

CITY COUNCIL
COMMUNITY PLANNING AND TRANSPORTATION
COMMITTEE MINUTES

August 24, 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 24th day of August, 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
Councilmember Castleberry, Ward Three
Ms. Susan Connors, Director of Planning and
Community Development
Mr. Terry Floyd, Development Coordinator
Ms. Jane Hudson, Principal Planner
Mr. Steve Lewis, City Manager
Ms. Leah Messner, Assistant City Attorney
Ms. Syndi Runyon, Administrative Technician IV

There being no Cleveland Area Rapid Transit (CART) representative present, Chairman Hickman started discussion on Item 2 and said the Committee would come back to Item 1 when a CART representative was in attendance.

Item 2, being:

DISCUSSION REGARDING POSSIBLE AMENDMENTS TO THE ZONING ORDINANCE TO ADD SIMPLE PLANNED UNIT DEVELOPMENT (SPUD) AS A NEW ZONING DISTRICT AND WIND ENERGY CONSERVATION SYSTEMS (WECS) AND SMALL COMMUNICATION TOWERS AS NEW ZONING USES IN VARIOUS ZONING DISTRICTS.

Simple Planned Unit Development

Ms. Susan Connors, Director of Planning and Community Development, said Staff has received inquiries from business owners to allow uses that are currently prohibited in the Zoning Code. In addition, Council requested Staff research a potential change in the Planned Unit Development (PUD) Ordinance to allow a different method of approving PUD's less than two acres in size.

Ms. Connors said Staff is proposing a Simple Planned Unit Development (SPUD) zoning district for sites that are less than five acres and amending PUD language to be five acres or larger instead of the current language of two acres or larger. Language regarding compliance with the Norman 2025 Land Use and Transportation Plan (2025 Plan) will also be deleted because the City is looking at adopting a more current Comprehensive Plan. The SPUD would require a design statement, narrative statement, and development plan map.

Item 2, continued:

Simple Planned Unit Development, continued

Ms. Connors said the SPUD Development Plan a/k/a site plan will include all property lines; all adjacent street and alley rights-of-way; centerline of each and any street names; and location of driveway approaches both on-site and across the street. It should also include identifying uses allowed in the district; maximum height of buildings; number of buildings; identifying front, side and rear of lots with setbacks (if any); description of the sight-proof screening requirements; description of outdoor/exterior lighting to be regulated on-site; requirement for a master sign plan; identify drainage/stormwater management methods so as to not impact adjacent properties; description of the architecture of all buildings including exterior building materials; percentage of open space; and detail of the parking area.

Chairman Hickman said he is concerned about eliminating language that states, “achieving the goals of the 2025 Plan” and adding language that states, “areas in compliance with the comprehensive plan of record” because he has always viewed a comprehensive plan as a living document that can be changed, but not the type of document that has to be complied with. Ms. Connors said Staff is incorporating language from Midwest City and Oklahoma City’s SPUD Ordinances. Chairman Hickman would prefer to use the language “achieving goals” rather than “compliance.”

Councilmember Castleberry asked how common access driveway requirements would be handled if there is no common ownership and Ms. Connors said if separate property owners do not agree a different access point would need to be determined.

Chairman Hickman said he is happy with the change to the PUD that will require eligible properties to be five acres or larger.

Small Wind Turbines/Towers

Ms. Connors highlighted the definition of a small wind turbine as a wind conversion system consisting of a wind turbine, tower, and associated control or conversion electronics, which has a rated capacity of not more than ten kilowatts and is intended to primarily reduce on-site construction of utility power. A system is considered a residential small wind turbine only if it supplies electrical power solely for on-site use, except that when a parcel on which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company.

The tower is defined as the vertical component of a wind energy conversion system that elevates the wind turbine generator and attached blades above the ground and should not exceed 120 feet.

Ms. Connors said the maximum rotor diameter for small wind turbines should be no more 23 feet instead of the six feet being proposed. Councilmember Castleberry asked if 23 feet is an industry standard and Mr. Dan Bergey, Vice President of Operations, Bergey Windpower Company, said he would recommend allowing 30 feet in diameter.

