve simplicity and clarity of what everyone's expectations are, and that when you go to DRT there's things that you're looking for at that point that are a little bit different than what's happening in the field and it's just, as Ms. Muckala said, show us what you're going to do and do it.

Councilmember Peacock – I think that's fair.

Mr. McCabe – One last thing, and because when an architect gives you a set of papers and he stamps it with his red seal, you legally are not supposed to deviate from that. Any type of deviation actually requires his permission, so I would have to go get his permission to redraw it, to then go resubmit it to Planning to show the changes. But residential properties don't require architectural seals, so you can have a draftsman draw it, and then that is basically bypassed.

Ms. Starr – We have both designers and architects where we've had this happen. I think it's what you said, Keith; sometimes they get out in the field and they change their mind or they have budget constraints or whatever, but it makes it difficult when DRT members, and that includes the community, because we have community looking at these, and then they're like why didn't you make them build it to what they said they were going to build it to.

Councilmember Hall – It sounds like that's going to address all those things. So the language that you just read, you'll take this feedback and we'll see language in the final draft – because that's where we're headed now.

4. DISCUSSION REGARDING CONSOLIDATION AND SIMPLIFICATION OF CODE FORMAT AND PROVISIONS

a. PART 4 – BUILDING FORM STANDARDS

Mr. Hubble – Our Building Form Standards – Part 4 – this is basically the general stuff that's not in the individual BFS frontage types. Most of the changes we've made aren't really going to affect the form; the vast majority of them are simplification or shortening the code, because there's a lot of cases where it's too wordy. I should say that there are some instances in here where it says Townhouse/Small Apartment or Neighborhood Middle frontage that we're going to take out, but while doing this quickly, we missed it. But for the draft in a few weeks, we will have those removed. I'm going to go through this and explain all of it.

On page 19, the first two things that we got rid of, both of those were places where it was unnecessarily wordy. There's no reason for them to be in there, and it's not going to affect the form at all. This is just the statement of intent for this part of the code. They don't need to be as long as they are right now. Does anyone have any comments on that part?

On page 20, it looks like we have a whole bunch of new and are getting rid of a bunch of stuff, but actually this is just stuff being moved around – that's why it's all blue and red. This is actually all the same content that it is right now – we haven't changed anything here, but it's just in a slightly different order than it was before – a way that we thought made a little more sense. All of this part applies to block development, which we've gotten very, very little of in the CCFBC area, so this is not always used, but we do use it sometimes, so it's definitely going to stay in, but just trying to rearrange it a little bit.

Councilmember Hall – I do have a question. So the blue is primarily language already included that's just being ...

Mr. Hubble – Literally just moved around.

Councilmember Hall – Again, to address one of the goals of why we're meeting is to address a lot of the technical editing and the way it was constructed to simplify it for not only the Planning Department but also for developers and designers and to make this a document that's much more easy to use. So 3, 4 and 5 was taken out because ...

Mr. Hubble – I think this stuff – 3 was taken out – it's elsewhere in here.

Ms. Starr – It's a.

Mr. Hubble – Yeah, I think it's a. I think 3 and 4 were both put in under 1 a and b, and then number 5 is now b under 2. Then a-e on the next page are now i-v at the bottom of the blue.

Councilmember Hall – Okay. I just wanted to make sure everybody is following where we're going.

Mr. Hubble – It should all be in there.

Moving on, on page 22, we got rid of 8. It says there are no side lot setbacks except as specified in Neighborhood Manners or an individual BFS. Basically, we don't think that needs to be in there because it is stated in these other places; we don't think there needs to be a separate statement saying that there are none, when the side lot setbacks are clearly mentioned in other places.

On page 23, we got rid of these drawings and it changed in I. Elements, number 3, because as we talked about changing where a window can be from 10' from the side lot line to 3'. We got rid of these drawings that conflict with that.

Next page – page 24 – on number 7, a-c we basically put into 7 – a and c we got rid of; a is any railings for a balcony have to enclose at least 55% of the view through them, but a lot of railings for balconies would be less than that – like a metal railing or something – would enclose less than 55% of the view, so we thought that was a strange

number. We don't really know what the purpose of that would be, so we got rid of that. We also got rid of the requirement for it to be roofed.

