

CITY COUNCIL
COMMUNITY PLANNING AND TRANSPORTATION
COMMITTEE MINUTES

September 28, 2017

The City Council Community Planning and Transportation Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 4:30 p.m. in the Conference Room on the 28th day of September, 2017, 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: Councilmember Clark, Holman, Karjala, Wilson,
and Chairman Hickman

ABSENT: None

OTHERS PRESENT: Mayor Lynne Miller
Ms. Susan Connors, Director of Planning and
Community Development
Mr. Terry Floyd, Development Coordinator
Ms. Brenda Hall, City Clerk
Ms. Jane Hudson, Principal Planner
Ms. Sara Kaplan, Retail Marketing Coordinator
Mr. Steve Lewis, City Manager
Ms. Leah Messner, Assistant City Attorney
Ms. Syndi Runyon, Administrative Technician IV

Item 1, being:

CLEVELAND AREA RAPID TRANSIT (CART) RIDERSHIP REPORT INCLUDING SAFERIDE AND EXTENDED SERVICE FOR THE MONTH OF AUGUST 2017.

Mr. Taylor Johnson, Marketing Specialist for Cleveland Area Rapid Transit (CART), highlighted CART Ridership Reports for August 2017, and said ridership and fiscal year-to-date ridership (July to August) had a decrease of 4% over the same period last year. CART continues to monitor this closely, but believes construction continues to affect the ridership count on the Main and Lindsey Street routes. In August CART transported 92,808 passengers that included 650 riders who traveled with bicycles and 381 riders who traveled with wheelchairs.

CARTaccess transported 3,011 riders in August, a decrease of 12% over the same month last year with an average daily ridership of 112 riders. Year-to-date, primary zone ridership decreased by 13% while secondary zone ridership increased by 13%.

Mr. Johnson highlighted CART activities that included a safety meeting on August 19th with information on motorist safety with bicycles, weapons on CART vehicles, and distracted drivers; attending a Center for English as a Second Language (CESL) orientation on August 22nd; and hosting a booth at the National Weather Center to educate people on using the bus system.

Item 1, continued:

Councilmember Holman asked if there have been any problems with people bringing weapons on the bus and Mr. Johnson said not yet, but State law allowing people to open carry on public transportation busses will go into effect November 1, 2017. Mr. Kris Glenn, Director of CART, said CART will follow State law, but is waiting on University of Oklahoma (OU) Legal Counsel to determine if bus drivers will be allowed to check for carry permits and whether or not the driver calls OU Police or Norman Police if an incident occurs.

Mr. Johnson said a trash can has been placed at the Main Street stop in front of Norman High School as requested by the Community Planning and Transportation Committee (CPTC) during the August meeting.

Chairman Hickman said the Campus Corner Shuttle route has the highest cost per passenger with the lowest usage and asked CART to describe that route's use and why the cost per passenger is so high. Mr. Johnson said this route is between OU's Research Campus on East State Highway 9 and Campus Corner allowing tenants on the Research Campus to enjoy lunch or shop at Campus Corner. He said currently OU Real Estate fully subsidizes that route, but the route is open to the public. Chairman Hickman said the next route with the highest cost per passenger is the West Norman Link, which also has high hours of service and asked Mr. Johnson to explain why. Mr. Johnson said that route was started in 2013 to provide more access to the Norman Regional Healthplex Facility (Healthplex) and operates between Sooner Mall and the Healthplex. He said an intern is currently assessing bus routes to see if any routes could be consolidated keeping the same amount of service area and service frequency and he will be happy to update the Committee as information becomes available. Councilmember Holman asked if the \$50,000 Norman Regional Health System provides to CART is specifically used for the West Norman Link and Mr. Johnson said no, that money goes into the general operating costs. He said when the route was originally started grant funding was accessed by CART, but that funding is no longer available.

Councilmember Wilson asked if CART knows why there is a decline in CARTaccess ridership and Mr. Johnson said this service provides origin-to-destination service for approved passengers for next day appointments within the Primary Zone (the area within three-fourths of a mile of fixed route) for a minimal fee. CART has been encouraging these riders to use the fixed route service for free, which has reduced the number of CARTaccess riders; however, Secondary Zone (the area outside of the three-fourths of a mile boundary of the Primary Zone) ridership has increased.