Item 2, continued:

Small Wind Turbines/Towers, continued:

Chairman Hickman said there is currently no language in the Zoning Code regarding wind turbines and asked Mr. Bergey if he has any problems with the proposed language to allow small wind turbines in RE, Residential Estate District, R-1, General Agricultural District, and R-2, Rural Agricultural District. Mr. Bergey said he believes the language proposed by the City is fair and adequate.

Councilmember Castleberry asked if there are setback requirements in case a tower fell over and Ms. Connors said yes, the setback must be a distance equal to the total height of the wind turbine from the natural grade of the ground supporting the pad to the tip of the blade in the vertical position measured along the vertical axis of the tower from existing inhabited structures, overhead utility lines, and public roads or rights-of-way.

Mayor Miller asked if there are any wind turbines currently located in residential areas and Mr. Bergey said no, there are none located in densely populated areas. Ms. Connors said Staff is not recommending placing wind turbines in residential properties other than those zoned RE.

Councilmember Wilson asked if a 30 foot diameter blade would require a tower height of more than 120 feet and Mr. Bergey said no. Councilmember Wilson asked if there should be separate turbine sizes for different sized lots and Ms. Connors said she has researched various ordinances and found different wind turbines sizes for different acreage sizes.

Councilmember Wilson asked if there is a requirement for the tower to be installed by a certified installer and Ms. Connors said the application for a City permit requires the drawings or blueprints for the tower and tower foundation to be signed by a professional engineer licensed to practice in the State of Oklahoma. Councilmember Wilson said for safety reasons, she would like to see a City inspection added to the requirements because she is concerned about the tower falling over. Councilmember Clark said her storm shelter had to be inspected by the City so she agrees with Councilmember Wilson that an improperly installed tower could be a major safety issue.

Councilmember Karjala said the proposed regulations have a maintenance section that states, "The applicant shall maintain the small wind turbine and related equipment in good condition and shall provide a written report of inspection and maintenance *every two years* to the building official who will provide a form for the report. The report shall be signed by the original installer of the system or someone of equivalent qualifications." Chairman Hickman said he assumes language could be added that when the tower has been constructed pursuant to its plan, a City inspector could inspect the tower and Ms. Connors said City inspectors are not qualified to inspect these types of structures.

Councilmember Wilson asked Mr. Bergey if a City inspection would add a bureaucratic layer to the installation process and Mr. Bergey said no, it would be a good thing to ensure towers are installed correctly. Chairman Hickman suggested adding language that states, "Upon completion of construction, the applicant will submit a statement stamped by a licensed engineer that the structure was built per plans." Mr. Bergey said to have the engineer who designed the plans inspect the structure after construction might be a little burdensome. Chairman Hickman asked the Committee if

Item 2, continued:

Small Wind Turbines/Towers, continued:

they were okay with the language as is or would they want the new clause added and members said they are comfortable with the language as is. Councilmember Karjala said she would like to have some type of City inspection process and Ms. Connors said she would speak to the chief building inspector to work on language regarding an appropriate inspection process.

Councilmember Castleberry asked how much wind the turbines can withstand and Mr. Bergey said they are designed to withstand 125 miles per hour (mph) winds.

Small Communication Towers

Ms. Connors said the intent of this proposed language is to allow small communication towers in the rural area of Norman to primarily provide internet service to areas of east Norman that do not have any service or adequate service at this time. Norman residents' access to internet services is important since many people now run businesses from home with the use of internet and stream television programming, which they could not do in rural areas without alternative service.

Ms. Connors said current zoning language only allows communication towers (with specific conditions) in PL, Park Land District; C-2, General Commercial District; C-3, Intensive Commercial District; I-1, Light Industrial District; I-2, Heavy Industrial District; M-1, Restricted Industrial District; A-1, General Agricultural District; and A-2, Rural Agricultural District. New proposed language would also allow the towers to be placed on private property in RE, Residential Estate District, with specific conditions that include no towers taller than 190 feet; must be set back from property a distance that protects adjacent property owners and/or habitable structures from damage; must have minimum setback from any abutting street right-of-way equal to height of the tower; must be in compliance with all requirements of building codes including structural certification of the tower structure; minimize visual impacts that can result from the presence of such facilities; no lights, signals, or illumination will be permitted on any tower unless required by the Federal Communication Commission (FCC) or a City agency; no commercial advertising, signage or flags will be allowed on any tower; towers must be painted in muted, neutral colors; and towers will be prohibited in public rights-of-way.

