

# **TULSA METROPOLITAN AREA PLANNING COMMISSION**

## **Meeting No. 2759**

**December 6, 2017, 1:30 PM**

**175 East 2<sup>nd</sup> Street, 2<sup>nd</sup> Level, One Technology Center  
Tulsa City Council Chamber**

### **CONSIDER, DISCUSS AND/OR TAKE ACTION ON:**

Call to Order:

### **REPORTS:**

#### **Chairman's Report:**

**Work session Report:** Work session needed on January 17 to discuss draft of Crosbie Heights Small Area Plan and Landscape Ordinance update

**Director's Report:** Discuss City Council actions taken and other special projects

Review TMAPC Receipts for the month of October 2017

1. Minutes of November 15, 2017, Meeting No. 2758

### **CONSENT AGENDA:**

**All matters under "Consent" are considered by the Planning Commission to be routine and will be enacted by one motion. Any Planning Commission member may, however, remove an item by request.**

2. **LC-954** (Lot-Combination) (CD 4) Location: Southeast corner of South Peoria Avenue and East 11<sup>th</sup> Street South
3. **LS-21081** (Lot-Split) (CD 5) Location: Northeast corner of South Sheridan Road and East 13<sup>th</sup> Street South
4. **LS-21082** (Lot-Split) (County) Location: South of the southeast corner of North Yale Avenue and East 66<sup>th</sup> Street North (Related to LC-955)
5. **LC-955** (Lot-Combination(County) Location: South of the southeast corner of North Yale Avenue and East 66<sup>th</sup> Street North (Related to LS-21082)
6. **LS-21083** (Lot-Split) (CD 7) Location: West of the southwest corner of South Memorial Drive and East 61<sup>st</sup> Street South

7. **LC-956** (Lot-Combination) (CD 1) Location: North of the northwest corner of East Apache Street and North Harvard Avenue
8. **LC-957** (Lot-Combination) (CD 4) Location: North of the northwest corner of West 17<sup>th</sup> Street South and South Main Street
9. **LC-960** (Lot-Combination) (CD 4) Location: Southeast corner of South Rockford Avenue and East 6<sup>th</sup> Street South
10. **PUD-281-12 Lou Reynolds** (CD 7) Location: West of the northwest corner of East 65<sup>th</sup> Street South and South Mingo Road requesting a **PUD Minor Amendment** to consolidate the previous amendments and clarify the development standards
11. **Retail Center II** (CD 2) Correction of Plat, Location: South of the southeast corner of East 101<sup>st</sup> Street South and South Delaware Avenue
12. **Amended Plat of Retail Center I** (CD 2) Correction of Plat, Location: East of the southeast corner of East 101<sup>st</sup> Street South and South Delaware Avenue
13. **GoFit** (CD 3) Change of Access, Location: Northeast corner of East Apache Street North and North 129<sup>th</sup> East Avenue

#### **CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:**

#### **PUBLIC HEARINGS:**

14. **CPA-70 Lou Reynolds** (CD 6) Location: North of the northwest corner of East 51<sup>st</sup> Street South and South 177<sup>th</sup> East Avenue requesting to amend the Comprehensive Plan Land Use Map from **New Neighborhood** to **Neighborhood Center** (Related to Z-7412) (Continued from October 4, 2017 and November 15, 2017) **(Withdrawn by applicant)**
15. **Z-7412 Lou Reynolds** (CD 6) Location: North of the northwest corner of East 51<sup>st</sup> Street South and South 177<sup>th</sup> East Avenue requesting rezoning from **AG** to **CS** (Related to CPA-70) (Continued from October 4, 2017) (Continued from October 4, 2017 and November 15, 2017) **(Withdrawn by applicant)**
16. **PUD-199-9 Eddis Fraire** (CD 6) Location: East of the southeast corner of South 121<sup>st</sup> East Avenue and East 30<sup>th</sup> Place South requesting **PUD Minor Amendment** to reduce livability space of 4000 sf **(Withdrawn by applicant)**

17. **LS-21066** (Lot-Split) (County) – Location: South of the southeast corner of East 86<sup>th</sup> Street North and North Harvard Avenue (Continued from November 15, 2017) (**Applicant requests continuance to December 20, 2017**)
18. **LS-21079** (Lot-Split) (County) – Location: North of the northeast corner of East 136<sup>th</sup> Street North and North Mingo Road
19. **BOA-22343 Plat Waiver** (CD 4) Location: East of the northeast corner of East 15<sup>th</sup> Street South and South Sandusky Avenue
20. **Z-7409 Plat Waiver** (CD 4) Location: Northeast corner of East 5<sup>th</sup> Court and South Quaker Avenue
21. **The Dearborn** (CD 6) Preliminary Plat, Location: North and east of the corner of East 41<sup>st</sup> Street South and South 145<sup>th</sup> East Avenue
22. **QuikTrip No. 0030** (CD 9) Preliminary Plat, Location: Southeast corner of East 51<sup>st</sup> Street South and South Lewis Avenue
23. **PUD-232-B-1 Michelle Guillory** (CD 1) Location: Southwest corner of West Pine Street and North Union Avenue requesting a **PUD Minor Amendment** to reduce the required street yards (Continued from November 15, 2017)
24. **Z-7423 Tulsa City Council/ Charla Lowery** (CD 2) Location: North of the northwest corner of East 66<sup>th</sup> Place South and South Peoria Avenue requesting rezoning from **CS** to **MX1-V-Unlimited**
25. **CZ-464 Ron Gale** (County) Location: North of the northwest corner of East 96<sup>th</sup> Street North and North Yale Avenue requesting rezoning from **AG** to **CG**
26. **CZ-465 Earl Holcomb** (County) Location: West of the northwest corner of West 2<sup>nd</sup> Street South and North Industrial Avenue requesting rezoning from **RS** to **CS** (Related to CZ-465 Plat Waiver)
27. **CZ-465 Plat Waiver** (County) Location: West of the northwest corner of West 2<sup>nd</sup> Street South and North Industrial Avenue (Related to CZ-465)
28. **Z-7426 Capital Homes Residential Group, LLC** (CD 1) Location: Northwest corner of East Latimer Street and North Boston Avenue requesting rezoning from **RM-3/CS/PUD-786** to **RS-5** (Related to PUD-786-A, Z-7427 and Z-7426/Z-7427/PUD-786-A Plat Waiver)
29. **Z-7427 Capital Homes Residential Group, LLC** (CD 1) Location: Northeast corner of North Main Street and East Latimer Street requesting rezoning from **RM-3/CS/PUD-786-A** to **MX2-U-45** (Related to PUD-786-A, Z-7427 and Z-7426/Z-7427/PUD-786-A Plat Waiver)

30. **PUD-786-A Capital Homes Residential Group, LLC** (CD 1) Location: Northwest corner of East Latimer Street and North Boston Avenue requesting to **Abandonment of PUD-786-A** (Related to Z-7426, Z-7427 and Z-7426/Z-7427/PUD-786-A Plat Waiver)
31. **Z-7426/Z-7427/PUD-786-A Plat Waiver** (CD 1) Location: Northeast corner of North Main Street and East Latimer Street (Related to Z-7426, Z-7427 and PUD-786-A)
32. **Z-7410 Tanner Consulting, INC/Erik Enyart** (CD 8) Location: North of the northeast corner of South Delaware Avenue and East 116<sup>th</sup> Street South requesting rezoning from **AG/RDO-3** to **RS-3/RDO-3 with optional development plan.**
33. **PUD-744-B City Council/Tim Clark** (CD 9) Location: East of the northeast corner of South Peoria Avenue and East 42<sup>nd</sup> Street South requesting **Abandonment of PUD-744/PUD-744-A**
34. Consider adoption of new **Subdivision and Development Regulations.**
35. **ZCA-5** - Various amendments (related to new Tulsa Metropolitan Area Subdivision and Development Regulations) to the **City of Tulsa Zoning Code** in the following sections: Section 25.040 CO, Corridor District; Section 25.070 MPD, Master Planned Development District; Section 30.010 PUD, Planned Unit Development (Legacy) District; Section 40.110 Cottage House Developments; Section 40.290; Patio Houses; Section 40.390 Townhouses; Section 70.040 Development Plans; Section 70.050 Site Plans; Section 70.045 Transportation Impact Analysis(new); Section 70.080 Zoning Clearance and Platting Requirements; Section 90.080 Open Space per Unit; Section 95.150 Terms beginning with "L".
36. Various amendments (related to new Tulsa Metropolitan Area Subdivision and Development Regulations) to the **Tulsa County Zoning Code** in the following sections: Section 260. Platting Requirement; Section 850. Site Plan Review; Section 1120. General Provisions; Section 1140. Bulk and Area Requirements; Section 1150. Perimeter Requirements; Section 1160. Off-Street Parking and Loading; Section 1170. Administration of Planned Unit Development.

#### **OTHER BUSINESS**

37. **Refund Request** PUD-199-9 Minor Amendment, Eddis Fraire, in the amount of \$364.00. Staff determined the Minor Amendment would not be required.



### **38. Commissioners' Comments**

#### **ADJOURN**

CD = Council District

**NOTE:** If you require special accommodation pursuant to the Americans with Disabilities Act, please notify INCOG (918) 584-7526. Exhibits, Petitions, Pictures, etc., presented to the Planning Commission may be received and deposited in case files to be maintained at Land Development Services, INCOG. Ringing/sound on all cell phones and paggers must be turned off during the Planning Commission.

Visit our website at [www.tmapc.org](http://www.tmapc.org)

email address: [esubmit@incog.org](mailto:esubmit@incog.org)

**TMAPC Mission Statement:** The Mission of the Tulsa Metropolitan Area Planning Commission (TMAPC) is to provide unbiased advice to the City Council and the County Commissioners on development and zoning matters, to provide a public forum that fosters public participation and transparency in land development and planning, to adopt and maintain a comprehensive plan for the metropolitan area, and to provide other planning, zoning and land division services that promote the harmonious development of the Tulsa Metropolitan Area and enhance and preserve the quality of life for the region's current and future residents.



Kim S

**TMAPC RECEIPTS**  
**Month of October 2017**

----- Current Period -----				----- Year To Date -----				
	ITEM	CITY	COUNTY	TOTAL RECEIVED	ITEM	CITY	COUNTY	TOTAL RECEIVED
ZONING								
Zoning Letters	13	\$637.50	\$637.50	\$1,275.00	43	2,137.50	2,137.50	\$4,275.00
Zoning	9	4,125.00	4,125.00	8,250.00	28	11,950.00	11,950.00	23,900.00
Plan Reviews	27	5,090.00	5,090.00	10,180.00	88	11,815.00	11,815.00	23,630.00
Refunds		0.00	0.00	0.00		0.00	0.00	0.00
NSF		0.00	0.00	0.00		0.00	0.00	0.00
		<u>\$9,852.50</u>	<u>\$9,852.50</u>	<u>\$19,705.00</u>		<u>\$25,902.50</u>	<u>\$25,902.50</u>	<u>\$51,805.00</u>
LAND DIVISION								
Minor Subdivision	0	\$0.00	0.00	0.00	1	\$435.00	\$435.00	870.00
Preliminary Plats	2	867.50	867.50	1,735.00	7	\$3,462.35	\$3,462.35	6,924.70
Final Plats	2	682.50	682.50	1,365.00	7	\$2,745.00	\$2,745.00	5,490.00
Plat Waviers	4	500.00	500.00	1,000.00	13	\$1,625.00	\$1,625.00	3,250.00
Lot Splits	10	525.00	525.00	1,050.00	48	\$2,450.00	\$2,450.00	4,900.00
Lot Combinations	6	300.00	300.00	600.00	29	\$1,475.00	\$1,475.00	2,950.00
Other	3	150.00	150.00	300.00	7	\$700.00	\$700.00	1,400.00
NSF		0.00	0.00	0.00		\$0.00	\$0.00	0.00
Refunds		0.00	0.00	0.00		(\$50.00)	(\$50.00)	(100.00)
		<u>\$3,025.00</u>	<u>\$3,025.00</u>	<u>\$6,050.00</u>		<u>\$12,842.35</u>	<u>\$12,842.35</u>	<u>\$25,684.70</u>
TMAPC COMP								
Comp Plan Admendment	0	\$0.00	\$0.00	\$0.00	3	\$750.00	\$0.00	\$750.00
Refund		<u>\$0.00</u>		<u>\$0.00</u>		<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
		<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>		<u>\$750.00</u>	<u>\$0.00</u>	<u>\$750.00</u>
BOARDS OF ADJUSTMENT								
Fees	13	\$3,500.00	\$1,100.00	\$4,600.00	87	\$28,450.00	\$6,450.00	\$34,900.00
Refunds		(500.00)	0.00	(\$500.00)		(\$1,250.00)	\$0.00	(1,250.00)
NSF Check		(500.00)	0.00	(\$500.00)		(\$500.00)	\$0.00	(500.00)
		<u>\$2,500.00</u>	<u>\$1,100.00</u>	<u>\$3,600.00</u>		<u>\$26,700.00</u>	<u>\$6,450.00</u>	<u>\$33,150.00</u>
TOTAL		\$15,377.50	\$13,977.50	\$29,355.00		\$66,194.85	\$45,194.85	\$111,389.70
LESS WAIVED FEES *		(\$294.48)		(\$294.48)		(\$1,160.92)		(\$1,160.92)
GRAND TOTALS		\$15,083.02	\$13,977.50	\$29,060.52		\$65,033.93	\$45,194.85	\$110,228.78

\* Advertising, Signs & Postage Expenses for City of Tulsa Applications with Fee Waivers.

**TMAPC Receipt Comparison  
October 2017**

	<b>October 2017</b>	<b>Sept 2017</b>	<b>October 2016</b>
<b>Zoning Letters</b>	13	11	11
<b>Zoning</b>	9	5	3
<b>Plan Reviews</b>	27	25	24
<b>Minor Subdivisions</b>	0	1	0
<b>Preliminary Plats</b>	2	2	2
<b>Final Plats</b>	2	3	3
<b>Plat Waivers</b>	4	5	1
<b>Lots Splits</b>	10	15	13
<b>Lot Combinations</b>	6	5	9
<b>Other</b>	3	2	1
<b>Comp Plan Amendments</b>	0	3	0

Nov. 16, 2017

**Case Number:** PUD-281-12  
**Minor Amendment**

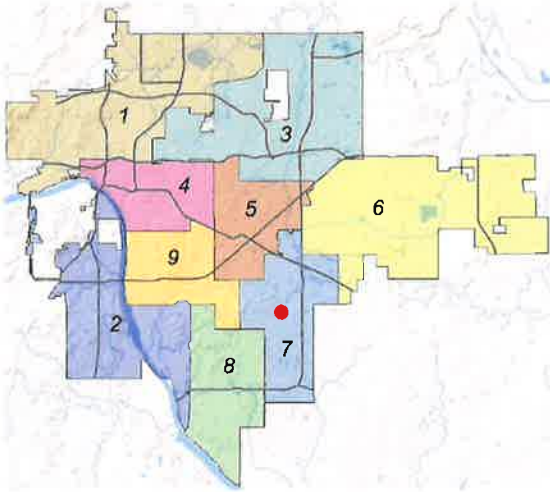
**Hearing Date:** December 6, 2017

**Case Report Prepared by:**  
Jay Hoyt

**Owner and Applicant Information:**  
Applicant: Lou Reynolds

Property Owner: Country Club of Woodland Hills LP, c/o Eller & Detrich, P.C.

