

**NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES**

MAY 14, 2020

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session via Video Conference and in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 14th day of May, 2020. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at <http://www.normanok.gov/content/boards-commissions> at least twenty-four hours prior to the beginning of the meeting.

Chair Lark Zink called the meeting to order at 6:30 p.m.

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Item No. 1, being:

ROLL CALL

MEMBERS PRESENT
via Video Conference

Matthew Peacock
Erin Williford
Tom Knotts
Lark Zink
Erica Bird
Dave Boeck
Sandy Bahan
Steven McDaniel

MEMBERS ABSENT

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A quorum was present.

STAFF MEMBERS PRESENT

Jane Hudson, Director, Planning &
Community Development
Roné Tromble, Recording Secretary
Lora Hoggatt, Planner II
Ken Danner, Subdivision Development
Manager
Todd McLellan, Development Engineer
Bryce Holland, Multimedia Specialist
Beth Muckala, Asst. City Attorney (video)
Jeanne Snider, Asst. City Attorney (video)

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Chair Zink outlined the procedures that will be followed during this video conference meeting. Staff will read any comments received through media into the record. The time limit for public comments will be three (3) minutes; please begin by stating your name and address. If an attorney is representing a group of individuals that exceeds two (2) individuals, the time limit will be ten (10) minutes. We will strictly enforce the time limits. Commissioners will also need to state their name each time they make comments. Voting will be done by an oral roll call. There should be no communication between Commissioners that are not oral and being recorded (i.e., no texting, or chatting through Zoom).

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Item No. 16, being:

O-1920-56 – AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADDING 13-108(u) SHORT TERM RENTAL FEE; ADDING ARTICLE XXXV SHORT TERM RENTALS, SECTIONS 13-3500 THROUGH 13-3508; AMENDING 420.1 (A-2, GENERAL AGRICULTURAL DISTRICT), 420.2 (A-2, RURAL AGRICULTURAL DISTRICT), 420.3 (RE, RESIDENTIAL ESTATE DWELLING DISTRICT), 421.1 (R-1, SINGLE-FAMILY DWELLING DISTRICT), 422.2 (RM-4, MOBILE HOME PARK DISTRICT), 422.9 (O-1, OFFICE-INSTITUTIONAL DISTRICT), 423.1 (CO, SUBURBAN OFFICE COMMERCIAL DISTRICT), 424.2 (TC, TOURIST COMMERCIAL DISTRICT), 429 (MUD, MIXED USE DEVELOPMENT DISTRICT); ADDING SECTION 431.11, SHORT-TERM RENTALS; AND AMENDING SECTION 450 (DEFINITIONS) IN ARTICLE XIV OF CHAPTER 22 (ZONING ORDINANCE); ALL IN ORDER TO UPDATE CITY CODE LICENSING PROVISIONS AND THE ZONING ORDINANCE TO ALLOW FOR SHORT TERM RENTALS, AND TO ADD DEFINITIONS AND OTHER RELATED PROVISIONS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

ITEMS SUBMITTED FOR THE RECORD:

1. Staff Report
2. Ordinance No. O-1920-56 Annotated
3. First Amendment to Host Compliance Services Agreement

PRESENTATION BY STAFF:

1. Jane Hudson reviewed the staff report, a copy of which is filed with the minutes.
2. Mr. McDaniel – I have a real quick question. It talks about an inspection period or an inspection fee. Looking at adding, in this example, 150 new homes to be inspected. Do we have the capability to do that? Do we have the resources to do that?

Ms. Hudson – Yes, I do believe we do. We have 5 Code Officers that could be assigned some of these inspections. I don't expect that they will hit all at once. The licensing will be staggered, to some extent. But we also have 7 Building Inspectors that could also be going out to complete some of these inspections.

Mr. McDaniel – So these would not be inspections that are applied to the bed and breakfast, or any other type. This would be a different type of an inspection. Correct? Am I getting that correct?

Ms. Snider (via video conference) – We want them to be inspected for things like egress, fire alarms, fire extinguishers, carbon monoxide. There's some parking requirements. Things like that. The Fire Department requires certain things of this type of property. It's going to be a challenge, but, like Jane said, we're going to get it done. We've been working on this for about two years. It has evolved over two years. It has changed a lot. But we're also really comfortable – we attached the licensing just because we thought you all would want to see that. But what I'm really excited about is the monitoring service. If you read about that any. They are actually building – we're going to have a way to online register. We're actually working with them to build a test site right now. The fees for the short-term rentals will cover those costs. It's going to be pretty easy for the hosts to register. We're going to have a 24/7 hotline so there can be complaints. So I'm really excited about that. We also will be able to know where every short-term rental is in Norman from the social media platforms that the monitoring company sweeps, I think is what they call it, almost daily. So if somebody is not licensed, we'll have a way to reach out to them and we're going to be able to keep on top of that really well with this monitoring services. The inspections at the beginning I think might be a challenge just a little, but as Jane said, it's going to be staggered; they're not going to all hit – 150 – and that's an estimate. We have about 200 in Norman right now. I don't expect them all to register, because I think some of them will determine that it won't be worth it. But I think they'll come in staggered and we're going to get it done. That's one thing that Council was really concerned about, was the inspections.

Mr. McDaniel – Okay. One additional question, are we collecting the sales tax or the taxes associated similar to what we're collecting on hotels and bed and breakfasts and so forth? Do you know if they're remitting those funds to the City?

Ms. Snider – Not right now they're not. They are not. That's why we want to get this up and running. The monitoring service will also be a way for them to submit their tax forms online and we can see it monthly, and part of the service will also help us – and I'm learning how this software is going to work – but it will be able to really do a deep dive on each location. So if we get information in that says one property rented 5 nights out of the month, we'll be able to get a really good idea like, no, you rented at this rate 22 nights, and make sure that we are getting pretty close to the amount of tax that we should be getting. But right now, we have not been getting any. There's no mechanism for it right now. They're actually not operated legally. So I'm ready to get – we'd like to get this up and running by the end of the summer, of course. The Covid-19 put a little hitch in everybody's timeline. But we want to start collecting that.

Mr. McDaniel – Just the last point, I know that the AirBnB, I believe they are collecting that tax but they're not remitting that?

Ms. Snider – Not to the City.

Mr. McDaniel – But they're collecting the tax and, if they're not remitting it to the City, I'd question what are they doing with it?

Ms. Snider – We would have the ability, I think, once we locate them, maybe do some retroactive. But the Council said let's just start when we start, not worry about trying to go back in time, and let's just start getting it collected. But this monitoring service is going to help us make sure that we'll know where they are and we'll know pretty darn close if they're submitting a correct amount of tax. And for the neighbors and the neighborhoods they're going to have this 24/7 hotline that will be able to help monitor any problems, and then you have one of the other requirements is a local contact that can respond quickly, 24 hours a day. We've got to have a name – that John Smith is the one who's going to come. So we've looked at a lot of the ordinances across the country, and everybody's is different. You have to make it kind of unique to your community.

Mr. McDaniel – Sounds great. Hey, thank you.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Dave Boeck moved to recommend adoption of Ordinance No. O-1920-56 to City Council. Sandy Bahan seconded the motion.

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Matthew Peacock, Erin Williford, Tom Knotts, Lark Zink, Erica Bird, Dave Boeck, Sandy Bahan, Steven McDaniel
NAYES	None
MEMBERS ABSENT	Nouman Jan

Ms. Tromble announced that the motion, to recommend adoption of Ordinance No. O-1920-56 to City Council, passed by a vote of 8-0.

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