Councilmember Hall – For the balcony to be roofed?

Mr. Hubble – For the balcony to be roofed – yes.

Councilmember Holman – I just wanted to clarify the part about entry doors facing the ...

Mr. Hubble – I haven't got to that, yet. Is there anything else regarding the balconies?

Lower down on the page, we wrote this sentence to say that a façade entry door is not required on a dwelling unit that has an entry door on a frontage-facing courtyard. The front-facing courtyard, if a unit has an entry door there, it does not have to then have one on the street frontage, which it does right now. That 719 Deans Row project that appealed to Council and got approved – they had to have both an entry door on the street, but then they also wanted to have one on the courtyard, so they had to have both, even though the courtyard one would be fine. So that's basically just written in there so they don't have to have one on both – they can have one just on the courtyard.

Councilmember Holman – There would have to be a window, though, right?

Mr. Hubble – Yeah.

Councilmember Holman – It couldn't just be a blank wall.

Mr. Hubble – Yeah, fenestration is still the same. Definitely.

Councilmember Peacock – I think that really gives us flexibility in terms of pattern zoning, because I know a lot of their steps revolve around that same floorplan, but different access points to create different scenarios.

Mr. Hubble – On the next page, page 25 – we totally got rid of this L. Building Functions section. It talks about the allowable uses for ground stories being identified in each BFS. I don't think that needs to be a section, because they are identified in each BFS. The code repeats itself a lot.

Councilmember Hall – So it's just redundant?

Mr. Hubble – Yeah. Then we got rid of, at the bottom here, the Refer to Sections 402.N.2 and 402.N.3 for the specific requirements, because those are literally right below this section, so there's no reason for that to say that. You would say that in every single other section for further instructions. There's no reason to have it here when it's literally referring to the thing right below it.

Councilmember Peacock – Are there any graphics that outline the signs.

Mr. Hubble – Well, not graphics – and we haven't taken any out or anything. There are these pictures here to show different types of signs, but, no, we don't have any graphics for the signs.

Councilmember Peacock – I think those would be helpful.

Mr. Hubble – We are going to return to signs. Eventually, at some point, we will return to signage. Not during this ad hoc time, but at some point.

Councilmember Peacock – That works.

Councilmember Hall – This is primarily clean-up?

Mr. Hubble – Right. Moving on, then. O. Lighting & Mechanical – there's this whole section about the Purpose and Intent, which we don't really see as really fitting where it is. We got rid of the lighting purpose and intent totally. The mechanical equipment one, it does describe what mechanical equipment is and does have some actual rules in it, so we moved that to the actual Mechanical Equipment Standards section, which is on page 28. But that first paragraph was kind of unnecessary so we got rid of that for that reason. Then further down on the lighting standards, basically there was this requirement for lighting that had specific requirements on where it should be near the alley. That got kind of forgotten about. We didn't enforce that for a long time. Then, when we started enforcing it, it is sometimes difficult for the lighting to be within 5' of the alley in a very certain area, so basically got rid of that. They'll still have to illuminate the alley, but it just doesn't necessarily have to be within 5' of the alley.

Councilmember Holman – Were you about to go over the prohibited ones, too?

Mr. Hubble – Go ahead and ask your question.

Councilmember Holman – What is an outdoor advertising sign?

Mr. Hubble – Outdoor advertising sign – I didn't write this.

Ms. Starr – I think they're talking about off-premise signage is what I was thinking it would be.

Ms. Hudson – Where is it?

Mr. Hubble – 3 on page 26 – 3. Prohibited Signs. I'm thinking like a billboard.

Councilmember Holman – Like a billboard that would be – we're not talking about a sandwich board.

Ms. Starr – You can have a sandwich board.

Mr. Hubble – It seems like it's talking about signage that you could pay someone to put up on top of the building or something like that.