**Location Map:**  
(shown with City Council Districts)



**Applicant Proposal:**

Concept summary: PUD minor amendment to consolidate previous amendments and clarify the development standards

Gross Land Area: 7.6± acres

Location: West of the NW/c E 65<sup>th</sup> St S and S Mingo Rd

All of Lot 1, Block 6, Blocks 4, 5 & 6 of Glen Eagles

6333 S 91<sup>st</sup> E Ave

Development Area F

**Zoning:**  
Existing Zoning: RS-3/PUD-281  
Proposed Zoning: No Change

**Comprehensive Plan:**  
Land Use Map: Mixed-Use Corridor  
Growth and Stability Map: Growth

**Staff Recommendation:**  
Staff recommends **approval**.

**Staff Data:**  
TRS: 8301  
CZM: 53  
Atlas: 1732

**City Council District:** 7  
*Councilor Name:* Anna America  
**County Commission District:** 3  
*Commissioner Name:* Ron Peters

**SECTION I:** PUD-281-12 Minor Amendment

**STAFF RECOMMENDATION**

Amendment Request: Modify the PUD to consolidate previous amendments and clarify the development standards.

The current development standards for Development Area F contain ambiguities in regards to several of the requirements, including bulk and area and uses, which are spread over several amendments. As such, determining development standards within area F is confusing and an unnecessarily convoluted process. This amendment seeks to clear up the development standards and eliminate potential confusion.

Applicant Exhibit 'A' reiterates the reason for the request and also lays out the proposed development standards.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 30.010.1.2.c(9) of the City of Tulsa Zoning Code.*

*"Changes in structure heights, building setbacks, yards, open spaces, building coverage and lot widths or frontages, provided the approved PUD development plan, the approved standards and the character of the development are not substantially altered."*

Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-281 and subsequent amendments shall remain in effect.

Exhibits included with staff recommendation:

INCOG zoning case map  
INCOG aerial photo  
INCOG aerial photo enlarged  
Applicant Exhibit 'A' – Description of Proposal/Nature of Amendment  
Applicant Exhibit 'B' – ALTA Survey of subject property

With considerations listed above, staff recommends **approval** of the minor amendment request to consolidate previous amendments and clarify the development standards.







Feet

0 250 500



Subject  
Tract

***PUD-281-12***

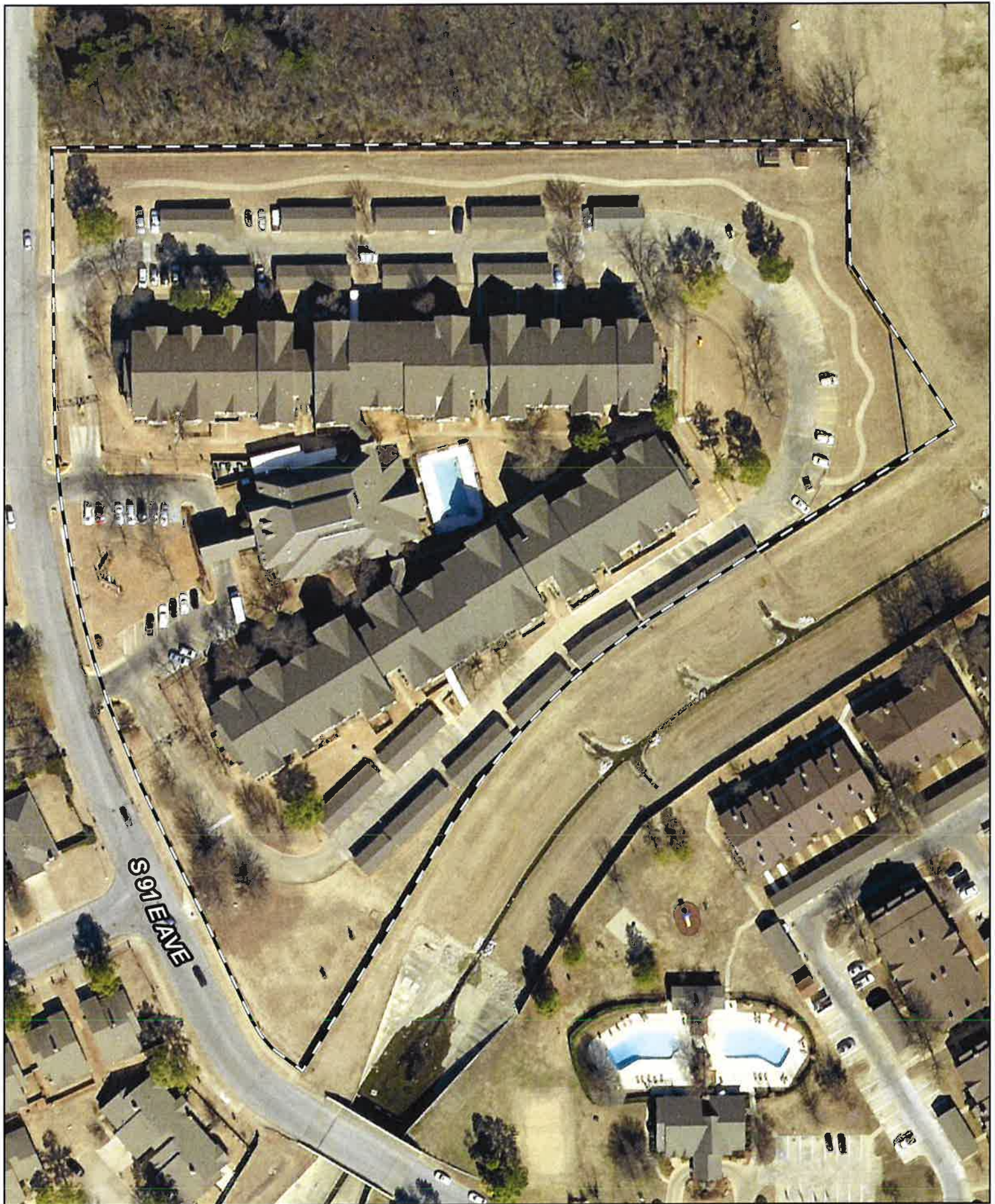
18-13 01

*Note: Graphic overlays may not precisely align with physical features on the ground.*

**Aerial Photo Date: February 2016**







0 50 100  
Feet



Subject  
Tract

**PUD-281-12**

18-13 01

Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: February 2016





## **EXHIBIT "A"**

### **DESCRIPTION OF PROPOSAL/ NATURE OF AMENDMENT**

#### **PUD-281-12 MINOR AMENDMENT**

#### **Development Area "F"**

The purpose of this Minor Amendment is more to clarify the Development Standards of the PUD that are applicable to the Property and to memorialize such Development Standards in one document, rather than to amend the PUD. Within the PUD and the recorded Development Standards there are ambiguities with respect to the Development Standards governing the use of the Property.

PUD 281 was originally approved in 1982 and encompassed approximately 100 acres.

PUD 281 contained eight (8) separate development areas that are described as Development Areas "A", "B", "C", "D", "E", "F" and "H". Several such Development Areas were developed in phases which had the practical effect of further subdividing the original Development Areas. However, the Property is wholly contained in Development Area "F".

Various amendments to PUD 281 have confused the Development Standards that are applicable to the Property. Further compounding the matter is the Development Restrictions recorded against the Property are not consistent with the PUD or the use of the Property as well as the physical characteristics of the improvements on the Property that underwent PUD Site Plan approval in 1985 and 2005.

The permitted use of the Property, as originally approved in PUD 281, was:

Attached dwelling units and related accessory uses such as jogging paths, off-street parking, covered parking, open spaces, drainage way, etc.

After the approval of PUD 281, the Property was platted as a part of Lot 1, Block 6, Blocks 4, 5 & 6, Gleneagles, and the permitted uses of the Property as provided in the Deed of Dedication that was filed as a part of such Plat were as follows:

Attached and detached residential dwelling units, garden apartments and customary accessory uses such as clubhouses, tennis courts, swimming pools and similar recreational facilities, laundry facilities and drainage ways shall be the only uses permitted.

A year later a subsequent amendment to the Deed of Dedication of Blocks 4, 5 & 6, Gleneagles, provided that the permitted uses of the Property were as originally stated in the Plat and Deed of Dedication of Blocks 4, 5 & 6, Gleneagles.

Later, in 1985, a Detail Site Plan was approved for the Property with permitted uses of the Property being attached residential and accessory uses for the elderly.

**EXHIBIT "A"**

**DESCRIPTION OF PROPOSAL/ NATURE OF AMENDMENT**

**PUD-281-12 MINOR AMENDMENT**

**Development Area "F"**

Although not clearly stated that at the time PUD 281 was approved, a review of PUD 281 and its history indicates that it was clear that PUD 281 planned the Property for more than multi-family purposes, as all of the other Development Areas in PUD 281, except Development Areas "G" and "H", that were for detention and recreational purposes, respectively, qualified the use of the Property for attached residential dwelling units and not just dwelling units.

For over 30 years the Property has been developed and used as an assisted living/nursing care facility.

These inconsistencies do not appear to manifest themselves in the other Development Areas.

Therefore, in order to conform the Development Standards and the use of the Property under approved Detail Site Plan, the Applicant respectfully requests that the Development Standards for Development Area "F" are hereby amended as follows:

**PERMITTED USES:**

Attached and detached residential dwelling units, garden apartments, assisted living center, elderly/retirement center and customary accessory uses such as club houses, tennis courts, swimming pools and similar recreational facilities, laundry facilities and drainage ways shall be the only uses permitted.

**MAXIMUM DWELLING UNITS:**

A maximum of one hundred eighty-two (182) dwelling units shall be permitted within Lot 1, Block 6, Gleneagles, Blocks 4, 5 & 6.

**MAXIMUM BUILDING HEIGHT:**

The maximum building height shall be three (3) stories having a maximum building height of forty-four (44) feet.

## **EXHIBIT "A"**

### **DESCRIPTION OF PROPOSAL/ NATURE OF AMENDMENT**

#### **PUD-281-12 MINOR AMENDMENT**

#### **Development Area "F"**

#### **MINIMUM BUILDING SETBACK:**

The minimum building setbacks within Lot 1, Block 6, Gleneagles, Blocks 4, 5 & 6, shall be:

From the centerline of South 91 <sup>st</sup>	90 feet
From the south boundary	3 feet
From the east boundary	150 feet
From the north boundary	20 feet
Between parking and building	10 feet

#### **MINIMUM BUILDING SEPARATION:**

All buildings within Lot 1, Block 6, Gleneagles, Blocks 4, 5 & 6, shall be separated by at least fifteen (15) feet.

#### **MINIMUM LIABILITY AREA PER DWELLING UNIT:**

A minimum of one thousand (1,000) square feet of livability space, as defined in the Tulsa Zoning Code, as the same existed on April 7, 1982, shall be provided for each dwelling unit.

#### **MINIMUM OFF-STREET PARKING RATIO:**

1. Apartment Use:

A minimum of 1.5 off-street parking spaces shall be provided for each efficiency or one-bedroom dwelling unit, and a minimum of 2 off-street parking spaces shall be provided for each dwelling unit having two or more bedrooms.

2. Assisted Living Center and Elderly/Retirement Center Use:

A minimum of .75 off-street parking spaces shall be provided for each dwelling unit for Assisted Living Center and Elderly/Retirement Center Use.

**EXHIBIT "A"**

**DESCRIPTION OF PROPOSAL/ NATURE OF AMENDMENT**

**PUD-281-12 MINOR AMENDMENT**

**Development Area "F"**

An ALTA Survey of the Property is attached hereto as Exhibit "B". The ALTA Survey shows the Property developed in accordance with the foregoing Development Standards and the previously approved PUD Detail Site Plan.

Finally, to fully conform the Property to the PUD, the recorded Development Standards will also need to be corrected by an amendment approved by the TMAPC and the City and filed in the land records.

**EXHIBIT "B"**

**ALTA SURVEY OF THE PROPERTY**

**10.10**

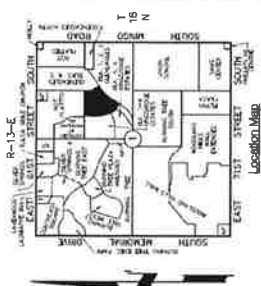


**"BLOCKS 4, 5 AND 6 OF GLENEAGLES"**  
OF  
SECTION 1, T-18-N, R-13-E  
CITY OF TULSA, TULSA COUNTY, OKLAHOMA

COUNTRY CLUB OF WOODLAND HILLS-TRACT A



**SAI** **SACK AND ASSOCIATES, INC.**  
• ENGINEERING • SURVEYING • PLANNING •  
1930 East 31st Street, Suite A, Tulsa, Oklahoma 74120-1118  
P 918.594.1111 F 918.594.1000 C 918.594.1000 FAX 918.594.1000

[illegible]

३

[illegible]

#### Sustained Encroachments









Tulsa Metropolitan Area  
Planning Commission

**Case :** Retail Center II

**Hearing Date:** December 6, 2017

**Case Report Prepared by:**

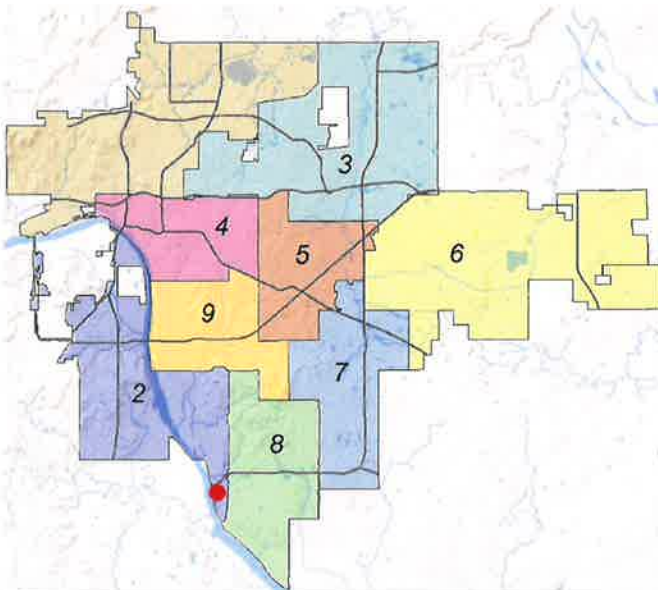
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Select Design, Ryan McCarty

*Owner:* Storage Center, LLC

**Location Map:**  
**(shown with City Council Districts)**



**Applicant Proposal:**

Correction of Plat

*Location:* South of the southeast corner of  
East 101<sup>st</sup> Street South and South  
Delaware Avenue

**Zoning:** CS (Commercial – Shopping)

**Staff Recommendation:**

Staff recommends **approval** of the  
change of access

**City Council District: 2**

*Councilor Name:* Jeannie Cue

**County Commission District: 3**

*Commissioner Name:* Ron Peters

**EXHIBITS:** Certificate of Correction for Plat

11.1

## Certificate of Correction of Plat

This Certificate is being filed in accordance with 11 O.S. § 41-115 to correct the plat of Retail Center II, Plat No. 5407 (the "Plat"). The Plat is hereby corrected to show that the utility easement shown along the East boundary line is to read "17.5' Utility Easement." Attached hereto is the Surveyor's Affidavit for Scrivener's Error evidencing the same.

APPROVED:

Tulsa Metropolitan Area Planning Commission

By: \_\_\_\_\_  
Chair

Dated: \_\_\_\_\_

APPROVED:

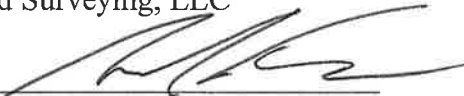
City Council of the City of Tulsa, Oklahoma

By: \_\_\_\_\_  
Chair

Dated: \_\_\_\_\_

APPROVED:

Fritz Land Surveying, LLC

By:  \_\_\_\_\_  
Andy Fritz, OK PLS 1694

# **FRITZ LAND SURVEYING, LLC**

**Professional Land Surveying Services**

## **SURVEYOR'S AFFIDAVIT FOR SCRIVENER'S ERROR**

I, ANDY FRITZ, PLS, OF FRITZ LAND SURVEYING, LLC AND A REGISTERED LAND SURVEYOR IN THE STATE OF OKLAHOMA, REGISTRATION NUMBER 1694, CERTIFICATE OF AUTHORIZATION #5848, DO HEREBY CERTIFY THAT:

THE SURVEYOR OF RECORD, MR. ADRIAN SMITH, JR, PLS #210, HAS BEEN INACTIVE SINCE 2009 AND IS NO LONGER IN BUSINESS.