Councilmember Wilson asked if the communication tower regulation language is similar to the wind turbine language in regards to whether or not they are installed properly and Ms. Connors said yes.

Mr. Jeff Burnham with Sooner Wireless said the towers are internet based targeted for areas in Norman that do not currently receive internet service. He said one 120 foot tower will feed smaller 50 foot towers that may be miles away and placed within small rural communities. The 120 foot tower has a cement base with guy wires while the 50 foot self-supporting towers are usually abutted with a barn or accessory structure for support as well as for access to electricity.

Mayor Miller asked about the diameter of a tower and Mr. Burnham said they are three legged towers with the legs spaced 12 1/2 inches apart and are smaller than a cell tower. He said in order to keep customer costs down, Sooner Wireless builds the tower and pays all installation costs while other companies charge for this service.

Item 2, continued:

Small Communication Towers, continued:

Councilmember Wilson asked if language should be more specific and state the height requirements as 50 feet to 150 feet instead of just stating “no taller than 190 feet” since the shorter towers abut a structure. Mr. Burnham said he has no problem with that language. Ms. Connors said the language can be changed, but the reason Staff is suggesting 190 feet is because the manufacturer’s paperwork states towers can be as high as 190 feet so Staff is trying to accommodate the tallest tower that could possibly be installed. Councilmember Wilson said she is comfortable with 190 feet especially since there are no turbines, but is more concerned about the language possibly prohibiting the installation of a 50 foot structure abutting a barn or accessory building.

Councilmember Castleberry asked how much wind could the tower withstand because he could see it becoming a projectile during a tornado and Mr. Mike Sleik, Sooner Wireless, said the towers can withstand 120 mph winds or more. He said the towers are also engineered and built to be flexible so they sway and bend plus the bases are cemented into the ground so it is unlikely they would become a projectile.

Chairman Hickman asked if the Committee should add in the provision he mentioned earlier regarding wind turbine inspections upon completion of construction and the Committee felt that would be appropriate. Councilmember Wilson asked Sooner Wireless if this requirement would add a layer of bureaucratic nonsense that actually inhibits the business and Mr. Burnham said not if the inspection does not involve another engineer because if Sooner Wireless had to have an engineer inspect every tower after construction, it could be costly. Councilmember Wilson said she did not want to create a situation where unintended consequences made it cost prohibitive for people in rural areas to obtain internet service nor does she want to inhibit the business.

Chairman Hickman asked why the City has a flat out prohibition on placing commercial communication towers in public rights-of-way. He said some towers can be hidden on street poles or other apparatus contained in the right-of-way that are not tall towers but mini cell towers that provide an additional boost of coverage where needed. He would like the language to state, “As defined herein, Internet Receiver Towers are prohibited within any public right-of-way unless otherwise agreed upon by the City.” He felt this language would give the City more flexibility. Ms. Connors said mini cell towers are a separate topic that will be brought forward to Council for discussion at a later date. She said today’s discussion is about placing language in the Zoning Ordinance to allow towers on privately owned property.

Ms. Leah Messner, Assistant City Attorney, said Chairman Hickman is probably referring to small cell facilities and equipment. She was contacted by a company that wants to place poles in front yards of residential areas, but Staff did not believe that would be very popular in the community. She said there has been discussion regarding alternate proposals such as placing the devices on traffic signals and street lights, which will be coming forward to Council in a future meeting.

Mr. Steve Lewis, City Manager, asked the Committee if they were okay with Staff’s language recommendations for wind turbines and communication towers and the Committee said yes. Chairman Hickman said these items can move forward to full Council with the changes suggested by the Committee. Councilmember Clark asked if the Committee will see the updated language prior to a Council vote and Ms. Connors said yes, there will be discussion by the Council as a whole in a Study Session or Conference.