Items submitted for the record

1. Cleveland Area Rapid Transit Ridership Totals for the months of August 2017
2. Cleveland Area Rapid Transit Monthly Reports for August 2017
3. List CART Bus Stops by route including amenities such as benches and shelters
4. CART brochure entitled, "CART. Powering Norman's Future," dated August 2017

* * * * *

Item 2, being:

DISCUSSION REGARDING THE CREATION OF POTENTIAL REGULATIONS FOR TINY HOUSES AND WEDDING VENUES.

Tiny Houses

Chairman Hickman asked Committee members if they were interested in allowing tiny houses in Norman and they all said they were. Chairman Hickman said he would like to allow tiny houses to be located in certain areas in a long term occupancy fashion.

Councilmember Holman said he would like tiny houses to possibly be allowed anywhere in the City.

Councilmember Clark said there has been kick-back regarding large dormitory style houses in single-family districts because they do not fit into the neighborhood so the City needs to be mindful that tiny houses may create the same arguments. If tiny houses are allowed in single-family districts, would Homeowner Association's (HOAs) have to sign off on that? Chairman Hickman felt that HOA restrictions/covenants would apply to tiny houses.

Chairman Hickman said tiny houses could be allowed through a Planned Unit Development (PUD), in any zoning category that allows mobile houses, or in agricultural zones that allow residential use. He said if tiny houses are allowed as permanent housing in these three zoning categories that would cover current options as well as future options. Ms. Connors said someone could apply for a PUD anywhere in the City.

Councilmember Karjala said Councilmember Clark brings up a good point about HOAs and asked if there could be consideration that tiny houses must meet design standards of the neighborhood because tiny houses would stand out. Chairman Hickman said if there is a neighborhood covenant, tiny houses would still have to comply, correct? Ms. Connors said yes, the owner would have to comply with covenants, but the City cannot enforce covenants. Ms. Connors said one of staff's questions is whether or not the City wants tiny houses to meet room and overall space requirements in the building codes and if so, that is an issue that needs to be addressed. She said tiny houses could be allowed as a Special Use in any district, but could be considered an accessory dwelling unit on lots in some zoning districts.

Councilmember Wilson said the Ward Five resident currently having an issue with tiny houses resides in RE, Residential Estate District, and those lot sizes are around two acres. She said the neighbors in that area are totally fine with a tiny house and it fits into the rest of the area because there are some mobile houses there. She likes the idea of a Special Use because neighbors would have to be notified and there will be guidelines associated with the Special Use. Ms. Connors said the City would have to create a formula for tiny houses to be allowed that are different from what the building code would allow.

Ms. Leah Messner, Assistant City Attorney, said the Committee needs to think about whether or not these tiny houses will be allowed on wheels or if they need to be on a foundation. Councilmember Clark said sometimes things are put into categories they do not really fit into and she sees tiny houses quickly falling into the mobile home category so the wheels are going to be a huge issue. Councilmember Wilson agreed and said that also leads into the category of Recreational Vehicles (RV's).

Item 2, continued:

Tiny Houses, continued:

Ms. Connors said many vehicles are licensed by the State as an RV and the City's Code specifically prohibits living in RV's and she does not believe Council necessarily wants to change that because there is a wide range of definitions for an RV. She said if the tiny houses are licensed as an RV, the City needs to have some other mechanism to allow them. Another thing about mobile houses is that the only mobile houses allowed by the City are those that have a Housing and Urban Development (HUD) sticker and tiny houses do not have HUD stickers and would not be allowed as a mobile home.

Chairman Hickman asked if members wanted to limit discussion to allowing tiny houses on foundations only without wheels and Councilmember Holman felt there should be a location in Norman where tiny houses on wheels are allowed, but not citywide. Chairman Hickman said that would basically be a mobile home park and Ms. Connors said tiny houses are considered to be an RV which is different than a mobile home. Ms. Connors said Council could create a tiny house park.