THIS AFFIDAVIT IS CREATED TO CORRECT THE PLAT OF RETAIL CENTER II, PLAT NO. 5407, FILED DECEMBER 07, 1999 IN BOOK 6302, PAGE 2167. THE 17.5' UTILITY EASEMENT SHOWN ALONG THE EAST BOUNDARY LINE IS LABELED TO READ AS FILED;  
"17.5' UTILITY EASEMENT BY PLAT NO. 5308"

THE LABEL SHOULD AND IS HEREBY CORRECTED TO READ;  
"17.5' UTILITY EASEMENT"

"RETAIL CENTER II, PLAT NO. 5407" IS THE DEDICATING INSTRUMENT FOR SAID EASEMENT.

WITNESS MY HAND AND SEAL THIS 7th DAY OF NOVEMBER 2017.

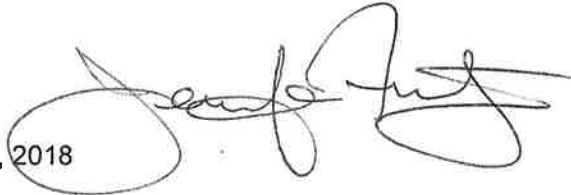
  
ANDY FRITZ, OK PLS 1694



STATE OF OKLAHOMA       )  
  ) SS  
COUNTY OF TULSA       )

SUBSCRIBED AND SWORN BEFORE ME, ANDY FRITZ, PLS, THIS 7th DAY OF NOVEMBER 2017.

JENNIFER FRITZ, NOTARY PUBLIC  
MY COMMISSION NO. 14005589  
MY COMMISSION EXPIRES JUNE 23, 2018



**2017 W. 91st Street Tulsa, OK 74132**

**Ph: 918.231.0575**

**Email: fritzlandsurveying@gmail.com**

11.3

## RATIFICATION OF PLAT

WHEREAS, Storage Center LLC, an Oklahoma limited liability company, is the owner of all of Retail Center II;

WHEREAS, the plat of Retail Center II was filed December 7, 1999 as Plat No. 5407 with the County Clerk of Tulsa County, State of Oklahoma in Book 6302 at Page 2167 (the "Plat"); and

WHEREAS, there appears dedicated in the Plat a 17.5' utility easement along the Eastern boundary thereof (the "Utility Easement"); and

WHEREAS, the Plat incorrectly refers to the Utility Easement as dedicated by plat number 5308; and

WHEREAS, there has been filed a Certificate of Correction of Plat in accordance with 11 O.S. § 41-115 declaring that the Utility Easement was not dedicated by plat number 5308, but rather it was dedicated by the Plat.

NOW THEREFORE, for and in consideration of the mutual covenants set forth herein, Storage Center, LLC, an Oklahoma limited liability company, hereby ratifies and confirms in all respects the aforesaid Plat, including without limitation the dedication of the above described Utility Easement.

**Storage Center, LLC an Oklahoma  
limited liability company**



**By: Robert A. Lemons, Its Manager**

## ACKNOWLEDGEMENT

STATE OF OKLAHOMA    )  
                                  ) ss  
COUNTY OF TULSA    )

This instrument was acknowledged before me this 9<sup>th</sup> day of November, 2017, by Robert A. Lemons, Manager of Storage Center, LLC, an Oklahoma limited liability company.

My commission expires:

\_\_\_\_\_

My commission number:

\_\_\_\_\_

  
Notary Public





Tulsa Metropolitan Area  
Planning Commission

**Case :** Amended Plat of Retail Center I

**Hearing Date:** December 6, 2017

**Case Report Prepared by:**

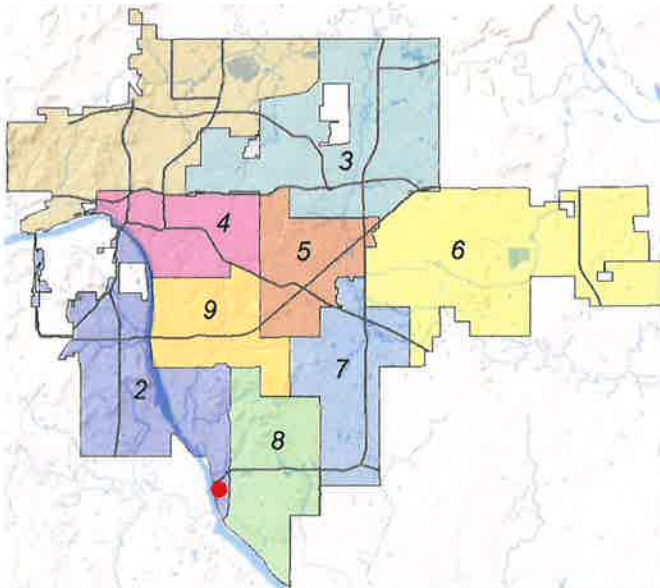
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Select Design, Ryan McCarty

*Owner:* Delaware Center 12, LLC

**Location Map:**  
**(shown with City Council Districts)**



**Applicant Proposal:**

Correction of Plat

*Location:* East of the southeast corner of  
East 101<sup>st</sup> Street South and South  
Delaware Avenue

**Zoning:** CS (Commercial – Shopping)

**Staff Recommendation:**

Staff recommends **approval** of the  
change of access

**City Council District: 2**

*Councilor Name:* Jeannie Cue

**County Commission District: 3**

*Commissioner Name:* Ron Peters

**EXHIBITS:** Certificate of Correction for Plat

## Certificate of Correction of Plat

This Certificate is being filed in accordance with 11 O.S. § 41-115 to correct the Amended Plat of Retail Center I, Plat No. 5932 (the "Plat"). The Plat is hereby corrected to show that the utility easement shown along the East and South boundary line is to read "15' Utility Easement." Attached hereto is the Surveyor's Affidavit for Scrivener's Error evidencing the same.

APPROVED:

Tulsa Metropolitan Area Planning Commission

By: \_\_\_\_\_  
Chair

Dated: \_\_\_\_\_

APPROVED:

City Council of the City of Tulsa, Oklahoma

By: \_\_\_\_\_  
Chair

Dated: \_\_\_\_\_

APPROVED:

Fritz Land Surveying, LLC

By:   
Andy Fritz, OK PLS 1694

# ***FRITZ LAND SURVEYING, LLC***

***Professional Land Surveying Services***

## **SURVEYOR'S AFFIDAVIT FOR SCRIVENER'S ERROR**

I, ANDY FRITZ, PLS, OF FRITZ LAND SURVEYING, LLC AND A REGISTERED LAND SURVEYOR IN THE STATE OF OKLAHOMA, REGISTRATION NUMBER 1694, CERTIFICATE OF AUTHORIZATION #5848, DO HEREBY CERTIFY THAT:

THE SURVEYOR OF RECORD, MR. ADRIAN SMITH, JR, PLS #210, HAS BEEN INACTIVE SINCE 2009 AND IS NO LONGER IN BUSINESS.

THIS AFFIDAVIT IS CREATED TO CORRECT "THE AMENDED PLAT OF RETAIL CENTER I, NO. 5932", FILED NOVEMBER 30, 2005 AS INSTRUMENT NO. 2005141566. THE 15' UTILITY EASEMENTS SHOWN ALONG THE EAST AND SOUTH BOUNDARY LINES ARE LABELED TO READ AS FILED;

"15' UTILITY EASEMENT BY PLAT NO. 5308"

THE LABEL SHOULD AND IS HEREBY CORRECTED TO READ;  
"15' UTILITY EASEMENT"

"THE AMENDED PLAT OF RETAIL CENTER I", PLAT NO. 5932 IS THE DEDICATING INSTRUMENT FOR SAID EASEMENTS.

WITNESS MY HAND AND SEAL THIS 8th DAY OF NOVEMBER 2017.

ANDY FRITZ, OK PLS 1694



STATE OF OKLAHOMA       )  
                                      ) SS  
COUNTY OF TULSA        )

SUBSCRIBED AND SWORN BEFORE ME, ANDY FRITZ, PLS, THIS 8th DAY OF NOVEMBER 2017.

JENNIFER FRITZ, NOTARY PUBLIC  
MY COMMISSION NO. 14005589  
MY COMMISSION EXPIRES JUNE 23, 2018

A handwritten signature of Jennifer Fritz in cursive script.

***2017 W. 91st Street Tulsa, OK 74132***

***Ph: 918.231.0575***

***Email: fritzlandsurveying@gmail.com***

12.3

## RATIFICATION OF PLAT

WHEREAS, Delaware Center 12, LLC, an Oklahoma limited liability company, is the owner of all of the Amended Plat of Retail Center I; and

WHEREAS, the Amended Plat of Retail Center I was filed on November 30, 2005 as Plat No. 5932 with the County Clerk of Tulsa County, State of Oklahoma under document number 2005141566 (the "Plat"); and

WHEREAS, there appears dedicated in the Plat a 15' utility easement along the Eastern and Southern boundary thereof (the "Utility Easement"); and

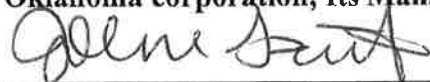
WHEREAS, the Plat incorrectly refers to the Utility Easement as dedicated by plat number 5308; and

WHEREAS, there has been filed a Certificate of Correction of Plat in accordance with 11 O.S. § 41-115 declaring that the Utility Easement was not dedicated by plat number 5308, but rather it was dedicated by the Plat.

NOW THEREFORE, for and in consideration of the mutual covenants set forth herein, Delaware Center 12, LLC, an Oklahoma limited liability company, hereby ratifies and confirms in all respects the aforesaid Plat, including without limitation, the dedication of the above described Utility Easement.

**Delaware Center 12, LLC, an Oklahoma  
limited liability company**

**By: Sanditen Property Services, Inc., an  
Oklahoma corporation, Its Manager**



**By: Jolene Sanditen, Its President**

## ACKNOWLEDGEMENT

STATE OF OKLAHOMA    )  
  ) ss  
COUNTY OF TULSA     )

This instrument was acknowledged before me this 9<sup>th</sup> day of November, 2017, by Jolene Sanditen, President of Sanditen Property Services, Inc., Manager of Delaware Center 12, LLC, an Oklahoma limited liability company.

My commission expires:

11/23/18

# 02019286



Notary Public





Tulsa Metropolitan Area  
Planning Commission

**Case :** GoFit

**Hearing Date:** December 6, 2017

**Case Report Prepared by:**

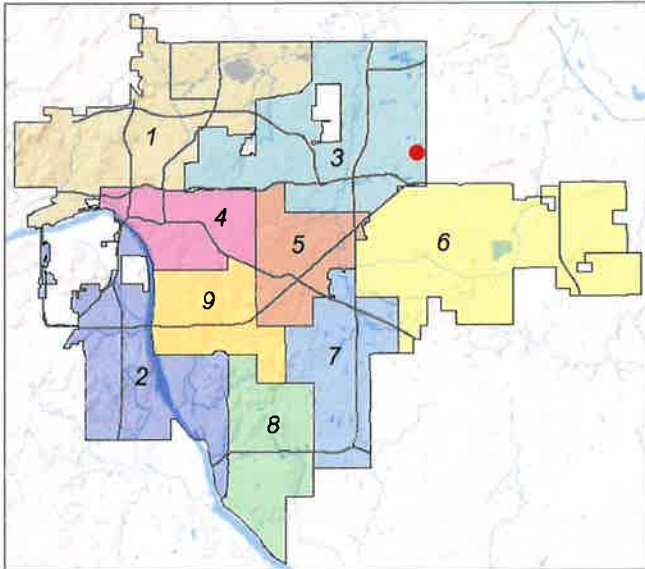
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Capital Homes Residential  
Group, LLC

*Owner:* Tulsa Development Authority

**Location Map:**  
**(shown with City Council Districts)**



**Applicant Proposal:**

Change of Access

*Location:* Northeast corner of East Apache  
Street and North 129<sup>th</sup> East Avenue

**Zoning:** IM (Industrial Moderate)

**Staff Recommendation:**

Staff recommends **approval** of the  
change of access

**City Council District: 3**

*Councilor Name:* David Patrick

**County Commission District: 1**

*Commissioner Name:* John Smaligo

**EXHIBITS:** Change of Access Exhibits

**CHANGE OF AND CONSENT TO  
AREAS OF ACCESS AS SHOWN ON RECORDED PLAT**

WHEREAS, Saginaw Control & Engineering, Inc.  
are the owners of Lot 1, Block 1, GoFit  
in the city and/or county of Tulsa, Oklahoma, according to the recorded plat thereof;  
and

WHEREAS, said owners desire to change the access points from North 129th East Ave  
to the above described property and,

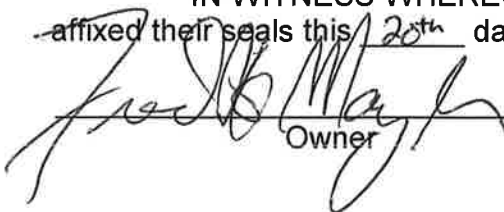
WHEREAS, such change requires approval of the Tulsa Metropolitan Area  
Planning Commission; and

WHEREAS, the Tulsa Metropolitan Area Planning Commission may approve  
such change of access with a favorable recommendation by the designated Engineer of  
the City of Tulsa or Tulsa County, Oklahoma.

NOW THEREFORE, the undersigned owners of the above named property in  
the City (and/or) County of Tulsa, Oklahoma according to the recorded plat thereof,  
does hereby change the access point(s) from its (their) present location as shown on  
the above named plat as recorded in the office of the County Clerk of Tulsa County,  
Oklahoma, as plat number 6218 to the location(s) as shown on the attached Exhibit  
A, which is incorporated herein by reference and made a part hereof for all purposes.

The Tulsa Metropolitan Area Planning Commission by the affixing of its  
approval to this instrument does hereby stipulate and agree to such change and, that  
from and after the date of this consent, ingress and egress shall be permitted over,  
through and across the areas of access as shown on attached Exhibit A, which is  
incorporated herein by reference. The area of "access" as previously shown are hereby  
revoked and access to the property prohibited across said area. The area of limits of  
no access previously existing along the area of access now permitted by this change  
and consent is hereby expressly vacated, annulled and held for naught.

IN WITNESS WHEREOF, the parties have hereunto set their hands and  
affixed their seals this 20<sup>th</sup> day of November, 2017.

  
\_\_\_\_\_  
Owner

\_\_\_\_\_  
Owner

APPROVED:

  
\_\_\_\_\_  
City/County Engineer

\_\_\_\_\_  
TMAPC

STATE OF \_\_\_\_\_)

) SS

INDIVIDUAL ACKNOWLEDGEMENT

COUNTY OF \_\_\_\_\_)

Before me, the undersigned, a Notary Public in and for said County and State, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, personally appeared \_\_\_\_\_, to me known to be the identical person(s) who executed the foregoing instrument and acknowledged to me that \_\_\_\_\_ executed the same as \_\_\_\_\_ free and voluntary act and deed for the purposes therein set forth.