Item 2, continued:

Small Communication Towers, continued:

Items submitted for the record

1. Memorandum dated August 18, 2017, from Susan Connors, AICP, Director, Planning and Community Development, to Community Planning and Transportation Committee, with Exhibit A, Simplified Planned Unit Development (SPUD); Exhibit AA, Section 420, Zoning Ordinance, Planned Unit Developments; Exhibit B, Small Wind Turbines (Regulating Backyard Wind Turbines); and Exhibit C, Small Communication Towers

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Councilmember Clark left the meeting at 5:25 p.m., but asked the Committee to add discussion on carpools to the Committee Agenda Topics in Item 3.

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Item 1, being:

CLEVELAND AREA RAPID TRANSIT (CART) RIDERSHIP REPORT INCLUDING SAFERIDE AND EXTENDED SERVICE FOR THE MONTHS OF JUNE AND JULY 2017.

Mr. Taylor Johnson, Marketing Specialist for Cleveland Area Rapid Transit (CART), said Mr. Doug Myers, Director of CART, was promoted to Director of Parking and Transportation Services at the University of Oklahoma Health Sciences Center and introduced Mr. Kris Glenn as the new CART Director.

Mr. Johnson highlighted CART Ridership Reports for June and July 2017, and said ridership and fiscal year-to-date ridership (July to June) had a decrease of 10% over the same period last year. CART is monitoring this closely, but believes construction continues to affect the ridership count on Main and Lindsey Street routes. In June CART recorded 240 riders who traveled with bicycles and 160 riders with wheelchairs and the manual count for July was 445 riders who traveled with bicycles and 319 riders with wheelchairs.

CARTaccess ridership for June and July decreased by 8% over the same months last year with an average daily ridership of 109 riders. Year-to-date, primary zone ridership decreased by 10% while secondary zone ridership increased by 7%.

Mr. Johnson said relocation of the bus stop at 24th Avenue S.W. and Lindsey Street was completed in July. Councilmember Karjala asked if CART had been contacted by the daycare on 24th Avenue S.W. regarding the new location and Mr. Johnson said yes, he and Mr. David Riesland, City of Norman Traffic Engineer, visited with the daycare owners regarding their concerns about traffic traveling south on 24th Avenue turning into the daycare center crossing the two lanes of traffic headed northbound while a bus is stopped at the bus stop. They are concerned that a vehicle might hastily go around the bus possibly striking a car turning into the daycare. Mr. Johnson said at the time the concrete pad had been poured so CART went forward with moving the bus stop, but will continue to monitor the situation. Councilmember Holman said he advocated for the location change

because there were similar safety concerns at the previous bus stop location near the intersection of Lindsey Street and 24th Avenue. He felt there would always be drivers that go around a stopped bus
Item 1, continued:

no matter what the location. Mr. Johnson said there is really not another location on Lindsey Street or 24th Avenue that would be considered totally “safe” for a bus stop area because they are very busy streets. Councilmember Holman said people need to treat the CART bus like a school bus and not try to pass them when they are stopped to pick up riders.

Mr. Johnson said due to safety concerns the bus stop for Route 10 currently located on Robinson Street is being relocated to 24th Avenue N.W. approximately 500 feet north of Robinson Street. The bus will travel north on 24th Avenue N.W. circling around Crest Foods and returning to 24th Avenue N.W. via Mt. Williams where an additional bus stop will be located.

In July, CART began accepting applications for the FYE 2018 Community Development Block Grant (CDBG) Bus Pass Program that provides fare assistance for low to moderate income passengers. Councilmember Karjala asked if all of the program’s funding is spent each year and Mr. Johnson said yes; however, over the past few years CART scaled back the number of passes issued because there was a deficit of funding. He said there was a bit of a surplus in FYE 2017 and CART is reviewing ways to better distribute those funds.