Councilmember Holman – I wasn't sure what that meant exactly. Roof signs – would that be like Joey Wishnuk's building that we voted to allow, but that's not allowed by right.

Mr. Hubble – Right. That's a PUD.

Councilmember Holman – So you can do it, but you've got to come through Council, and we have approved one.

Councilmember Hall – There's a name for that type of sign that's escaping me at the moment.

Councilmember Peacock – Scaffolding.

Councilmember Holman – Monument signs?

Mr. Hubble – I don't even know if I have a good definition for it. We have had one for The Wedge that's being built right now; they wanted a giant 25' tall sign that said The Wedge real big on it, and we consider that to be a monument sign.

Councilmember Holman – Like one that hangs off the side of the building?

Mr. Hubble – No. A free-standing.

Councilmember Peacock – Like the entrance to a neighborhood.

Ms. Starr – Not on a pole.

Councilmember Holman – So that's not allowed. Okay. And then any kind of animation – we allowed that for the dispensary over here, is that right? They have a sign out front that has flashing. Right here on Gray Street – Herbal House. I think it has lettering on it. Don't want to get them in trouble, but just want to know if that's allowed or not. Signs painted on exterior walls – it can be a mural, right? But not something that says the name of the business? Like Dr. Bird's Norman mural.

Councilmember Hall – I think this another gray area.

Mr. Hubble – This is why we're going to revisit this. It definitely needs works.

Councilmember Holman – I think that's what I just wanted to clarify, was what those meant and what those were.

Ms. Starr – To your point, the temporary sidewalk easel signs are allowed.

Councilmember Holman – So like the First Financial Center, when the Vista was still on the top floor, they had Vista in letters that lit up at nighttime in green. Is that allowed? It said Vista at the very top of the building.

Councilmember Hall – On the building.

Mr. Adair – The early 70s it had a moving sign. It caused a lot of car wrecks.

Ms. Hoggatt – I think it's saying that they can light up, but they can't flash.

Mr. Hubble – Right.

Councilmember Holman – This one just lit up green neon at night; it didn't flash.

Mr. Hubble – There are also rules about where exactly they're allowed. For example, 2.a. is wall signs are permitted between the area between the second story floorline and the first floor ceiling, so in the band between those. It would probably take more time to really look through this.

Councilmember Holman – On the First Financial Center it was on the very top.

Mr. Hubble – But it was not a roof sign; it was on the building itself?

Councilmember Holman – Yeah. But the very top floor.

Mr. Hubble – It would probably require more time to go through this, and this is part of the problem with the code, that any question like that requires research.

Mr. Adair – A lot of sign ordinance relates to the surface area of the building, and the Vista sign, in that context, was very small.

Councilmember Holman – I'd like to make sure people could still do that if they wanted to, perhaps. I always liked that sign.

Councilmember Hall – As long as they're not flashing.

Councilmember Holman – I notice it when I turn onto Main Street, I miss seeing Vista up there.

Councilmember Peacock – I know we're going to revisit this, so this might be premature, but whenever we start talking about signs again, making sure the mural is not – I don't want signs painted on exterior walls to be prohibited, because I do think that is very much a mural. Oklahoma City treats those – you have to go get a sign permit. So maybe if it's just changing language to saying – maybe it's got prohibited signs and then it's signs allowed by permit or something that just clarifies – a bit of separation there.

Mr. McCabe – In the past, when we talked about these signs, we were trying to prohibit those portable 3 x 5 signs that would come out with the arrow that would light up. That's where that was coming from. But we still wanted to be able for our merchants to maintain – I believe they're called clapboard signs – but the little signs that they can take, you unfold, a triangular type deal.

Mr. Hubble – Yeah. We were talking about that. In 2.h that's still allowed as temporary sidewalk easel signs. Those are definitely still okay.

Mr. McCabe – But that just kind of gives you an idea what the thought process was, because a long time ago everybody wanted their own sign that lit up that pointed this way.

Councilmember Holman – Pictures of old Main Street that you see that.