GIVEN under my hand and seal the day and year last above written.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

STATE OF Michigan )

) SS

CORPORATE ACKNOWLEDGEMENT

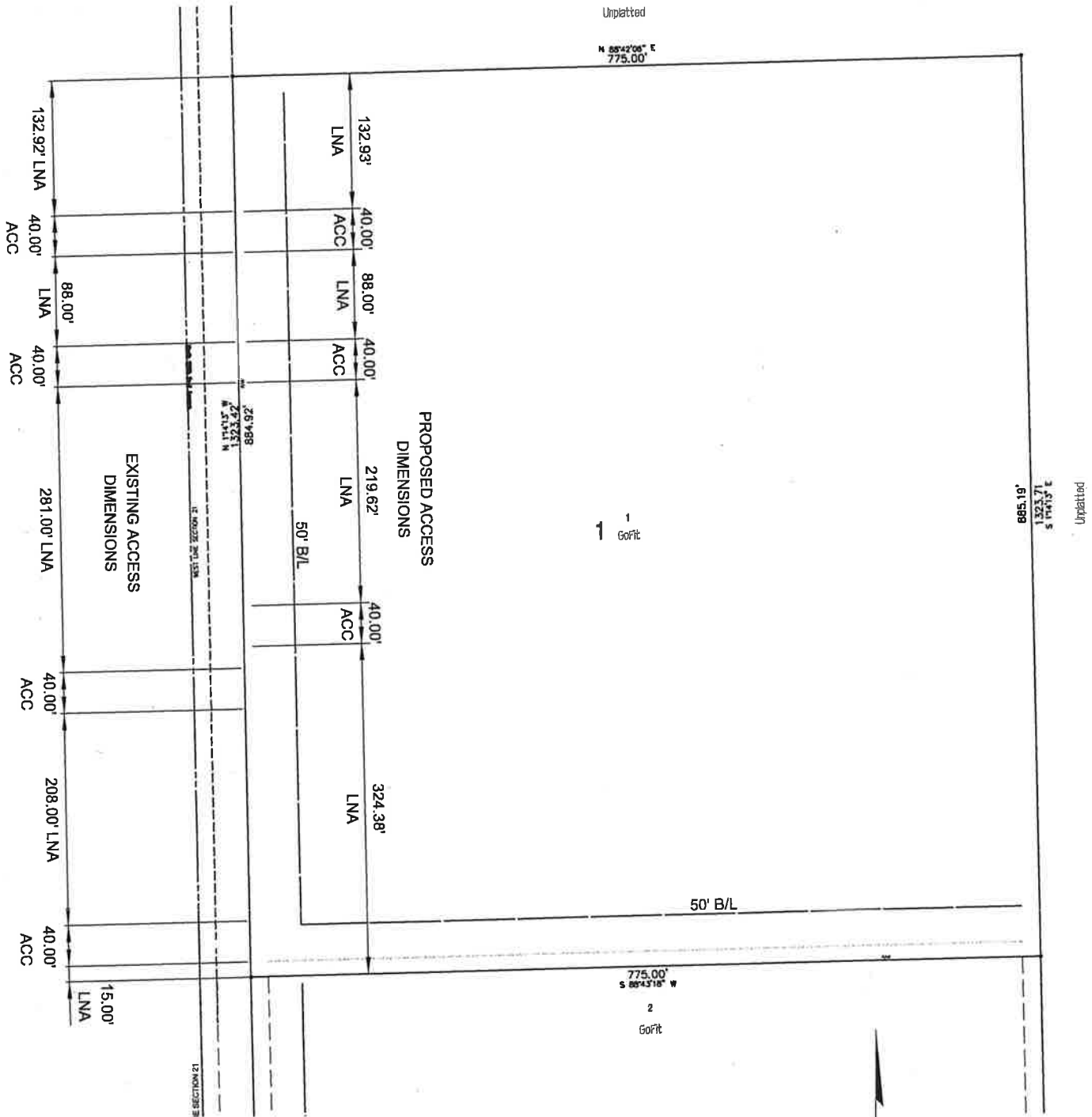
COUNTY OF Saginaw )

Before me, the undersigned, a Notary Public in and for said County and State, on this 20 day of November, 2017, personally appeared Fred May Jr, to me known to be the identical person(s) who subscribed the name of the maker thereof to the foregoing instrument as its CEO and acknowledged to me that Saginaw Control and Engineering executed the same as \_\_\_\_\_ free and voluntary act and deed of such corporation, for the purposes therein set forth.

GIVEN under my hand and seal the day and year last above written.

My Commission Expires: 06-06-2019

  
\_\_\_\_\_  
Notary Public



Wallace Engineering  
Structural Consultants, Inc.  
200 East Brady Street  
Tulsa, Oklahoma 74103  
918.584.8856, Fax 918.584.8889

OKLAHOMA O.A.R. 1488  
EXPIRATION DATE: 6/30/19

APPROVED:  
*[Signature]*  
Traffic Engineer

PROJECT NO. 1740118

DATE: 11-20-17

EXHIBIT A - CHANGE OF ACCESS  
LOT 1, BLOCK 1, GoFit

13.4

**Sawyer, Kim**

CPA-70

**From:** Wilkerson, Dwayne  
**Sent:** Tuesday, November 28, 2017 10:10 AM  
**To:** R. Louis Reynolds  
**Cc:** Kacee Frazier; Miller, Susan; Moye, Nikita; Sawyer, Kim; Tammy Fairchild  
**Subject:** RE: CPA-70 and Z-7412

Thanks Lou,

We will withdrawn CPA-70 and Z-7412 from any further consideration as requested. The items will still show up on the December 6<sup>th</sup>, 2017 planning commission agenda with a note that they have been withdrawn.

Respectfully,

**INCOG**

C. Dwayne Wilkerson  
Assistant Director Land Development Services

2 West Second Street  
Suite 800  
Tulsa, OK 74103

918-579-9475

[dwilkerson@incog.org](mailto:dwilkerson@incog.org)



*Celebrating 50 Years of Service  
to the Tulsa Region*

**From:** R. Louis Reynolds [mailto:LReynolds@ellerdetrich.com]  
**Sent:** Tuesday, November 28, 2017 10:02 AM  
**To:** Wilkerson, Dwayne <DWilkerson@incog.org>  
**Cc:** Kacee Frazier <kaceefrazier@gmail.com>  
**Subject:** CPA-70 and Z-7412

Dear Dwayne: The Applicant, Kacee Frazier, respectfully requests that the above cases be withdrawn. Let me know if you have any questions. Best regards, Lou Reynolds

**R. Louis Reynolds**

**Eller & Detrich**

2727 E. 21st Street, Ste 200  
Tulsa, Oklahoma 74114-3533

☎ (918) 747-8900 *phone*

☎ (866) 547-8900 *toll free*

☎ (918) 392-9407 *e-fax*

✉ [LReynolds@EllerDetrich.com](mailto:LReynolds@EllerDetrich.com)



**Sawyer, Kim**

Z-7412

**From:** Wilkerson, Dwayne  
**Sent:** Tuesday, November 28, 2017 10:10 AM  
**To:** R. Louis Reynolds  
**Cc:** Kacee Frazier; Miller, Susan; Moye, Nikita; Sawyer, Kim; Tammy Fairchild  
**Subject:** RE: CPA-70 and Z-7412

Thanks Lou,

We will withdrawn CPA-70 and Z-7412 from any further consideration as requested. The items will still show up on the December 6<sup>th</sup>, 2017 planning commission agenda with a note that they have been withdrawn.

Respectfully,

**INCOG**

C. Dwayne Wilkerson  
Assistant Director Land Development Services

2 West Second Street  
Suite 800  
Tulsa, OK 74103

918-579-9475  
[dwilkerson@incog.org](mailto:dwilkerson@incog.org)



*Celebrating 50 Years of Service  
to the Tulsa Region*

**From:** R. Louis Reynolds [<mailto:LReynolds@ellerdetrich.com>]  
**Sent:** Tuesday, November 28, 2017 10:02 AM  
**To:** Wilkerson, Dwayne <[DWilkerson@incog.org](mailto:DWilkerson@incog.org)>  
**Cc:** Kacee Frazier <[kaceefrazier@gmail.com](mailto:kaceefrazier@gmail.com)>  
**Subject:** CPA-70 and Z-7412

Dear Dwayne: The Applicant, Kacee Frazier, respectfully requests that the above cases be withdrawn. Let me know if you have any questions. Best regards, Lou Reynolds

**R. Louis Reynolds**

**Eller & Detrich**

2727 E. 21st Street, Ste 200  
Tulsa, Oklahoma 74114-3533

☎ (918) 747-8900 *phone*  
☎ (866) 547-8900 *toll free*  
☎ (918) 392-9407 *e-fax*  
✉ [LReynolds@EllerDetrich.com](mailto:LReynolds@EllerDetrich.com)





**Sawyer, Kim**

PUD-199-9

**From:** Hoyt, Jay  
**Sent:** Monday, November 20, 2017 8:33 AM  
**To:** Sawyer, Kim  
**Subject:** FW: Minor Amendment PUD-199-9 - 12108 E 30th Pl S - Amendment not needed

Kim,

Case #PUD-199-9, scheduled for the 12/6 TMAPC meeting is being withdrawn, since it is not needed. The applicant has requested a refund of the fees.

Thank you,

Jay Hoyt

**From:** Fraire, Eddis [mailto:frairee@lithko.com]  
**Sent:** Saturday, November 18, 2017 2:39 PM  
**To:** Hoyt, Jay <JHoyt@incog.org>  
**Subject:** Re: Minor Amendment PUD-199-9 - 12108 E 30th Pl S - Amendment not needed

Yes i would like to withdraw my application and get a refund thank you

Sent from my iPhone

On Nov 16, 2017, at 2:57 PM, Hoyt, Jay <[JHoyt@incog.org](mailto:JHoyt@incog.org)> wrote:

Eddis,

I wanted to let you know that, after looking over the PUD requirements and speaking with the City of Tulsa, it appears that a minor amendment to reduce the livability space on your lot is not needed. The amount of livability space you will have after the construction of your addition combined with the shared livability space of the entire PUD area provides you with enough to fulfil the 4,000 sf requirement.

I will withdraw your application. Would you like me to submit a request for a refund of the fees paid for the amendment to the planning commission? If so, please respond to this email stating that I may submit the refund request to the planning commission.

Thank you,

Jay Hoyt  
Land Development Planner  
**INCOG**  
2 West 2nd Street  
Suite 800  
Tulsa, OK 74103

918.579.9476 phone  
918.579.9576 fax  
[jhoyt@incog.org](mailto:jhoyt@incog.org)



**Sawyer, Kim**

LS-21066

**From:** Ulmer, Amy  
**Sent:** Wednesday, November 29, 2017 11:51 AM  
**To:** Sawyer, Kim  
**Subject:** Lot-Split Continuance Request

Kim,

The applicant for LS-21066 is requesting a continuance to the 12/20/17 Planning Commission meeting. Thanks!

Amy Ulmer | Assistant Planner, Land Development Services  
2 West Second Street, Suite 800  
Tulsa, OK 74103  
918.579.9471  
918.579.9571 fax  
aulmer@incog.org

-----Original Message-----

From: Brandon Potter [mailto:tfdpotter@yahoo.com]  
Sent: Wednesday, November 29, 2017 11:43 AM  
To: Ulmer, Amy <aulmer@incog.org>  
Subject: Lot split

Amy

We would like ask for continuance on our lot split to be moved to the dec 20th meeting. If you could let me know you got this and what time and which location this one takes place in I would greatly appreciate it.

Thanks you. Brandon Potter





Tulsa Metropolitan Area  
Planning Commission

**Case Number:** LS-21079

**Lot-Split**

**Hearing Date:** December 6, 2017

**Case Report Prepared by:**

Amy Ulmer

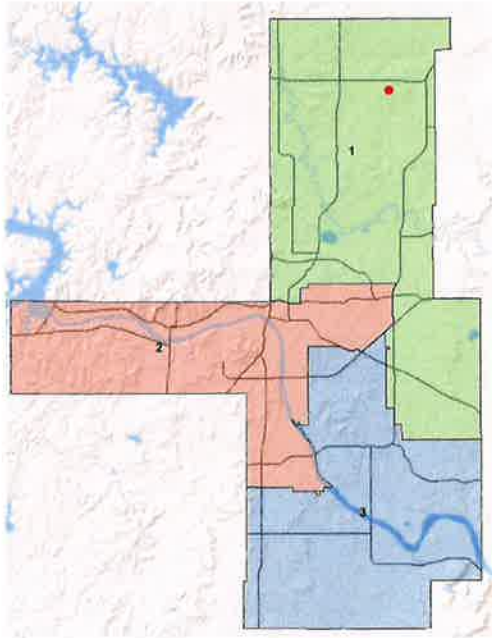
**Owner and Applicant Information:**

Applicant: Zac Allphin

Property Owners: same

**Location Map:**

**(shown with County Commission Districts)**



**Applicant Proposal:**

Proposal to split an existing AG tract into two tracts.

The lot-split requires a waiver of the Subdivision Regulations that no lot have more than three side lot lines.

Existing Use: Residential

Tract 1 Size: 2.2  $\pm$  acres

Tract 2 Size: 2.8  $\pm$  acres

Location: North of the northeast corner of East 136<sup>th</sup> Street North and North Mingo Road

**Comprehensive Plan:**

Land Use Map:

N/A

Stability and Growth Map:

N/A

**Zoning:**

Existing Zoning: AG

**Staff Recommendation:**

Staff recommends **approval** of the lot-split and the waiver of the Subdivision Regulations that no lot have more than three side lot lines.

**County Commission District: 1**

*Commissioner Name:* John Smaligo

**Lot-Split and Waiver of Subdivision Regulations**

**December 6, 2017**

**LS-21079**

**Zac Allphin, (2430) (AG) (County)**

**Location: North of the northeast corner of East 136<sup>th</sup> Street North and North Mingo Road**

The Lot-Split proposal is to split an existing Agriculture (AG) tract into two tracts. Tract 1 and Tract 2 of the resulting split will meet the Bulk and Area requirements of the Tulsa County Zoning Code.

The Technical Advisory Committee met on November 16, 2017 and had the following comment. The County Engineer is requesting that 50' of right-of-way be dedicated along North Mingo Road, including any previously dedicated right-of-way.

The proposed lot-split would not have an adverse affect on the surrounding properties and staff recommends **APPROVAL** of the lot-split and the waiver of the Subdivision Regulations that no lot have more than three side lot lines.