Chairman Hickman said if someone wanted to buy a tract of land and apply for a PUD and under that PUD locate tiny houses on wheels, would that be possible and Ms. Connors said yes, the developer would need to identify any different combination of uses or single use that is not currently addressed in the Code. Chairman Hickman felt tiny houses with wheels should only be allowed through a PUD request.

Chairman Hickman asked if tiny houses without wheels should be required to be on some type of foundation with connection to utilities and Ms. Connors said rural areas may not have water and sewer, but would have electricity and possibly gas/propane. Councilmember Wilson said tiny houses should be connected to whatever utility services are available in the area. She asked if a tiny house in rural Norman without water service had to have a well or could the residents live off of tanks of water and Ms. Connors said there would need to be a well or water source other than tanks.

Chairman Hickman asked what zoning classifications other than R-2, Two-Family Dwelling District, and RE, Residential Estate District, should be considered for tiny houses without wheels and would they require a Special Use permit or be approved as a matter of right? Councilmember Wilson said a Special Use permit would eliminate any weird loopholes and require notification to neighbors and approval by Council, which are good check points. Ms. Connors said tiny houses could be allowed in all residential districts, but that could mean a lot of people applying for a tiny house or accessory dwelling unit that the City does not currently allow in many districts. She said this would be very similar to garage apartments. Councilmember Wilson asked if a Special Use permit could be required for tiny houses and Ms. Connors said yes, tiny houses can be limited on where they are allowed through a Special Use. Chairman Hickman asked Ms. Connors what other zoning districts she would recommend and Ms. Connors said A-1, General Agricultural District, would be appropriate especially if tiny houses are allowed in RE because of the lot sizes of two acres or more. She does not think there are other lot sizes that would be appropriate if the tiny house is supposed to be the primary structure as opposed to an accessory dwelling unit.

Item 2, continued:

Tiny Houses, continued:

Councilmember Holman said central Norman has some small, oddly shaped properties where a tiny house would appropriately fit. He asked if tiny houses would be allowed in the Center City Form Based Code (CCFBC) area and Ms. Connors said no, because tiny houses are pre-fabricated and not built on-site. She said tiny houses are manufactured off-site and brought in to be placed on a foundation so the City gets into that loop of only allowing HUD stickered units and tiny houses would not be HUD stickered units. She said the City will need to make an exception in the Building Code with special standards to allow tiny houses and Staff will need to research what that standard should be. The International Residential Code (IRC) is looking into tiny house regulations, but that will take years to develop and Chairman Hickman agreed that will be a work in progress.

Chairman Hickman asked if the zoning categories discussed tonight allows for accessory structures or multiple structures and should the tiny house be the primary structure? Ms. Connors said currently in residential zones, one structure per lot is allowed, which is true for R-1, R-2, and RE. She said if tiny houses are allowed as a second unit, how does the City distinguish a tiny house from any other accessory dwelling unit that someone might want to live in full time? Chairman Hickman said he would like the tiny house to be the primary dwelling unit and members concurred.

Councilmember Holman suggested a tiny house be allowed on a lot for a typical standard home and two tiny houses could be on that same lot with no garage or shed allowed. Ms. Connors said in R-1, R-2, and RE garages/sheds are allowed as accessory units and Councilmember Holman said he was thinking the garage could be larger than the tiny house and that is what he is trying to avoid. He would not want a garage or shed to be the dominant structure on the property.

Chairman Hickman asked if Staff had enough feedback to draft language for review at a future meeting and Ms. Connors said yes.

Mr. Steve Lewis, City Manager, asked what would happen if someone wanted to place a tiny house with wheels on a ten acre tract of land while they were constructing a stick building and Ms. Connors said because the tiny house would be considered an RV, it would not be allowed, but Staff could consider that while drafting language. Councilmember Wilson said in emergency situations the City has allowed an exemption to that rule and Mr. Terry Floyd, Development Coordinator, said that is true, it has been allowed after a natural disaster, such as tornado or fire, but there has to be an active building permit for the property. Chairman Hickman asked Staff to use that exception model in this language limiting the use to the zoning categories discussed.