Councilmember Karjala said CART has a goal to install trash cans at all bus stop locations and Mr. Johnson said no, but there was a comment on CART’s Facebook page regarding litter around one of the bus stops that CART cleaned up. He said trash cans are placed at the busiest bus stops and the busses have trash cans on board and riders are encouraged to use those when getting on or off the bus. Councilmember Karjala said the bus stop on Main Street at Norman High School does not have a trash can and she has noticed trash in the area and Mr. Johnson said CART can assess that location.

The CART Transportation Advisory Committee (CTAC) met in June and July to discuss various topics that included travel training at the Brooks Street Transfer Station and riding the Alameda/East Norman route to familiarize CTAC with using the bus service. Mr. Shawn O’Leary, Director of Public Works, updated the Committee on the Americans with Disabilities Act (ADA) Self-Evaluation/Transition Plan the City of Norman is conducting.

Councilmember Holman asked if the Committee could get an inventory of the stops that do not have benches or shelters. He said it would be nice to have shelters at all bus stops, but understands that is more expensive, but some bus stops do not even have a bench and people sit on the ground.

Mr. Johnson said all locations where Councilmember Holman requested benches have had one installed. He said if anyone has suggestions on where a bench or shelter is needed, they can contact CART who will review the request (based on ridership numbers) to determine justification.

Chairman Hickman asked how many fixed routes CART has and Mr. Johnson said thirteen. Chairman Hickman asked which routes are the least used and Mr. Johnson said he will provide the Committee with ridership data by route. Chairman Hickman said there are new areas of growth in Norman and he is curious to see if there is a route or two that could be tweaked and maybe begin dialogue with CART regarding that. He said ridership data by route over a period of two years would be helpful to the Committee. Mr. Glenn said CART has a brochure they will provide the Committee that details ridership by route as well as cost per passenger. Mr. Johnson said detailed information is also presented to the Finance Committee each year during the City’s budget

discussions. He said a bus stop inventory is submitted to the City each year with the CART contract, but he will provide the requested information at the next meeting.

Item 1, continued:

Items submitted for the record

1. Cleveland Area Rapid Transit Ridership Summaries for the months of June and July 2017, with map of Proposed Route 10 location change
2. Cleveland Area Rapid Transit Monthly Reports for June and July 2017

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Chairman Hickman said he would like to discuss Item 4 prior to Item 3.

Item 4, being:

DISCUSSION REGARDING EXPANDING SPECIAL USES ALLOWED IN A-2, RURAL AGRICULTURAL DISTRICT, FOR WEDDING VENUES, RURAL DEVELOPMENT, AND AGRITOURISM.

Councilmember Wilson said, through conversations with Ward Five residents, she has discovered that a lot of family farms have grown into more of a niche farming situation where they want to do other things than farming to make extra money. She said farm owners would like to offer wedding venues, corn mazes, Christmas tree farms, fall events, etc., which is currently not allowed in agriculturally zoned areas. The venue that has been brought to her attention the most is wedding venues, which she thinks is the easiest item to tackle right away. She said some uses allowed in agriculturally zoned areas include churches, country club, golf course, and a library without applying for Special Use. She said people can apply for a Special Use for a skeet trap shooting, riding academy, crematorium, recreational camp, and university but they cannot have a 150 to 250 person wedding venue. She said someone wanting a wedding venue would have to apply for a Planned Unit Development (PUD) that becomes cost prohibitive for a small family farm. She suggests adding a wedding venue to Special Uses in agriculturally zoned areas. She likes the Special Use tool because neighbors have to be notified and the person applying has to detail exactly what they want to do, submit detail on the hours of operation, and be accountable for meeting all requirements.

Councilmember Castleberry asked if the City has a standardized definition for a wedding venue and Ms. Connors said not that she is aware of, but Staff could do some research. She said a wedding venue is pretty specific to being a “wedding” and cannot be a Halloween party or other event.

Mayor Miller said there have also been questions regarding winery events. She said wedding venues have a lot of unknowns, such as outdoor music, so they may need to obtain a Special Event Permit instead. Ms. Connors said people can currently have wedding venues with a Special Event Permit and obtain a noise variance up to seven times a year. She said during the Comprehensive Plan discussions, an Agritourism Business Group supplied Staff with a lot of good ideas that could be incorporated into the Comprehensive Plan, but the noise issue is a big concern.