Mr. Adair – To my knowledge, it hasn't changed. When we did the mural on the east side of the Financial Center, which is 140' wide by 75' high, I went to see Kathryn and we did not have to get a permit. The only question was is your name on it? Is it advertising? There is no lettering on it so it is not advertising. Subject matter was not controlled.

Councilmember Hall – Again, for clarity, it seems like, as we progress to addressing some of the signage issues that we've already talked about, really spelling out what the process is, what you can and can't do.

Mr. Adair – It is now gone. There was an issue at one point in time, there was a sign painted on the front of a building in Main Street that exceeded the permissible square footage for a sign. It was done very much in a graffiti style and the owner wanted to claim it was a piece of art and, to be honest with you, a lot of us felt it was just advertising. I think outside of this ordinance, that's probably something we need to address at some point.

Councilmember Hall – I know we've already discussed that, again, will be for a later date, but just the conflict with what you might be doing with your building if it's under the legacy zoning, if it's under Form-Based Code, and somehow we're allowing signage one way and signage – so we literally have an overabundance of signage. I don't think that's what we're trying to achieve, so I hope we get that taken care of, too.

Mr. Hubble – One little thing left that Jane may want to say something about.

Ms. Hudson – It's under the Lighting Standards, d and e. You'll see those have been stricken. One of the reasons that we did that is the lighting regulations, lighting preferences, lighting guidelines are changing so much. They say that the stuff that David Riesland is looking at – our Traffic Engineer – for lighting and stuff like that that's in the right-of-way, as opposed to having something here, I thought – because dealing with this for several years, that it would be better to take those out. In addition to that, when we're doing the cutback parking or adding the additional parking in front of some of the lots, if people are putting lights in and then we come back later only to take them out.

Councilmember Peacock – I saw on the next page. I think they're discussing it right now.

Councilmember Hall – So the HVAC stuff that was in one section was moved to section 3, I think we mentioned that.

Ms. Hudson – I think we had actually talked about that at the last delay, and we didn't want that in there and it didn't get taken out at that time, if I remember correctly.

Mr. Hubble – This k that was stricken was supposed to, I guess, have been removed in 2019.

Ms. Hudson – We had talked about it, I think, in 2019. That was a concern that some of the people on the committee had.

Mr. Hubble – So we took it out now.

Councilmember Holman – So it doesn't count, then?

Mr. Hubble – So now it would count toward the ultimate building height limit. So right now it does not as it's written, but by taking that out it would now count toward it. You can't have a bunch of equipment that is 20' taller than your building, or whatever.

Councilmember Holman – What is it usually, like 5' or something? When they have the lip around the top.

Councilmember Peacock – Well, the parapet is one – building wall, roof – but then above that is mechanical equipment and screening. I think that's what you're talking about. What's the lowest building height we have in Center City.

Mr. Hubble – Detached is two stories, but in the new Urban Residential – and I don't even think we have a footage number for it yet, but it's really just a story number.

Councilmember Peacock – I don't think you're going to have much rooftop equipment on those kind of projects, but you would on the 6-7 story buildings. Do we really want to make somebody have to do one less floor because they had to include mechanical?

Mr. Hubble – In the red, the Urban Storefront – for the most part there is no height limit anyway.

Councilmember Peacock – 6 story area – they'd have to do 5 stories and then their rooftop equipment counts as a story. I don't know if I ...

Mr. Adair – What about an elevator penthouse?

Councilmember Peacock – Elevator – exactly right. Rooftop patio.

Ms. Hudson – Let's leave it in.

Mr. Hubble – We can keep that.

Councilmember Peacock – I don't even know that it's related just to screening mechanical equipment. Screening material and equipment. Okay. Personally, I wouldn't want to put that burden on somebody, because they might need it to be six stories to make the development work.

Mr. Hubble – I wasn't here in 2019. I don't know what led to that.

Councilmember Holman – Probably if we want it to not count as part of the building height, but maybe have some sort of regulation about how tall that screening can be. It doesn't need to be the height of a full extra floor – and most the buildings I see have a few feet of ...

Councilmember Peacock – I would think 8' is probably enough.