0 200 400  
Feet



Subject  
Tract

**LS-21079**

22-14 30

Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: February 2016



18.3







Tulsa Metropolitan Area  
Planning Commission

**Case :** BOA-22343 Plat Waiver

**Hearing Date:** December 6, 2017

**Case Report Prepared by:**

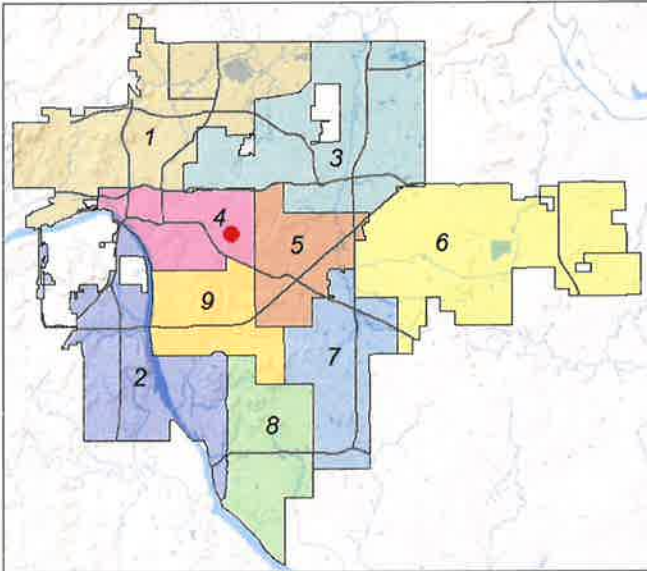
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Joyce Younacha

*Owner:* Phil Baker

**Location Map:**  
**(shown with City Council Districts)**



**Applicant Proposal:**

Plat Waiver

*Location:* East of the northeast corner of  
East 15<sup>th</sup> Street South and South  
Sandusky Avenue

**Zoning:** RS-3 (Residential Single-Family)

**Staff Recommendation:**

Staff recommends **approval** of the plat  
waiver

**City Council District:** 4

*Councilor Name:* Blake Ewing

**County Commission District:** 2

*Commissioner Name:* Karen Keith

**EXHIBITS:** Site Map, Aerial, Applicant Submittal

## PLAT WAIVER

### **BOA-22343** – (CD 4)

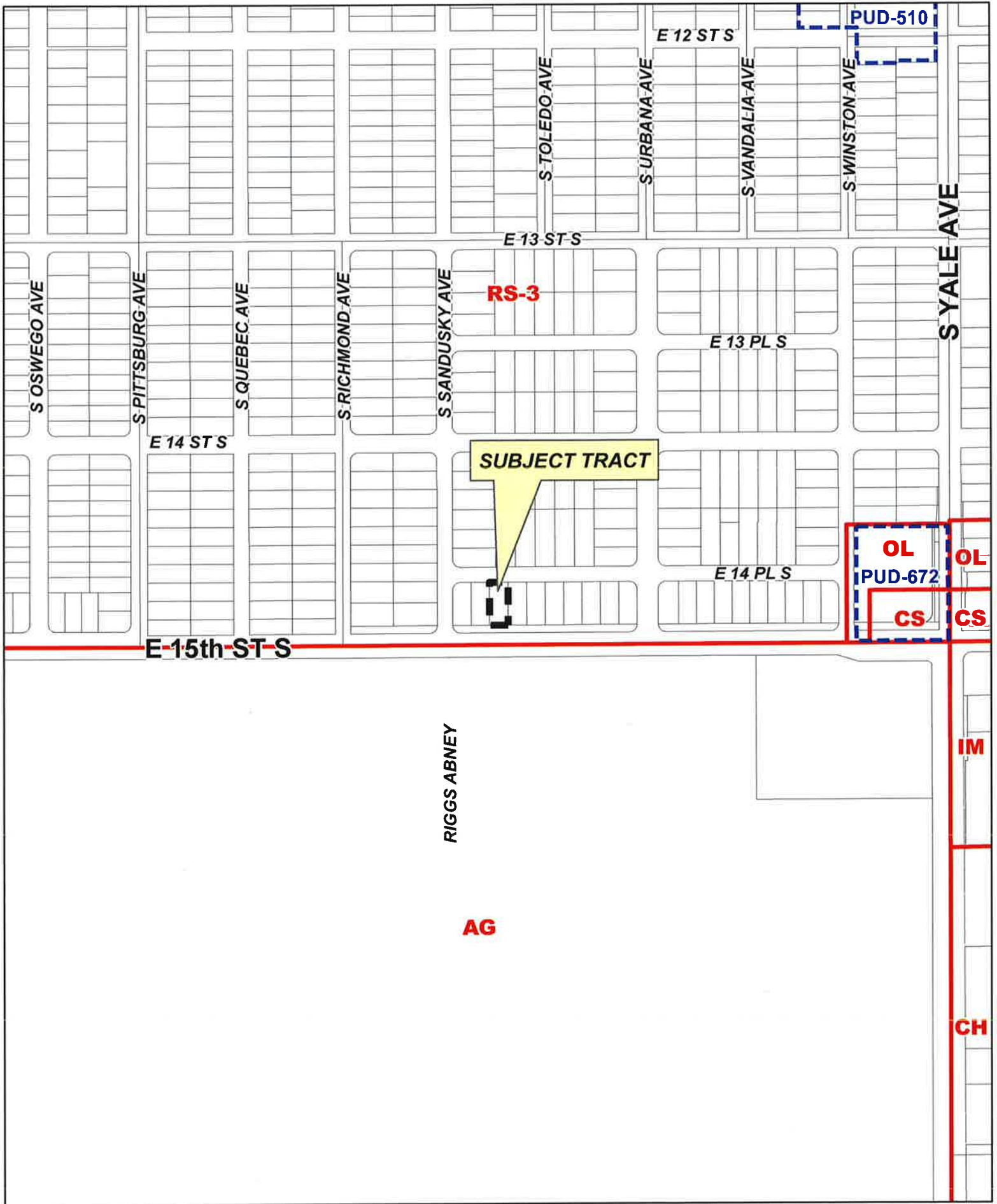
East of the northeast corner of East 15<sup>th</sup> Street South and South Sandusky Avenue  
(4414 E 14<sup>th</sup> PL S)

The platting requirement for this property is being triggered by a special exception approval by the Board of Adjustment on October 24, 2017 to permit a Bed & Breakfast (AirBnB) use on the property within the existing home.

The Technical Advisory Committee met on October 5, 2017 and the following items were determined:

1. The property was previously platted as Lot 8 Block 10 of the Adamson Heights Addition.
2. Necessary utilities are all in place and no additional easements will be needed at this time.
3. All right-of-way dedications have been made to comply with the Major Street Highway Plan.
4. No new construction is planned at this time.

Staff recommends **approval** of the plat waiver.

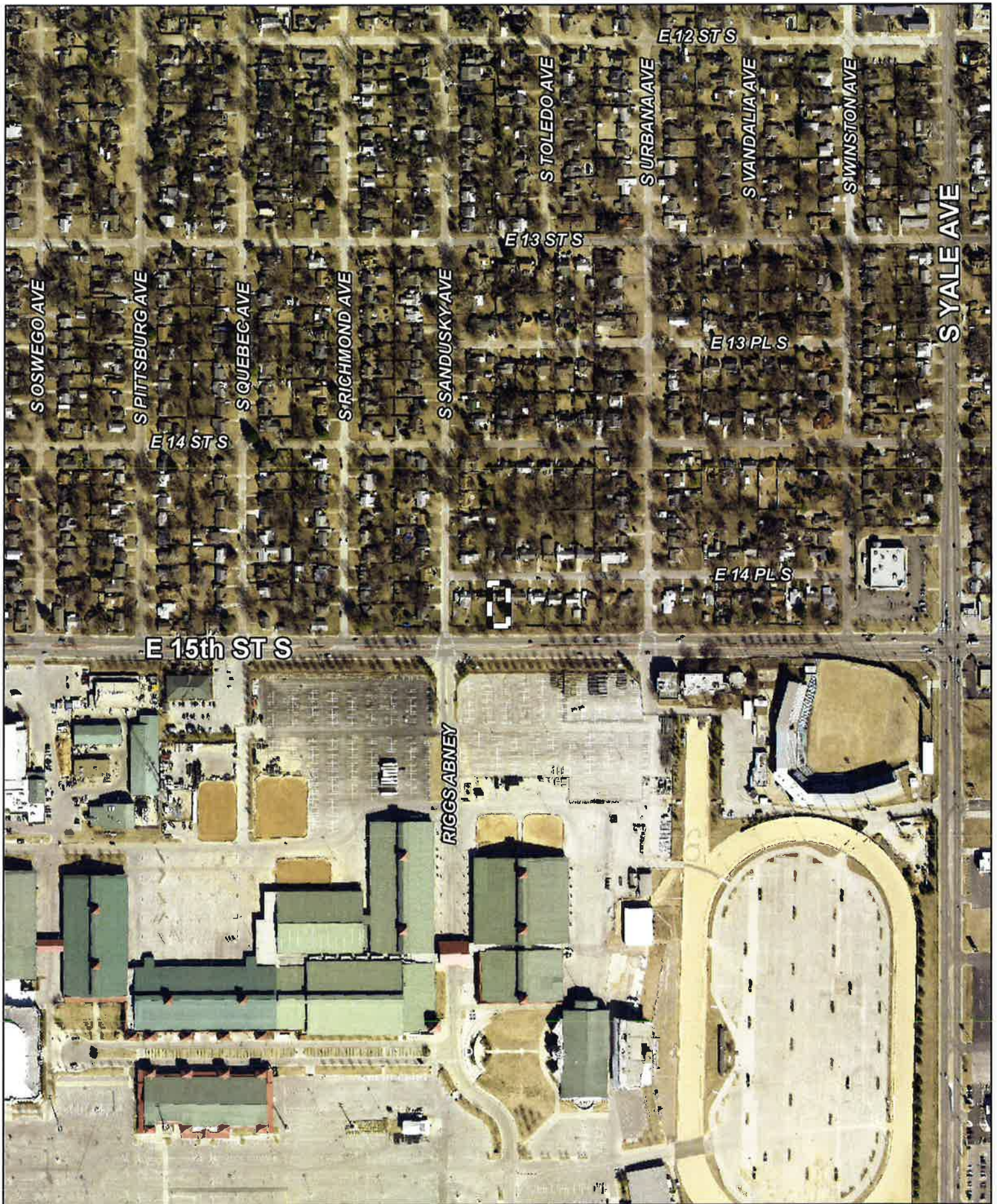


**BOA-22343**

19-13 09







0 Feet 200 400



Subject  
Tract

**BOA-22343**

19-13 09

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016



19.4





S SANDUSKY AVE

E 14th St S

E 15th St S

RIGGS ABNEY

0 50 100  
Feet



Subject  
Tract

**BOA-22343**

19-13 09

Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: February 2016









Tulsa Metropolitan Area  
Planning Commission

**Case :** Z-7409 Plat Waiver

**Hearing Date:** December 6, 2017

**Case Report Prepared by:**

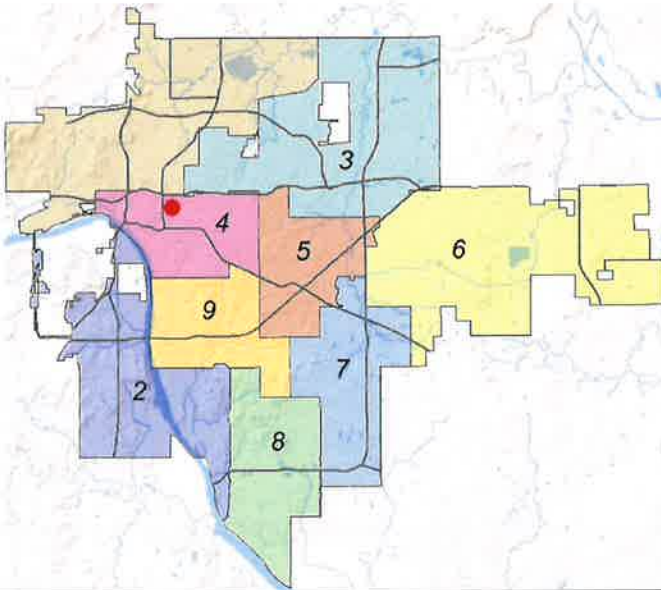
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Wallace Engineering, Alan Taylor

*Owner:* Rusted Truck Property Co., LLC

**Location Map:**  
**(shown with City Council Districts)**



**Applicant Proposal:**

Plat Waiver

*Location:* Northeast corner of East 5<sup>th</sup> Court and South Quaker Avenue

**Zoning:**

*Current:* IM (Industrial – Moderate)

*Proposed:* CH (Commercial – High)

**Staff Recommendation:**

Staff recommends **approval** of the plat waiver

**City Council District: 4**

*Councilor Name:* Blake Ewing

**County Commission District: 2**

*Commissioner Name:* Karen Keith

**EXHIBITS:** Site Map, Aerial, Applicant Submittal

## PLAT WAIVER

### Z-7409 – (CD 4)

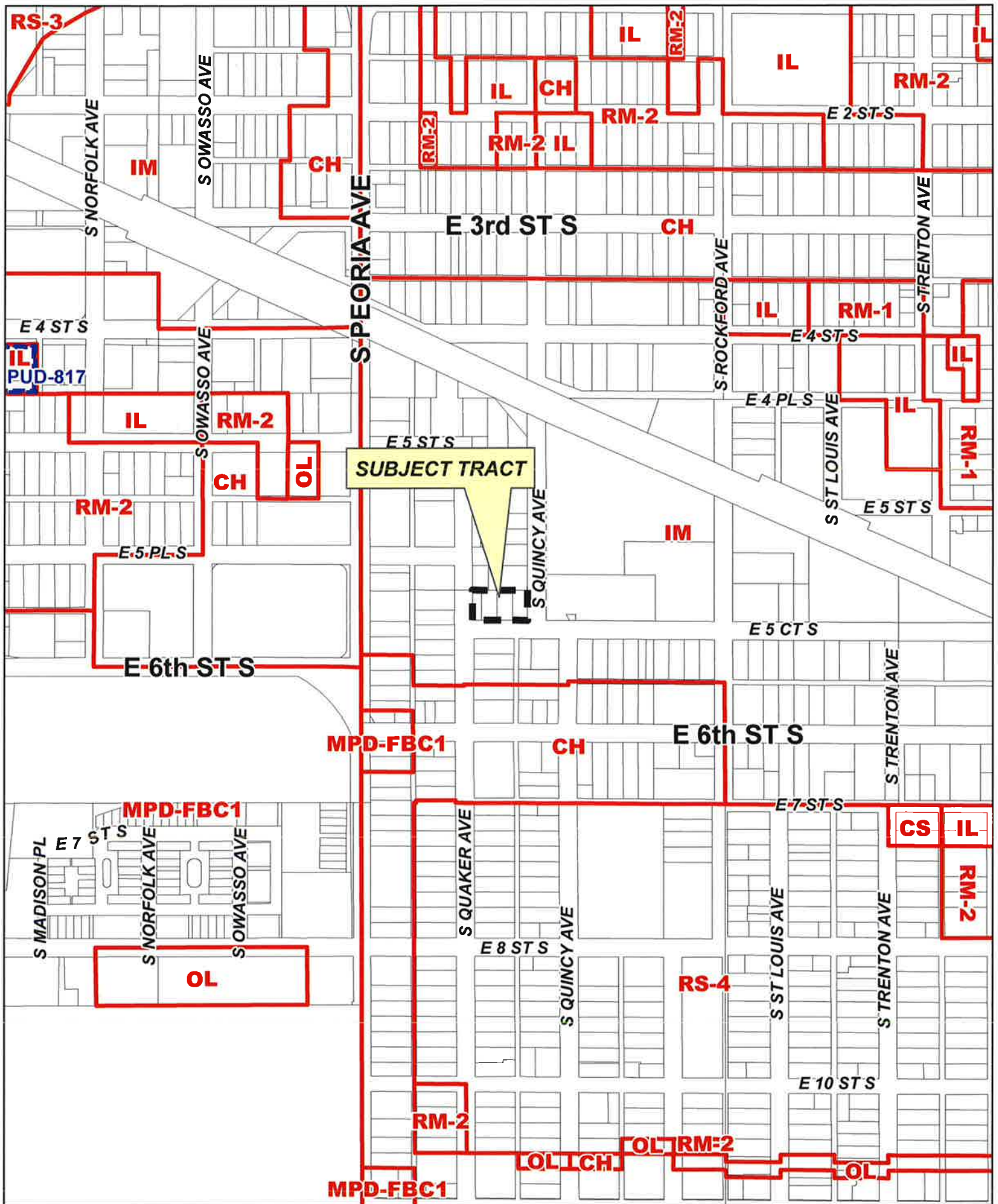
Northeast corner of East 5<sup>th</sup> Court and South Quaker Avenue

The platting requirement for this property is being triggered by a rezoning request (Z-7409). The property owner is requesting a rezoning from IM to CH to permit a mixed-use development to include residential and commercial uses.

The Technical Advisory Committee met on November 16, 2017 and the following items were determined:

1. The property was previously platted as part of the Factory Addition subdivision plat.
2. Utilities are all available and no main line extensions are required.
3. Required right-of-way dedications have all been made by previous plat.
4. The property currently consists of 4 previously platted lots that will be required to be combined prior to any development.
5. A new address will be assigned by the City of Tulsa following the combination of the lots.

Staff recommends **approval** of the plat waiver.