Wedding Venues

Ms. Connors said Staff gathered information from several university and rural communities regarding their requirements for wedding venues. She said many of them require that someone live on the property where the wedding venue is to be located and the venue must to be a part of an agri-business, such as a winery or farm. She said many communities limit the hours of operation and number of guests.

Item 2, continued:

Wedding Venues, continued:

Councilmember Wilson said her intent of allowing wedding venues is for family farms to add revenue to their bottom line and she has not heard of anyone wanting a wedding venue other than farmers. She felt wedding venues should be come through as a PUD or Special Use because if the wedding venue is intended to be a commercial entity only then that is really not the spirit of what she envisions.

Councilmember Clark said many rural property owners do not want a business in their area, but if someone is living on the property that might be more palatable. Councilmember Wilson said the property needs to have a farm element because that is the essence of what she is looking for. She said there are horse facilities, family farms, and wineries that would like to hold an occasional wedding and reception to add revenue.

Ms. Connors said receptions generally bring music and the City's live entertainment language prohibits outdoor music venues. Councilmember Wilson asked if a Special Use Permit could include language allowing receptions and Ms. Connors said a Special Use Permit or Conditional Use Permit could allow weddings regulating the number of weddings per year and place conditions on what is allowed or not allowed. Councilmember Wilson said she liked that idea because neighbors and Council are involved in that process so there are checkpoints and Councilmember Clark agreed.

Ms. Brenda Hall, City Clerk, asked Ms. Connors if wedding venues would still be limited to seven noise permits per year and Ms. Connors said a Special Use Permit could stipulate the number of noise variances to be more than seven per year. Ms. Messner said while a wedding venue could have live entertainment, if that live entertainment is louder than the noise ordinance allows then the Police Department can site them for violating the noise ordinance. She said in rural areas with large tracts of land, the music may not carry over to other properties so this might not be a problem. Councilmember Clark said that may be the assumption, but according to some of her constituents in rural areas, that is not the case. She does not know what type of sound systems the wedding venues would have, but Council needs to be mindful of that issue. She asked Councilmember Wilson if her constituents would want more than seven noise permits per year for their wedding venues and Councilmember Wilson said she was not sure, but thought the wineries might want more than seven. Councilmember Wilson said allowing wedding venues would give wineries the opportunity for an influx of revenue they would not otherwise have, but she understands that neighbors may not always like that because some wineries are located closer to other property owners. She does not want to give wineries an open ticket to make all the noise they want all of the time because that could open up a whole new set of problems, such as motorcycle weddings or rock and roll weddings. She likes the distinction of requiring the proprietor to live on property that is functioning as a farm.

Ms. Hall reminded the Committee that next year Staff will be bringing forward new State regulations allowing wineries to sell wine by the glass and there have been requests that the City adopt the same regulations. She said once State law is in effect, wineries will have more opportunities to hold wedding venues, but that does not mean loud music will be allowed.

Chairman Hickman asked if the noise variance ordinance could be changed to limit permits to seven per year *unless otherwise approved by a Special Use Permit* so there could be a loophole for wedding venues. Ms. Messner said Council can amend an ordinance however they see fit.

Item 2, continued:

Wedding Venues, continued:

Chairman Hickman said he understands that if the City grants someone more than seven noise variances per year that could cause problems with neighbors so Council will need to review whether or not the applicant's location is the proper location to grant that type of exception. Councilmember Wilson said if a wedding venue has music and the music does not violate the noise level, can they have as many outdoor music events as they want? Ms. Messner said yes, as long as the noise ordinance is not being violated. Councilmember Clark suggested an extra fee be charged if the wedding venue has a sound system, which might discourage wedding venues from using sound systems. She really does not want to allow Special Use Permits to grant applicant's more noise variances than the seven allowed each year.

