

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

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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.

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The meeting adjourned at 6:28 p.m.

ATTEST:

City Clerk

Mayor