Z-7409

19-13 06







0 200 400  
Feet



Subject  
Tract

**Z-7409**

19-13 06

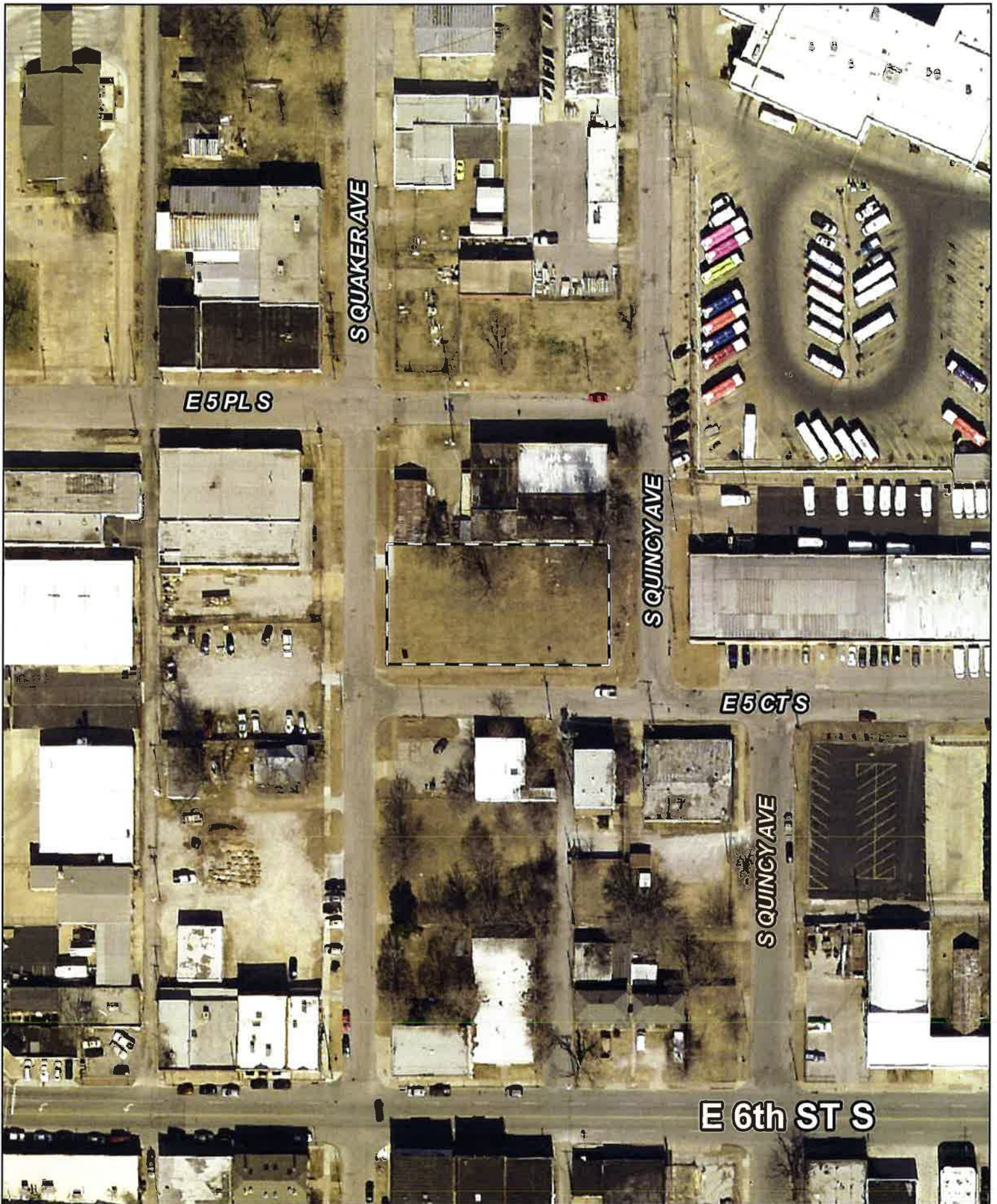
Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: February 2016



204





0 50 100  
Feet



Subject  
Tract

**Z-7409**

19-13 06

Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: February 2016



20.5





20.6



wdesign

918.794.6116  
WDESIGNSITE.COM





20.7



wdesign

918.794.6616  
WDESIGNSITE.COM



20.8



wdesign

918.794.6616  
WDESIGNSITE.COM

6.20.20

**wadesign**  
ARCHITECTURE & INTERIORS  
815 E. 3rd Street, Suite C  
Tulsa, OK 74103  
Phone: 918.774.6602  
www.wadesignfile.com

SEAL:

PROJECT:

**RUSTED TRUCK  
PROPERTY CO.**

PROJECT #  
16198

**5TH AND QUAKER  
TULSA, OK  
74120**

CONSULTANT:

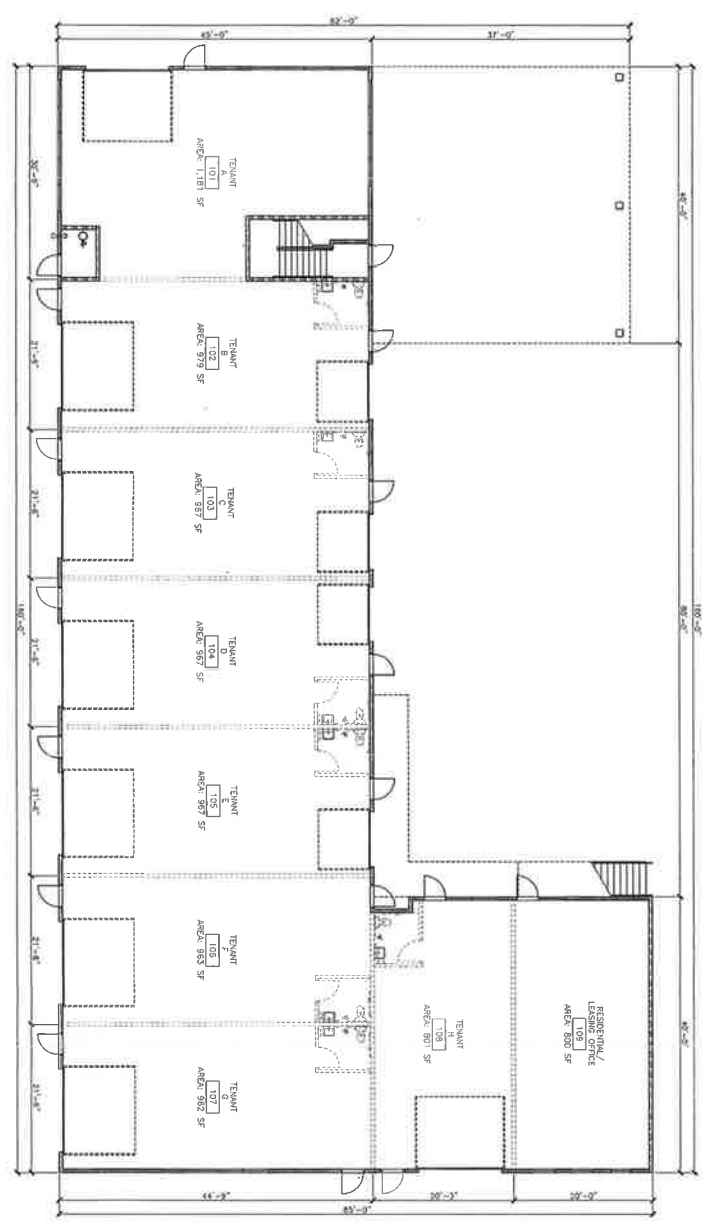
REVISIONS:

ISSUE DATE:  
08.08.2017

SHEET NAME:  
**FLOOR PLAN  
FIRST FLOOR**

SHEET #:  
**A201**

**Architectural**  
DRAWING



**1 FLOOR PLAN - FIRST FLOOR**  
SCALE: 1/8" = 1'-0"  
AREA: 1,711 SF

**wdesign**  
ARCHITECTURE & INTERIORS  
815 E. 3rd Street, Suite C  
Tulsa, OK 74120  
Office: 918.794.6616  
Fax: 918.794.6602  
[www.wdesignsite.com](http://www.wdesignsite.com)

PROJECT:

**RUSTED TRUCK  
PROPERTY CO.**

PROJECT #  
16198

5TH AND QUAKER  
TULSA, OK  
74120

CONSULTANT:

REVISIONS:

ISSUE DATE:

08.08.2017

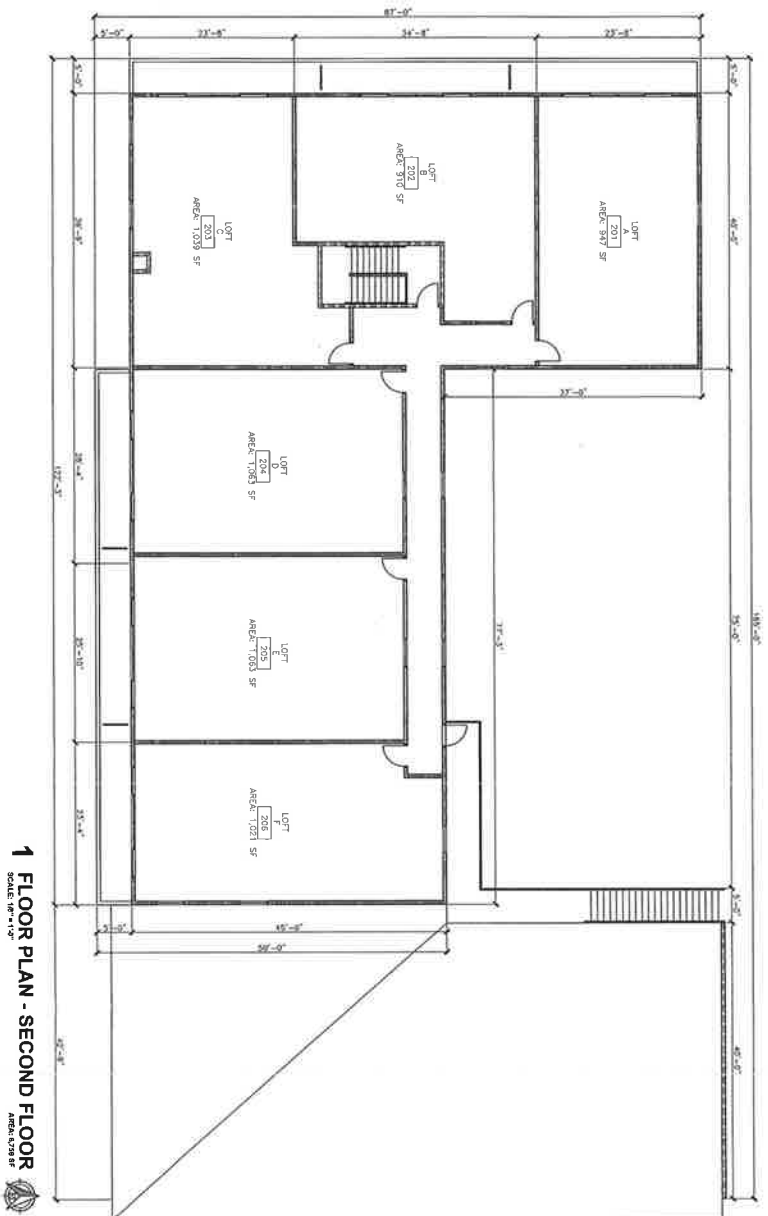
SHEET NAME:

**FLOOR PLAN  
SECOND FLOOR**

SHEET #:

A202

CEA/MS/13/1/25



**1 FLOOR PLAN - SECOND FLOOR**  
SCALE: 1/8" = 1'-0"  
AREA: 8,759 SF





Tulsa Metropolitan Area  
Planning Commission

**Case :** The Dearborn

**Hearing Date:** December 6, 2017

**Case Report Prepared by:**

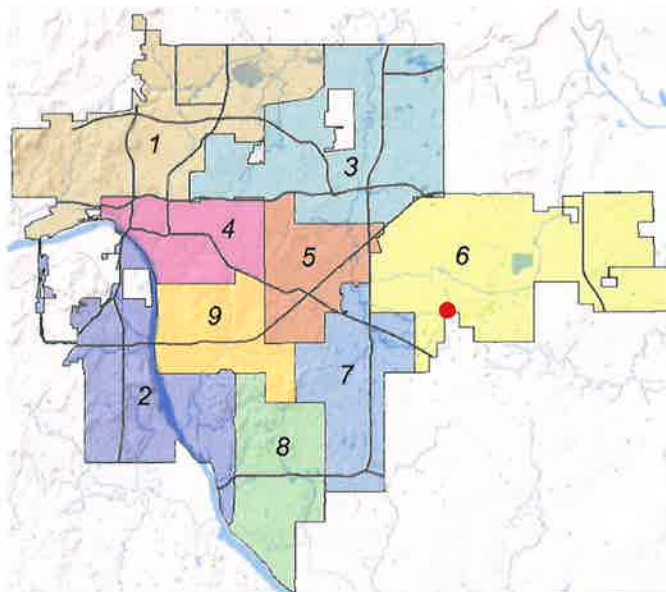
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Tanner Consulting, LLC

*Owner:* 41<sup>st</sup> Street Development, LLC

**Location Map:**  
(shown with City Council Districts)



**Applicant Proposal:**

Preliminary Plat

*1 lot, 1 block, 12.92 ± acres*

*Location:* North and east of the corner of  
East 41<sup>st</sup> Street South and South 145<sup>th</sup>  
East Avenue

**Zoning:** RM-2 (Residential Multifamily)

**Staff Recommendation:**

Staff recommends **approval** of the  
preliminary plat

**City Council District:** 6

*Councilor Name:* Connie Dodson

**County Commission District:** 1

*Commissioner Name:* John Smaligo

**EXHIBITS:** Site Map, Aerial, Land Use, Growth & Stability, Preliminary Plat, Conceptual  
Improvements

## PRELIMINARY SUBDIVISION PLAT

### The Dearborn - (CD 6)

North and east of the northeast corner of East 41<sup>st</sup> Street South and South 145<sup>th</sup> East Avenue

This plat consists of 1 lot, 1 block on 12.92 ± acres.