Councilmember Wilson said a Special Use would require specific things, i.e., hours of operation, noise buffering, number of people, etc., so there can be some limitations.

Mr. Steve Lewis, City Manager, said he recently attended a wedding venue in Oklahoma City and it was a very high tech commercial venue and asked Councilmember Wilson what “wedding venue”

means to her. Councilmember Wilson said there is a business in Washington, Oklahoma, that uses an old barn for wedding events and charges \$10,000 so wedding venues can be a significant revenue Item 4, continued:

source, but there are simpler venues as well. She said weddings are held on tree farms, fields and other open spaces, inside structures, etc., so a wedding venue can be many things.

Chairman Hickman said if someone wants to invest and use their property for a wedding venue, it is not difficult to have a more diversified potential set of clients and host other types of gatherings that are not technically weddings. He does not have a problem with that, but as language is drafted the City needs to be cognizant that this could open up a can of worms because once wedding venues are allowed, other people with different event ideas will be coming forward wanting to hold events other than weddings. He said Norman is a university town and a lot of fraternities and sororities go out of town to have parties so that could be something that could be a revenue stream as well. He is open to dialogue of something broader than a wedding venue because of the opportunities for rural citizens to make money. Mr. Lewis said when he thinks of a wedding venue he thinks of a structure, parking, all types of food and beverages, lighting for parking, etc.

Councilmember Wilson said, specifically, there is a horse facility in Ward Five where the owners want to have weddings on the property. They can currently host hundreds of people at their facility in their current parking situation to ride horses and show horses. They even host international horse events so if that is allowable then those same set of guidelines could be used for a wedding venue.

Councilmember Castleberry asked what would prevent them from obtaining a Special Event Permit for a wedding. He said if they held a wedding and the City found out about it, would the City arrest anybody or fine them? What are the consequences? Ms. Connors said the City would send a letter to the property owner letting them know the event is not in compliance with zoning ordinance and to please contact the City. She said if it is a one-time event, it would be considered a family gathering and that is different than renting property as a commercial venue.

Councilmember Wilson said, prior to being on Council, she applied for Special Use Permit to board animals on her rural property, which was an extensive process requiring notification of property owners within a certain radius, submission of a site plan, and appearing before Council for approval. She is suggesting a similar process for wedding venues where everything is outlined as far as if there will be a structure, a maximum number of people, parking details, etc. She said a person can build a church in agricultural zones without a special use permit.

Chairman Hickman said to keep in mind this is being requested in agricultural areas so he would lean towards not requiring a lot of concrete for parking lots or lighting that changes the ambience of the natural rural setting. The City does not want to impact that natural setting by placing a lot of restrictions on the applicant. If this were allowed with a Special Use Permit, Council would have an opportunity to review applications on a case-by-case basis. He likes the idea of drafting language that leaves the door open for a variety of venues knowing that Council can approve or deny requests based on the circumstances.

Councilmember Wilson would also like to make sure the Committee is thinking about unintended consequences because that is where she is stuck. She does not want to open a loophole that could cause problems in the future.

Item 4, continued:

Ms. Connors said Staff will be reviewing agritourism through the Comprehensive Plan process and there may be recommendations that come out of that implementation, but Staff does not have any solid information about that at this time.

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Item 3, being:

PRIORITIZATION OF COMMITTEE TOPICS FOR 2017-2018.

Chairman Hickman said this is a chance for the Committee to state their priority topics of discussion for the year.

Councilmember Holman said Councilmember Clark mentioned discussing carports; however, he has no desire to revisit that subject. The CPTC spent a great deal of time discussing carports with no recommendations being made. Councilmember Castleberry said as far as he knows there is only one person pushing for that discussion.

Councilmember Holman said he would prefer this Committee continue to look at ways to improve transportation options in the City. One transportation issue he would like to discuss is allowing bicyclists to yield at four way stops in neighborhoods with little traffic. He said this might be a more appropriate subject for the Bicycle Advisory Committee (BAC), but, if so, they would make a recommendation to CPTC.