Chairman Hickman said there seems to be consensus that someone must live on the property and have an active agricultural business. He said as far as parking and lighting, he would like those issues to be required in a Special Use, but does not want hard and fast rules applied to them. Councilmember Clark said she would like the Special Use application to include a parking plan because she wants to be mindful of narrower roads where there are no areas for vehicles to park. She said plans for parking need to be very clear and concise and Chairman Hickman agreed since each property will be different. Councilmember Wilson said due to the rural nature of wedding venues, she would request that paving or any additional impervious surface not be required. Ms. Connors asked if the Committee would like to require any type of ground cover, such as gravel, and Committee members said no because that would take away from the ambience of the natural setting. Chairman Hickman said if the property is large enough, people could park in a field or front yard area and those areas do not need to be concrete, asphalt, or gravel, but a site plan for parking should be required with the application.

Chairman Hickman said he likes the language in the Lake Elmo, Minnesota, ordinance that states, "The property will be the primary residence of the venue operator(s). The operator must be on the premises for the duration of each event."

Councilmember Clark likes agricultural operations being a requirement for a wedding venue, but that stops other people, such as Mayor Miller who has a beautiful acreage, from being a wedding venue and it is important to explain to people why the City is making that distinction. Her first thought would be that farms are licensed by the State. Councilmember Wilson said a person only has to have two head of livestock to obtain a farm license.

Councilmember Karjala asked if a Bed and Breakfast (B&B) business could have a wedding venue and Ms. Connors said she did not believe so since they are zoned through a Special Use with specific guidelines that do not allow weddings. Councilmember Karjala asked how the City could fairly tell them no and Ms. Connors said B&B zoning does not automatically allow wedding venues so they would have to amend their Special Use to add a wedding venue. Ms. Connors said Whispering Pines B&B is the only bed and breakfast business approved for weddings, but she is not positive how that came about and will need to research that. Councilmember Karjala said she would be interested in how that came about because it is not fair to say one business can have weddings and another one cannot without having a very good reason. Chairman Hickman said this needs to be researched because there are B&B's in central Norman that may want to hold weddings and as everyone knows, there is not enough parking for that type of venue in central Norman.

Item 2, continued:

Wedding Venues, continued:

Chairman Hickman asked Ms. Connors if she had enough information to draft language for future review and Ms. Connors said yes.

Items submitted for the record

1. Memorandum dated September 22, 2017, from Susan Connors, AICP, Planning and Community Development, to Community Planning and Transportation Committee Members
2. Article from Zoning Practice, American Planning Association, Issue Number 11, entitled, "Practice Tiny Houses," dated November, 2015
3. Article from Sightline Institute entitled, "Legalizing The Tiny House, Brining rouge housing in from the cold," by Alyse Nelson dated June 27, 2016
4. City of Fresno, California, New Zoning/Development Code
5. Article from Curbed entitled, "Tiny house zoning regulations: What you need to know," by Emily Nonko dated September 22, 2016
6. City of Rockledge, Florida, Ordinance No. 1680-2015, providing for tiny houses in pocket neighborhoods

* * * * *

Item 3, being:

DISCUSSION REGARDING REGULATIONS FOR PEDICABS.

Ms. Hall said Staff has provided comparisons with other communities, some being college communities, that currently regulate pedicabs. She said the City Clerk's Office, under the Public Transportation Ordinance, licenses pedicabs similarly to a taxi cab if they come into the office requesting a license. She said the City does not require inspections of the pedicabs or driver permits from the Norman Police Department; however, applicants are required to provide proof of liability insurance and general business information. She said other public transportation vehicles are required to have annual inspections and drivers must be permitted through the Police Department, which includes submitting background checks on each driver permitted.

Ms. Hall said Austin, Texas; Lawrence, Kansas; Oklahoma City, Oklahoma; Waco, Texas; and Tulsa, Oklahoma, currently regulate pedicabs. She said pedicabs operate in Stillwater, Oklahoma, and Columbia, Missouri, but are not regulated. She is a little unclear as to why the Committee expressed interest in pedicab regulations and wondered if there was a perceived problem. Chairman Hickman said pedicab operators from Oklahoma City contacted him expressing concern about pedicabs not being regulated in Norman because there have been pedicabs operating during University of Oklahoma (OU) football home game days that seem to be homemade and are unsafe. He said when this was brought to his attention, he became concerned about the safety of citizens and all it takes is one incident to bring the spotlight on Norman. He said Oklahoma City has regulations and since Norman is a university town it would be prudent to have protections in place.