The Technical Advisory Committee (TAC) met on November 16, 2017 and provided the following conditions:

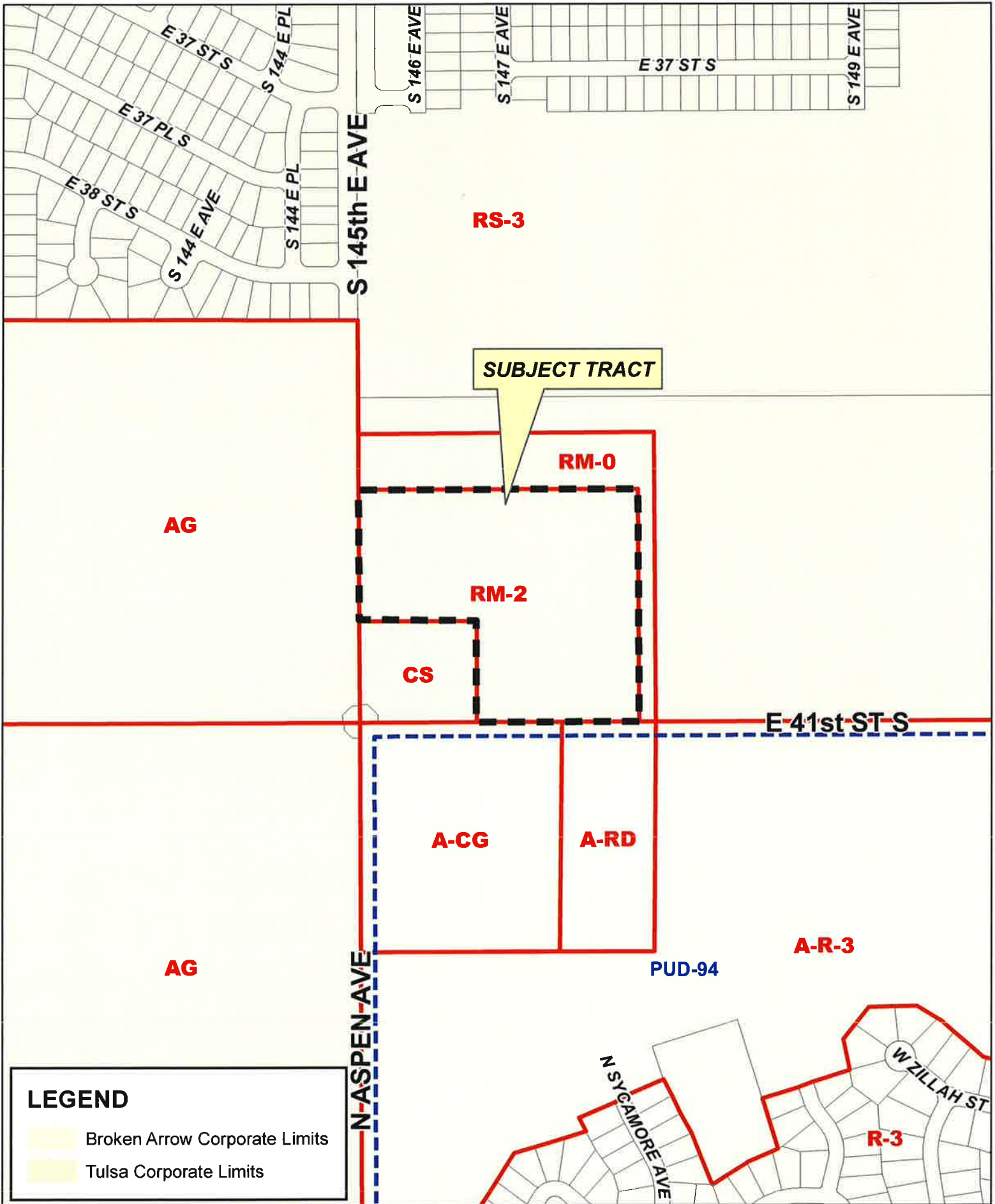
1. **Zoning:** The property is zoned RM-2 (Residential-Multifamily). All proposed lots conform to the lot regulations of the RM-2 district. Development of multifamily will be required to comply with lot area per unit and minimum open space per unit requirements of the district.
2. **Addressing:** Lot 1 Block 1 will be assigned address is 3915 S 145<sup>th</sup> Ave. E. Additional addresses will be provided upon receipt of development details. Provide addresses on final plat.
3. **Transportation & Traffic:** Sidewalks required along arterial streets per Subdivision Regulations.
4. **Sewer:** Internal sanitary sewer easements must be a minimum of 15'. Perimeter easements of 17.5' should be provided 145<sup>th</sup> Ave E. and E 41<sup>st</sup> St as well as the along the property line with the unplatted area to the north.
5. **Water:** All proposed internal looped water main lines should be private or placed in a dedicated 20' waterline easement.
6. **Engineering Graphics:** Submit subdivision data control sheet with final plat. Add "State of" before Oklahoma in the plat subtitle. Label the plat location in the location map as "site" or "project location" and label all unplatted property as "unplatted". Correct bearing angle under the Basis of Bearing.
7. **Fire:** Internal fire hydrants will be required.
8. **Stormwater, Drainage, & Floodplain:** Provide storm sewer/overland drainage for offsite stormwater runoff and include language in covenants.
9. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

### **Waivers of Subdivision Regulations:**

1. None Requested

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and the requirements of the Subdivisions Regulations.

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and the requirements of the Subdivisions Regulations.



# THE DEARBORN

19-14 22

21.5





0 200 400  
Feet



Subject  
Tract

## THE DEARBORN

19-14 22

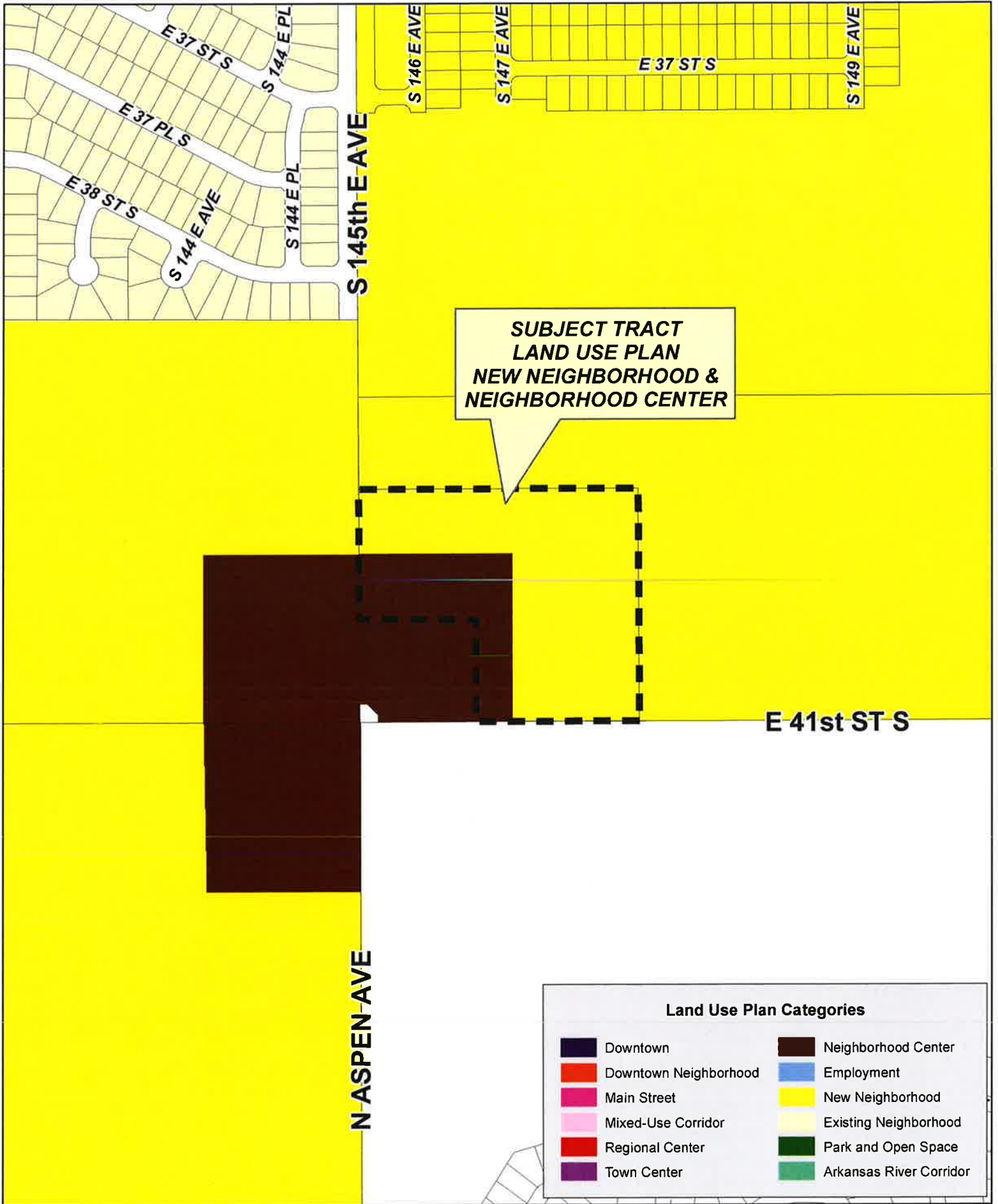
Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: February 2016



21.6





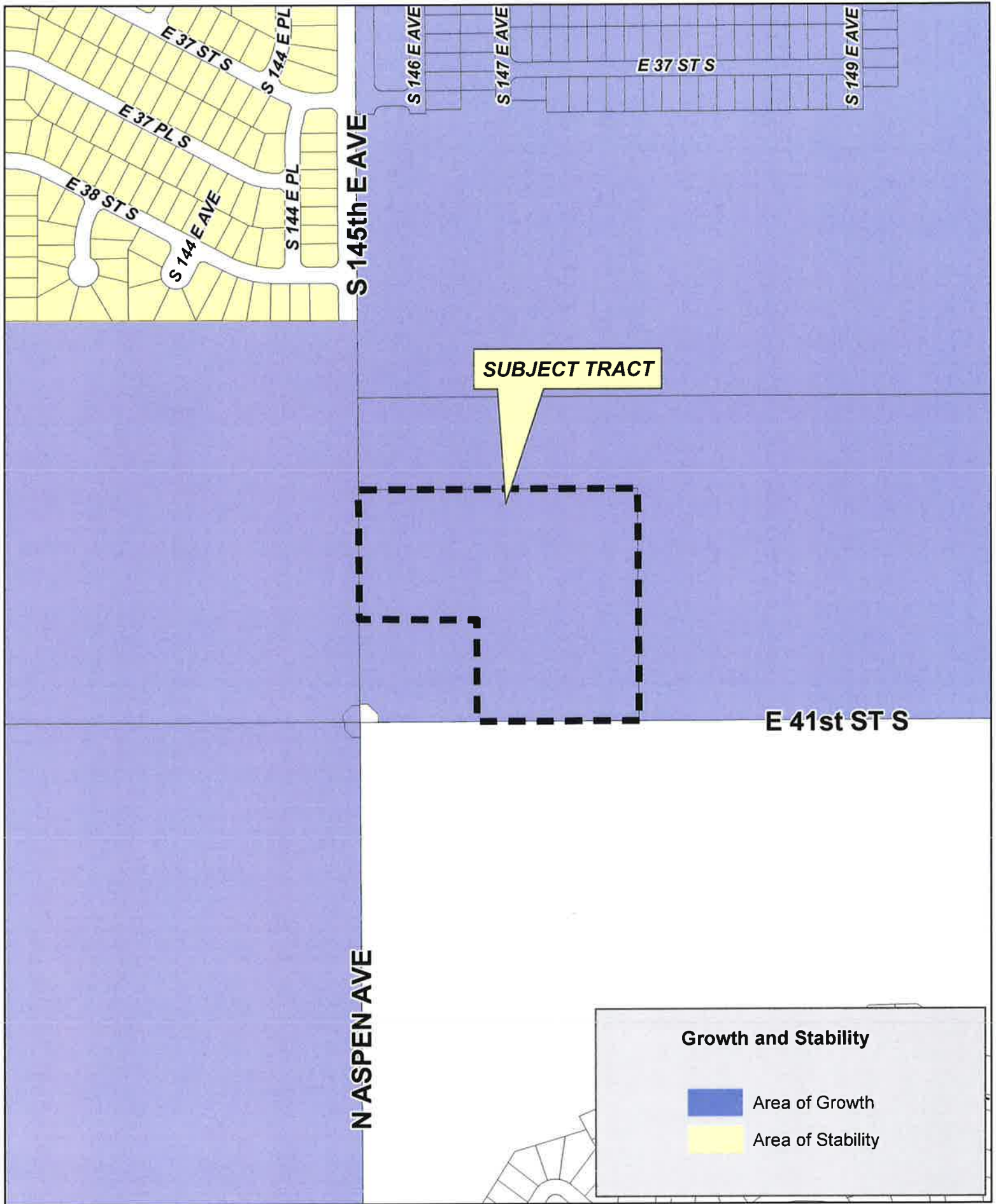
0 200 400  
Feet

**THE DEARBORN**

19-14 22







# THE DEARBORN

19-14 22

21.8

# The Dearborn

PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW/4 SW/4) OF SECTION TWENTY-TWO (22), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN MERIDIAN  
A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA



SUBDIVISION CONTAINS:  
ONE (1) LOTS  
IN ONE (1) BLOCK  
WITH ONE (1) RESERVE

**OWNER:**  
**The Dearbom, LLC**  
6846 S. Canton Ave.  
Suite 250  
Tulsa, Oklahoma 74136  
Phone: (918)749-1880  
Contact: John Rupe

**SURVEYOR/ENGINEER:**  
**Tanner Consulting, L.L.C.**  
DAN E. TANNER, P.E., NO. 1435  
OK CA NO. 2661 EXPIRES 6/30/2019  
EMAIL: DAN@TANNERBATHOP.COM  
5323 South Lewis Avenue  
Tulsa, Oklahoma 74105  
Phone: (918) 745-9929

[illegible]

DATE OF PREPARATION: November 2, 2017

**The Dearborn**  
SHEET 1 OF 2





# The Dearborn

PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW 1/4 SW 1/4) OF SECTION TWENTY-TWO (22), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN MERIDIAN  
A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA



**Location Map**



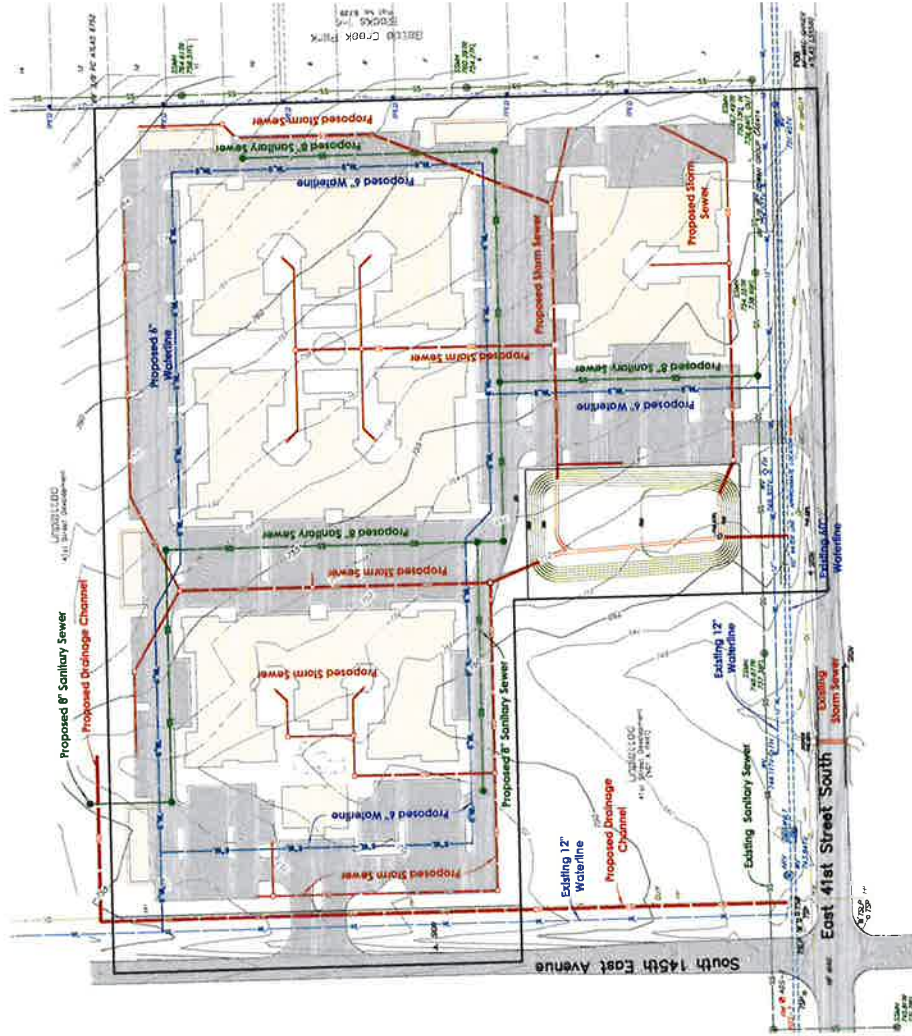
### Suppression of Inflammation

IN ONE (3) BLOCK  
WITH ONE (1) RESERVE

**OWNER:**  
**The Dearborn, LLC**  
6846 S. Canton Ave.  
Suite 250  
Tulsa, Oklahoma 74136  
Phone: (918)749-1880  
Contact: John Rupe