Mayor Miller reminded everyone that one of the reasons for the Council Retreat in August was to prioritize and assign topics to the various Council Committees. She said the CPTC spent a lot of time discussing carports and the Committee needs to make sure they spend time on the topics they identified as the most important and realizing additional topics will be coming forward to the CPTC on a regular basis through Staff. She said the topics assigned to the Committees at the Retreat are not the only topics the Committee will be discussing throughout the year.

Councilmember Castleberry said he would like to discuss optional Green Building Codes with incentives and Chairman Hickman agreed, but said he would rather pencil that in for the October meeting. He asked if everyone was okay with that and Committee members concurred.

Councilmember Castleberry said he would like to finish discussion on garage apartments because last December Council made an agreement with neighborhoods to allow garage apartments in the neighborhoods that downzoned from R-3, Multi-Family Dwelling District, to R-1, Single-Family Dwelling District.

Councilmember Wilson said wedding venues are her top preference as well as tiny houses.

Councilmember Karjala said the Green Building Code topic could be a long term project so the sooner discussion begins on that the better because it will take multiple meetings. She said there seems to be several topics that will take multiple meetings to address maybe the Committee should discuss sidewalk connectivity and new funding sources simultaneously with other topics.

Item 3, continued:

Chairman Hickman said the topic of housing accessibility should be discussed under the Americans with Disabilities Act (ADA) Self-Evaluation/Transition Plan (ADA Transition Plan) and Mayor Miller said the ADA Transition Plan will include sidewalks as well as housing. She said the City will be working on the ADA Transition Plan quite some time so this may not be an item the CPTC will discuss this year.

Chairman Hickman said the topic of residential lighting is a relatively small item dealing with light pollution impacting neighborhoods and whether or not there is a way for that to be addressed. Ms. Connors said that topic came up during the Commercial Lighting Ordinance discussions and the Oklahoma Gas and Electric (OG&E) said they do not have full cut-off fixture street lights and were planning to transition to Light Emitting Diode (LED) lights when replacing street lights in the future, but that would happen over a period of time. She said that element was removed from the ordinance because it was so problematic. Chairman Hickman said this becomes a problem when the light has no shield to prevent the light from shining into someone's bedroom window. He said OG&E might be willing to install a partial shield to stop the light from emitting into the neighbors windows; however, the problem is more about the property owner that has the street light on his/her property not granting access to OG&E to install the shield. He said OG&E representatives have told him that if the property owner will not grant access, they will not install a shield. Ms. Connors said that sounds unreasonable because OG&E owns the street lights, not the property owner. Councilmember Castleberry suggested the neighbor with the light shining in their window plant a tree or bush to solve the problem. Councilmember Holman said a lot of people shoot the light out with bb guns then OG&E gets complaints about the lights being out. He said many of the newer duplexes install flood lights on the side and back of the buildings that blast into the neighbor's homes. Chairman Hickman was wondering if there was something strategic or surgical the City could do, especially if the problematic light is in the right-of-way and not necessarily on a property owner's house or accessory building.

Chairman Hickman said he has been approached by a group in the community that want to have a discussion about a Norman flag and felt the City should have a process to follow if that discussion takes place, similar to what Tulsa had done. He said Dr. Gabriel Bird and Mr. Grady Carter are two citizens that would be willing to co-chair this from a community standpoint and they are willing to make a presentation to the Committee about their ideas. They believe the current flag is more of a City logo than a flag and they would like to have a different flag. Mayor Miller said if the Committee wants to discuss that that is fine, but said there are a lot of citizen's in Norman that were involved in the creation of the flag and still have very strong feelings about the flag. She said her son helped design the flag and her husband was on Council when the design was adopted as the City's flag. She would prefer to spend time on more important topics.