Item 3, continued:

Pedicabs, continued:

Ms. Hall said there are various levels of requirements in the communities researched so Council can get as in-depth as they wish. She said licensing pedicabs under Norman's current ordinance is a bit of a stretch and they are only licensed when they are providing a service for a fee versus accepting donations for the service. She said driving a bicycle does not normally require a driver's license so the City is not requiring a background check; however, other cities researched do require background checks as part of the permitting process as well as inspections of the pedicabs. She said the City requires annual inspections of taxi cabs through the Fleet Maintenance Division for a fee, but no department in the City has inspected pedicabs. If it is Council's desire to add a section to the public transportation ordinance regulating pedicabs, Staff would need guidance on how much detail to get into.

Councilmember Clark said she would like to know what the labor cost would be for inspections. Chairman Hickman said it is his understanding that if Norman requires proof of insurance, the insurance basically takes care of the inspection because pedicabs can only obtain insurance if they have a vehicle identification number (VIN) and are manufactured by a certified manufacturing company versus a pedicab being built in someone's garage. Councilmember Clark said if there is an accident with a pedicab licensed by the City, the City could be liable so the Committee needs to consider that aspect. Chairman Hickman asked if a background check for the driver should be required and Councilmember Clark said if there is a possibility the City could be sued then not requiring a background check could be a point of contention. She said to be safe, the City should require inspections, insurance, background checks, etc., but she wants to know how all of that increases the work load of Staff, which could increase the license fee. Ms. Hall said the City Clerk's Office issues a taxi cab license for \$25 per vehicle and the Police Department issues the driver's permit for a fee of \$25. She would assume a pedicab would be handled in a similar fashion. Councilmember Clark asked if the permit fee would increase if the City had to inspect pedicabs and Ms. Hall said taxi cabs are inspected at the Fleet Maintenance Facility for a fee of \$35 per vehicle so there would need to be criteria for pedicab inspections since there are criteria for vehicle inspections.

Councilmember Wilson said she is concerned the City might be over legislating a non-issue. Councilmember Clark said that is why she is playing the devil's advocate and as a mother she would be concerned about possible assault from drivers, especially if there were no background checks. She said pedicab drivers could really take advantage of inebriated college students.

Councilmember Holman said a pedicab is a non-motorized taxi cab so they should be regulated.

Chairman Hickman said three pedicab companies are in attendance tonight and he would like to hear their views. He said he likes the Oklahoma City regulations except the requirement that pedicab drivers have to have a physical examination, which he thinks is kind of silly. He does not want to create an ordinance with different standards than Oklahoma City and suggested Norman adopt the Oklahoma City ordinance excluding the driver physical examination requirement. He is okay with not requiring inspections because that would cost the pedicab companies more money.

Item 3, continued:

Pedicabs, continued:

Councilmember Clark left the meeting at 5:45 p.m.

Mr. Stefan Warner, Pedicats Cooperative, said he is definitely interested in seeing regulations put into place in Norman and agrees with everything that has been discussed tonight. He said he would propose that Norman accept Oklahoma City's inspection paperwork in lieu of an inspection so more work will not be created for Norman; however, he is fine with inspections if that is what the Committee decides to move forward with. Chairman Holman asked who inspects pedicabs in Oklahoma City and Mr. Warner said the Oklahoma City Police Department.

Councilmember Holman suggested that if the pedicab company is based in Norman then the pedicabs should be inspected and if not, the City of Norman could accept the inspection approval by Oklahoma City. Ms. Messner asked if Oklahoma City provided the pedicab with some type of inspection certificate the companies could provide to the City Clerk's Office and Mr. Warner said the pedicabs have an inspection permit on the pedicab itself, but Oklahoma City may be able to print out some type of inspection paperwork. Mr. Warner said Oklahoma City has two officers that inspect pedicabs so obtaining that paperwork should not be an issue. Ms. Messner suggested a compromise of an inspection by City of Norman personnel OR proof of inspection by a competent person in another jurisdiction in Oklahoma.