Councilmember Holman – A wall or something that blocks that stuff. I wouldn't want someone to have to go lower just so they could stay in the ...

Councilmember Peacock – Also don't want radio towers on top of your – I can see both sides.

Mr. Adair – Just for example, the Financial Center, which by today's standards is a short 6-story building. Floors are typically only 8' clear. Has a full elevator penthouse with 7' door for roof access. The elevator wouldn't function without that. Are you looking at it as 6 stories, or are you looking at it as 7?

Councilmember Hall – Okay. So where are we?

Councilmember Peacock – I say you don't strike it. You leave them the flexibility to ask to go above the roof height.

Ms. Hudson – But do you want that comment that Councilmember Holman just said?

Mr. Hubble – Do we want to add a height limit to the equipment and the screening? We can definitely do that.

Councilmember Hall – I'm more comfortable with that.

Councilmember Peacock – I think 10' is probably enough. I can't imagine a scenario where you'd need more than a 10'. How tall is that penthouse, do you think?

Mr. McCabe – It was probably because existing categories that we have now with the colors, they have a height – stated height. You cannot exceed. So building anything above that would have exceeded that height limit. So if we're raising the height limit,

that would probably be where, like you said, where you're trying to get the conversation. I guess the last big project that I remember was The Noun, and that was a big deal about the mechanical room on that rooftop – of how that came about.

Councilmember Hall – Well, and that was a CCPUD, because there were multiple things that couldn't be done under that building form standard designation on University, so that was one of many things that required a CCPUD, because they couldn't follow the code.

Councilmember Peacock – See if you can get some building standards on penthouse height and stuff. I don't want to give you 10' and make an arbitrary number. So a little more research probably.

Councilmember Hall – So we'll let you sort that out. You have direction? Okay.

5. DISCUSSION OF NEXT STEPS

Councilmember Hall – Okay. I think probably this question for Ms. Hudson. Congratulations to us; we got through all our agenda items. The Planning staff, as you can imagine, is furiously working between meetings to keep us on track. So discussion of next steps. I know, at this point, that we do see a need to meet for – we have 3 more opportunities to meet: April 14, April 21, and April 28. I think the Planning staff thinks that all 3 of those meetings are going to be necessary, particularly since the April 28 meeting – and correct me if I'm not saying this quite right. All of these discussions that we're having will be in draft form for a final review and that will take place at least on the 28th. If you want to talk about how we're going to be spending our time on the 14th and the 21st, if you can, and then just roughly what happens after that, just to refresh everybody.

Ms. Hudson – I'm not 100% sure I can tell you exactly what we're going to be talking about on those meetings at this point. We've got to get back and regroup and see exactly where we are. I can't find my list – I had a list of all of our items. Uses is something else that we've got to finish up on.

Mr. Hubble – We're going to redo the definitions sections. Basically any definition we've added, or some that should have been in there to begin with and we're missing. Try to get that finished up.

Councilmember Hall – Non-conforming triggers. We still need to circle back on that.

Mr. Hubble – Yes. That will be following the uses discussion.

Councilmember Hall – That will be part of that conversation. Then just to review on why we're on such a tight timeline. Again, I want to thank all the members of the committee for making themselves available in this way, and also for all of staff time that is happening in between meetings to get us on a rhythm. This is really set in stone at this point. May 10 there'll be a Council Conference meeting to start reviewing this. May 18 a Pre-Development meeting. Special meeting of the Planning Commission on May 19. City

Council first reading on May 24, and second reading on June 14, because that's the day that the delay expires.

Mr. Adair – Can you email those to us?

Councilmember Hall – Yes.

Ms. Hudson – We were going to do that, and get everything back out again as a reminder. These actually have to be on these days or we won't meet our timeline.

Councilmember Hall – This is the same time sensitivity we had in 2019 to keep our promise to the community on getting our work done in a timely manner and getting it to Council. I think that's it for today.

6. MISCELLANEOUS COMMENTS OF COMMITTEE MEMBERS AND STAFF

7. ADJOURNMENT

The meeting adjourned at 12:31 p.m.