Councilmember Holman said from what he understands, Tulsa's process to change their flag was entirely citizen driven and the City was not involved until their City Council made the final decision when designs were presented to them. He said if Dr. Bird and Mr. Carter want to organize an effort to get citizens of Norman involved in making that change then he is all for that, but feels Council does not have the time to work on that at this time. Mr. Lewis said the Tulsa Council was given two to three designs and were basically put into a box on deciding on one design, but not all of the Council liked the choices. Councilmember Karjala said if the Tulsa Council did not like any of the options, why could they just not say they did not like any of options? Mr. Lewis said Tulsa put the options out to the public and encouraged people to vote on their preference and Councilmember Karjala said that makes it complicated because the minute you let citizens vote, then you have to

Item 3, continued:

honor that vote. She would prefer not to go that route, but felt a citizen group could bring a design or two to Council for review and discussion.

Chairman Hickman asked Staff if they could be ready to discuss tiny houses and Optional Green Building Codes with Incentives at the next meeting and Ms. Connors said the City has no ordinance base for tiny houses so Staff would have to start from scratch. She said housing is dictated by the Zoning Ordinance, Building Code, Property Management Code, Fire Code, and all these codes have different rules and Staff would have to ensure tiny houses met all these codes as well as subdivision regulations. If Council wants to create a new type of housing, Staff needs to create a set of standards for that, which could be a freestanding set of standards. Councilmember Holman said his vision of tiny houses is an entire subdivision of approximately 200 tiny homes and how that would be allowed. Councilmember Karjala asked if tiny houses could be allowed with a SPUD. Councilmember Wilson said she is more or less looking of allowing people with large lots of land, specifically in Ward Five, to construct a tiny home on their property for a family member to reside, such as an aging parent.

Chairman Hickman said he has been approached about Pedi-cab regulations and private dog parks. He said Oklahoma City has a Pedi-cab ordinance and he would like Norman to draft a similar ordinance. He said, currently, anyone with a Pedi-cab can work in Norman specifically on football game days without a license or any type of regulations so the City has no idea if the operators are mass murderers, sex offenders, etc. Councilmember Holman agreed, but did not want to make regulations financially burdensome to operators; however, there should be regulations for safety reasons. Chairman Hickman said legitimate Pedi-cab companies want regulations in order to keep the level of competition fair and people safe. Councilmember Holman wondered how that would be regulated on games days, would the Police Department check permits? Chairman Hickman said the Pedi-cab company would need to display something on the Pedi-cab to show they are permitted. Councilmember Karjala felt Pedi-cab companies would need to pay some type of fee to register and Councilmember Holman suggested a fee of \$5 per cab.

Chairman Hickman asked what Staff could have ready for the September meeting and Ms. Connors said Staff could present literature for review and discussion only on tiny houses. Staff could also prepare information on wedding venues or special event venues and how those are regulated in other communities. She said Staff would not have enough time to create specific criteria or regulations by September.

Chairman Hickman asked if Staff could prepare information on Green Building Codes with incentives and Ms. Connors said she is not even sure what that means to the Committee or what she should be preparing. Chairman Hickman said there is an International Green Building Code (IGBC) and he would like to review how that would correlate to the City of Norman's Building Code process, i.e. if someone installs certain green building materials (plumbing fixtures, light fixture, etc.) they could receive a discount on City permit fees. Also, certain steps, such as Planning Commission or Greenbelt Commission review, could be waived as well. Mayor Miller and Mr. Lewis suggested meeting with developers for input and Chairman Hickman said that conversation is taking place.

Ms. Connors said the State recently adopted the 2015 set of International Building and Fire Codes and the City Council Oversight Committee reviewed those at their last meeting. She said this item is

Item 3, continued:

scheduled to be adopted by Council in September and felt Staff time would be problematic in September for researching Green Building Code information. Chairman Hickman suggested Green Building Codes be discussed in October.

Chairman Hickman said September topics will be the review of tiny house literature, special uses in agricultural zones, and Pedi-cab regulations. He said the Committee could talk about a Garage Overlay District in November. He said a few topics will take place in more than one meeting so the Committee will assess the situation as topics progress.

Items submitted for the record

1. Committee Agendas Topics 2017-18

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Item 5, being:

MISCELLANEOUS PUBLIC COMMENTS.

None

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The meeting adjourned at 6:20 p.m.

ATTEST:



City Clerk



Mayor