Mr. Josh Martin, Thunder Up Pedicabs, felt that would be a great compromise. Mr. Martin said he has been in the pedicab business for ten years and this discussion came about as a way of heading off a potential unpleasant incident. He said there have been no incidents in Oklahoma City primarily due to how well they inspect the pedicabs and the strict regulations they make pedicab companies abide by. He said regulations protect the cities, the public, and the pedicab industry. Some of the issues he has witnessed in Norman are out-of-state companies without insurance and homemade bicycle pedicabs with standard bicycle brakes that are not built for stopping with 500 to 600 pounds of additional weight. As a pedicab owner, he would like to see Norman address this before it becomes an issue and he would also like to build a good relationship between the pedicab industry and Norman.

Councilmember Karjala asked how often Oklahoma City inspects pedicabs and Mr. Martin said annually. Councilmember Karjala said if Norman had regulations, would the pedicab companies come to Norman more often than just football home game days and Mr. Martin said probably not, but he can only speak for his company. He said he really likes the idea of Norman being able to use Oklahoma City's inspection as transferable inspection documentation, which would save the City and the pedicab company money. Councilmember Karjala said adopting regulations could open up a bigger market for increased business for pedicab companies. Councilmember Holman said he does not expect too many pedicab companies to open in Norman since there are only six football home games per year, but it could happen.

Mr. Eric Whelan, Pedicats Cooperative, said Oklahoma City's regulations also takes the appearance of the pedicab into consideration so it is not just about the mechanisms. Pedicats would love to work in Norman during other events, such as Second Friday Art Walk, because pedicabs make the streets more social, are good for the environment, and solve parking issues.

Item 3, continued:

Pedicabs, continued:

Chairman Hickman suggested that if the pedicab is inspected and a background check is submitted in another municipality in Oklahoma, the pedicab company can submit that paperwork to Norman and obtain a license to do business in Norman. If the company is located in Norman the company will need to submit background checks, obtain inspections, submit insurance, etc., so Norman's ordinance will need to have some criteria for that.

Councilmember Holman asked if the license fee would be \$25 per pedicab and Ms. Hall said that is what is currently charged per vehicle for taxi cabs.

Chairman Hickman asked if Oklahoma City licensed the company or each pedicab and Mr. Warner said Oklahoma City issues the company a business license for a fee of \$35. Chairman Hickman asked if that license is renewed annually and Mr. Warner said yes. Chairman Hickman suggested Norman issue an annual business license in the amount of \$25 and Ms. Hall asked if that fee would be per company or per pedicab and Chairman Hickman said per company. Councilmember Karjala said the City will want every pedicab to have a sticker that would be indicative that they are licensed by the City of Norman. Chairman Hickman said, to clarify, the pedicab companies will have the inspection stickers from Oklahoma City, will have the background checks from Oklahoma City, but Norman will issue a business license that indicates the pedicab company has done all of those things somewhere in Oklahoma and Norman will give the pedicab company a \$30 annual license that needs to be renewed each year, which means paperwork has to be updated so the City of Norman will know the pedicab company is current. If there is a new business they will have to obtain the inspection, submit the insurance, submit the background checks, obtain the business license, etc., to be re-inspected and paperwork resubmitted annually. Ms. Hall said Norman does not have a general business license, Norman has specific licenses so the City could have a specific license for pedicabs. She said there may be some push back from taxi companies because they are licensed per vehicle. She felt that some type of decal would need to be issued to place on the pedicab because game days are chaotic and if police officers are going to be expected to regulate pedicabs, they need to be able to see something on the pedicab that tells them the pedicab meets the requirements for the City of Norman. Ms. Hall felt if there was not something identifiable on each pedicab, it will be harder for enforcement purposes. Chairman Hickman said he is okay with issuing a license per pedicab and agreed a visible decal would make it easier for enforcement purposes.

Councilmember Holman felt the license fee should be an amount that would cover the cost of the decal with a separate inspection fee, if needed. He does not want this to be a burdensome process. Ms. Hall said Staff can draft language that includes a requirement for local company inspections and a fee structure.

Councilmember Holman suggested a Norman flag decal that says "pedicab" and suggested \$15 per pedicab per year and Chairman Hickman said he was fine with that.

Item 3, continued:

Pedicabs, continued:

Chairman Hickman asked if Norman will accept the Oklahoma City driver's permit and Ms. Hall said yes, as long as there is a Norman decal on the pedicab, but there will need to be some training for the police officers.

Ms. Hall said to obtain a Solicitor/Peddler License in Norman, applicants must submit background checks that are no more than thirty days old because things can change for people in a short period of time; however, background checks at the Police Department for driver's permits are only required annually and asked which the Committee preferred. Committee members were fine with annual background checks being submitted.

Item 4, being:

MISCELLANEOUS PUBLIC COMMENTS.

Ms. Juanita Lemons, 218 Driftwood Drive, introduced herself and said she is the person who started discussion on tiny houses because she has a tiny house and wants to place it on property in Norman, but discovered it is not allowed.

Chairman Hickman said there has been a request from University of Oklahoma (OU) Student Government Association (OUSGA) for reconsideration of the City's three unrelated person's rule. Mr. Dylan Redolf, OU Student Government Association, introduced Ms. Ryleigh Navert and Mr. Adrian Gibbs who serve as Director and Assistant Director for the OU Department of Exteriors. Mr. Redolf said OU students feel the three unrelated person ordinance is restrictive, unnecessary, and over broad and OUSGA has some ideas for a reform. He said the heart of this issue is the relationship between OU and the City of Norman. While he acknowledges OU would not be the successful institution it is today without the help and support of the City of Norman, he also acknowledges that OU provides many benefits to the City of Norman. He said the Department of Exteriors is currently working on two projects to help foster a more healthy relationship between Norman residents and OU students. The first project is an off-campus living guide to OU students that provides information on off-campus housing options and tips and advice on how to be respectful and responsible neighbors to non-OU students. The second project scheduled in November is an "I Love Norman Day" where students will be encouraged to shop, eat, and volunteer locally within the City of Norman.

Ms. Navert said it is OUSGA's job to represent OU students and the lowest income students have come forward stating the three unrelated person rule is prohibitive to them renting a house within walking distance of OU. She said OUSGA wants to propose legislation that makes sense for both OU students and Norman residents and hopefully see higher retention rates among lower income students.

Item 4, being:

Miscellaneous discussion, continued:

Mr. Gibbs said the main reasons for the three unrelated person rule are noise, parking, and trash, which are valid concerns; however, they are already in the Codes annotated by Norman. He said these three concerns alone make the ordinance obsolete.

Ms. Navert said instead of a blanket ordinance, she would rather have an ordinance on how many unrelated people can live in a house based on the size of the house, i.e., a four bedroom house with four parking spaces can have four unrelated people living there. If students violate noise, parking, and trash there should be consequences and the Student Living Guide clearly outlines student's responsibilities and rights as a tenant. Hopefully this will lead to fewer legal battles between landlords, residents, and student tenants.

Chairman Hickman said he is aware of this issue and has spoken to developers and community leaders regarding options for changing the three unrelated person rule. He said this topic has been discussed many times over the years and he appreciates the way these students are politely handling the request. He would like to give them an audience and opportunity to share their ideas with the City. He said the students are suggesting a compromise of a voluntary registration of the rental property, which would then be issued some type of permit for the number of students living in the house after an inspection process by the City to ensure the property meets City Code as far as health and safety.

Ms. Hall asked Chairman Hickman if he would like this placed on a future agenda for discussion since it is not on tonight's agenda. Chairman Hickman said yes and asked the students if they could make a short ten minute presentation on October 26th and they said yes.

Chairman Hickman asked Staff if CPTC discussion at the October 26th meeting could include an update of the Greenbelt Commission recommendations, the City's three unrelated person ordinance, and road diets on West Main Street and Rock Creek Road in that order and Mr. Steve Lewis, City Manager, said that would be doable.

* * * * *

The meeting adjourned at 6:28 p.m.

ATTEST:

City Clerk

Mayor