**SURVEYOR/ENGINEER:**  
**Tanner Consulting, L.L.C.**

DAN E. TANNER, P.L.S. NO. 1433  
 A.C.A. NO. 2563. EXPIRES 6/30/2019  
 EMAIL: DAN@TANNERBROTHERS.COM



**Notes:**

- [illegible]

## The Dearborn

DATE OF PREPARATION: November 2, 2017







Tulsa Metropolitan Area  
Planning Commission

**Case :** QuikTrip No. 0030

**Hearing Date:** December 6, 2017

**Case Report Prepared by:**

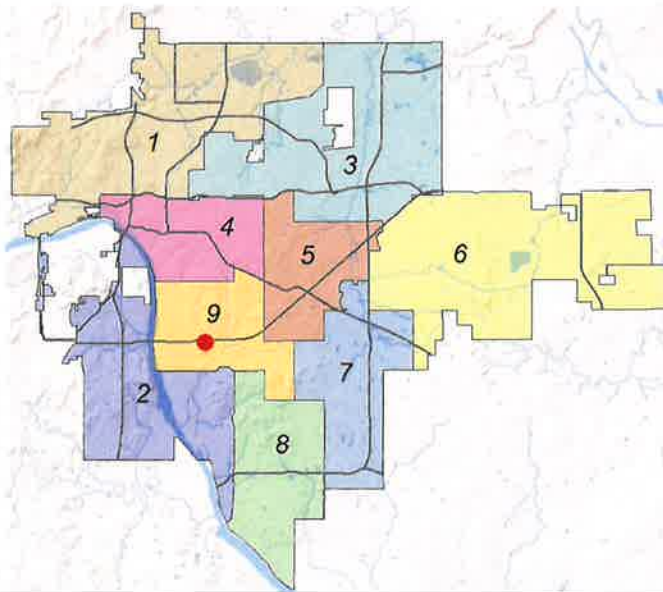
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Carly Goodnight, QuikTrip

*Owner:* Fikes Center, LLC

**Location Map:**  
**(shown with City Council Districts)**



**Applicant Proposal:**

Preliminary Plat

*2 lots, 1 block, 4.99 ± acres*

*Location:* Southeast corner of East 51<sup>st</sup>  
Street South and South Lewis Avenue

**Zoning:** CS (Commercial – Shopping)

**Staff Recommendation:**

Staff recommends **approval** of the  
preliminary plat

**City Council District: 9**

*Councilor Name:* Ben Kimbro

**County Commission District: 3**

*Commissioner Name:* Ron Peters

**EXHIBITS:** Site Map, Aerial, Land Use, Growth & Stability, Preliminary Plat, Conceptual  
Improvements

## PRELIMINARY SUBDIVISION PLAT

**QuikTrip No. 0030** - (CD 9)

Southwest corner of East 51<sup>st</sup> Street South and South Lewis Avenue

This plat consists of 2 lots, 1 block on 4.99± acres.

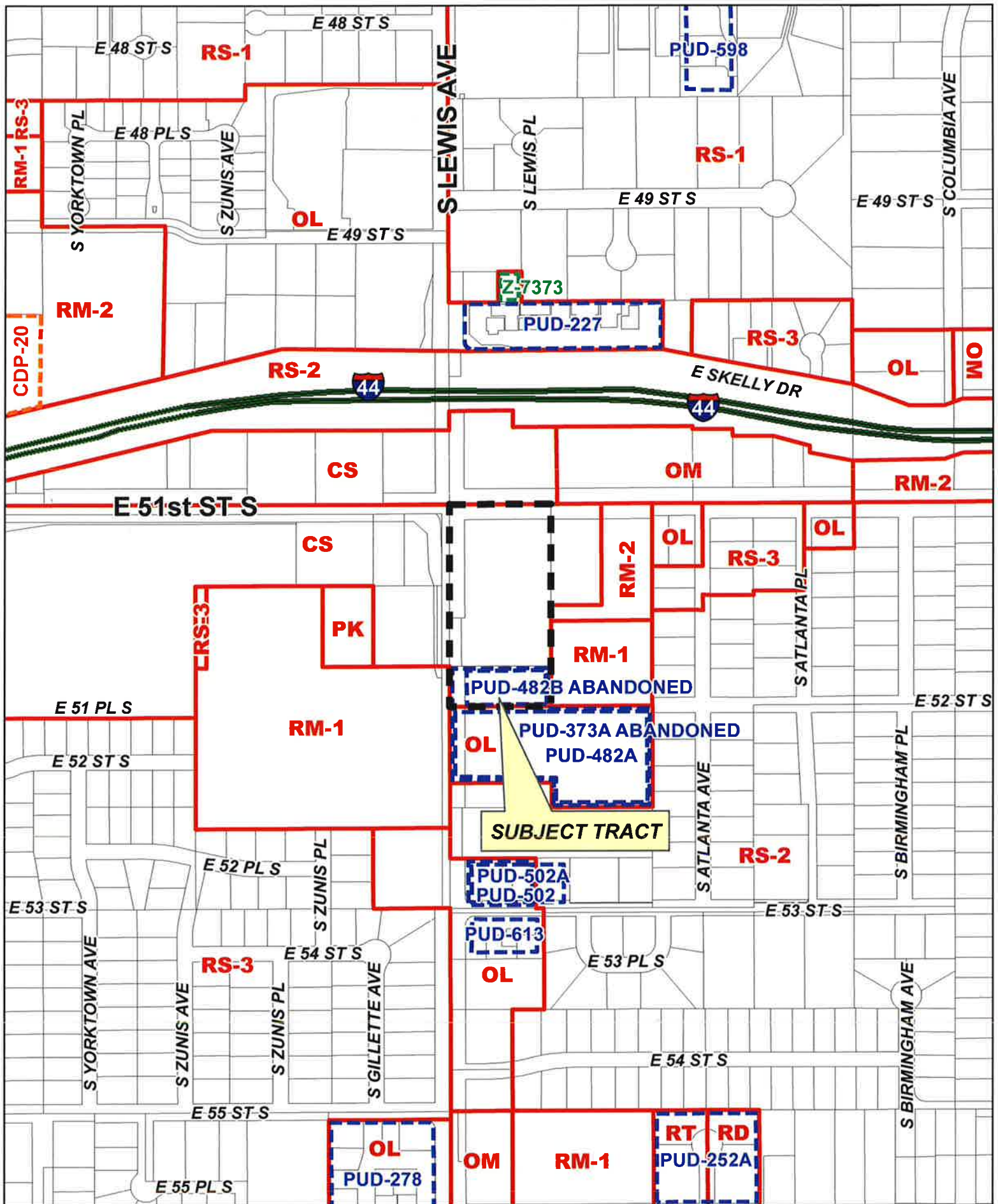
The Technical Advisory Committee (TAC) met on November 16, 2017 and provided the following conditions:

1. **Zoning:** The property is zoned CS (Commercial – Shopping). All proposed lots conform to the lot regulations of the CS district.
2. **Addressing:** Addresses are approved as shown.
3. **Transportation & Traffic:** Approved as shown.
4. **Sewer:** Approved as shown.
5. **Water:** Approved as shown.
6. **Engineering Graphics:** Provide/state on the face of the plat the address caveat/disclaimer. Remove contours on final plat submittal. Update location map with newly platted Parkhill subdivision to the east. Spell out Indian Base & Meridian in the plat subtitle.
7. **Fire:** Approved as shown.
8. **Stormwater, Drainage, & Floodplain:** If there is offsite drainage from the east, it must be placed in an easement. As property develops, additional easements may be required for stormwater facilities.
9. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

### **Waivers of Subdivision Regulations:**

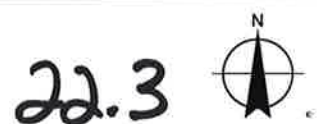
1. None Requested

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and the requirements of the Subdivisions Regulations.

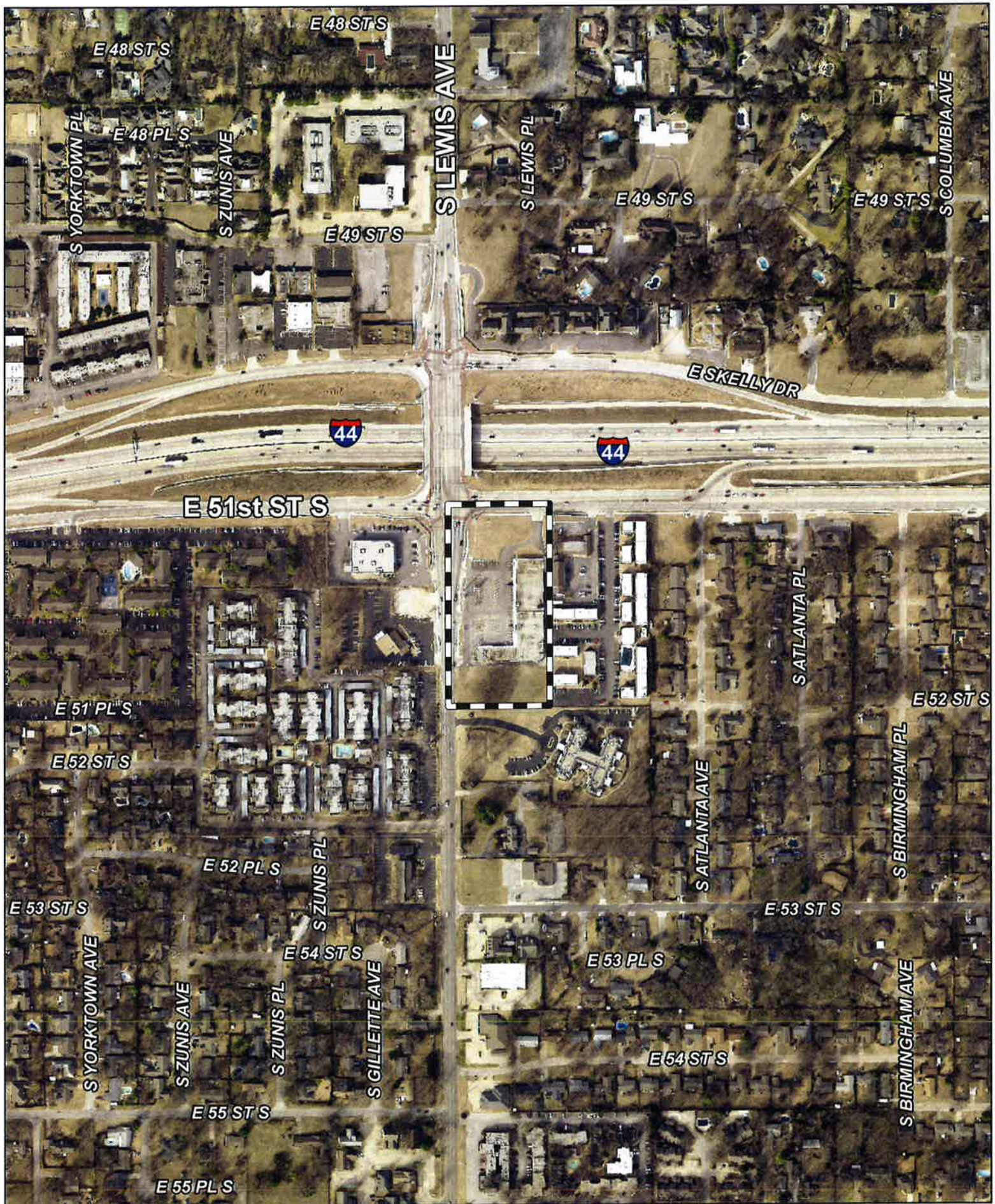


QUIKTRIP  
NO.0030

19-13 32







0 200 400  
Feet



Subject  
Tract

**QUIKTRIP**  
**NO.0030**

19-13 32

Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: February 2016







44

E 51st ST S

S LEWIS AVE



Subject  
Tract

**QUIKTRIP  
NO.0030**

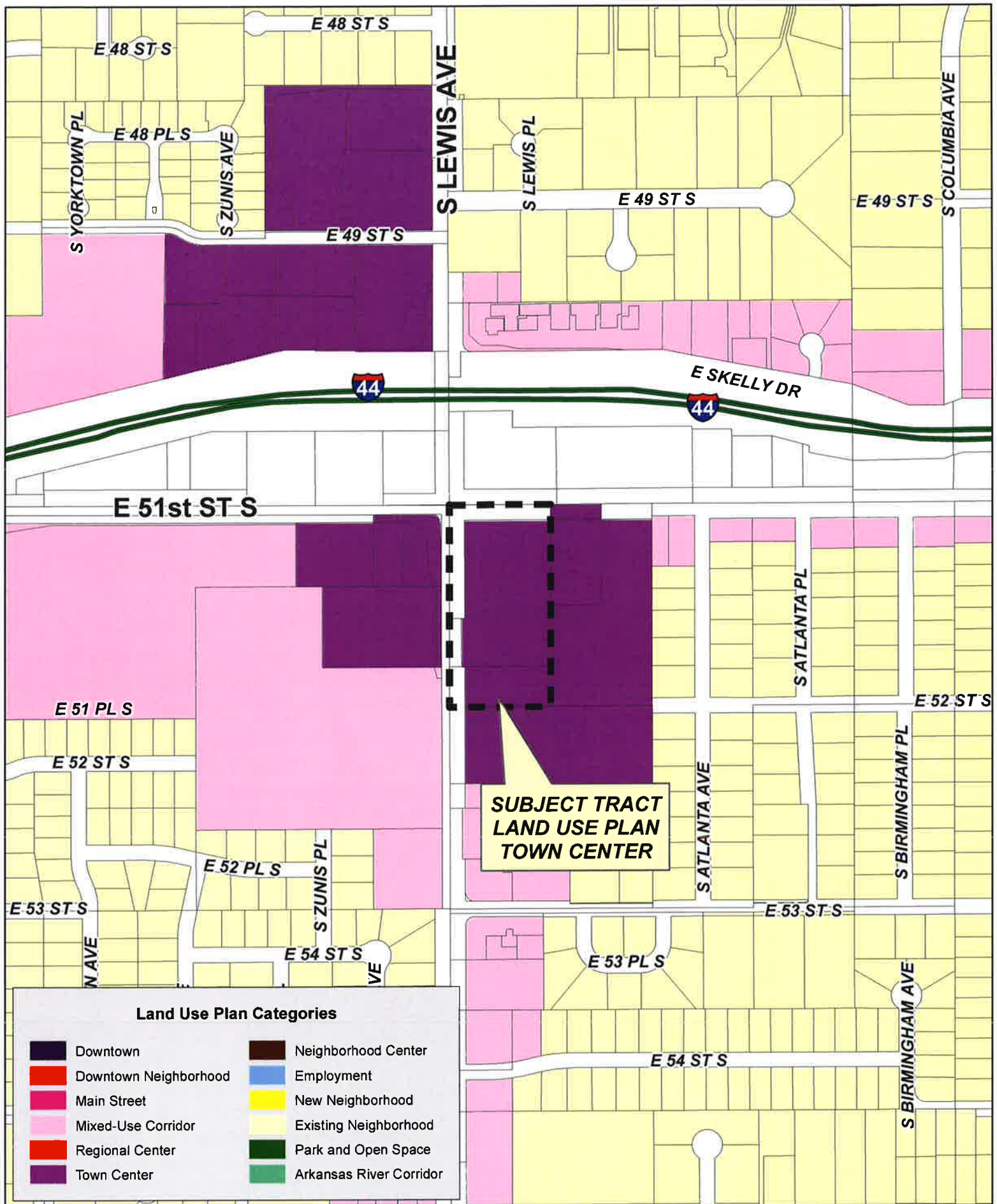
19-13 32

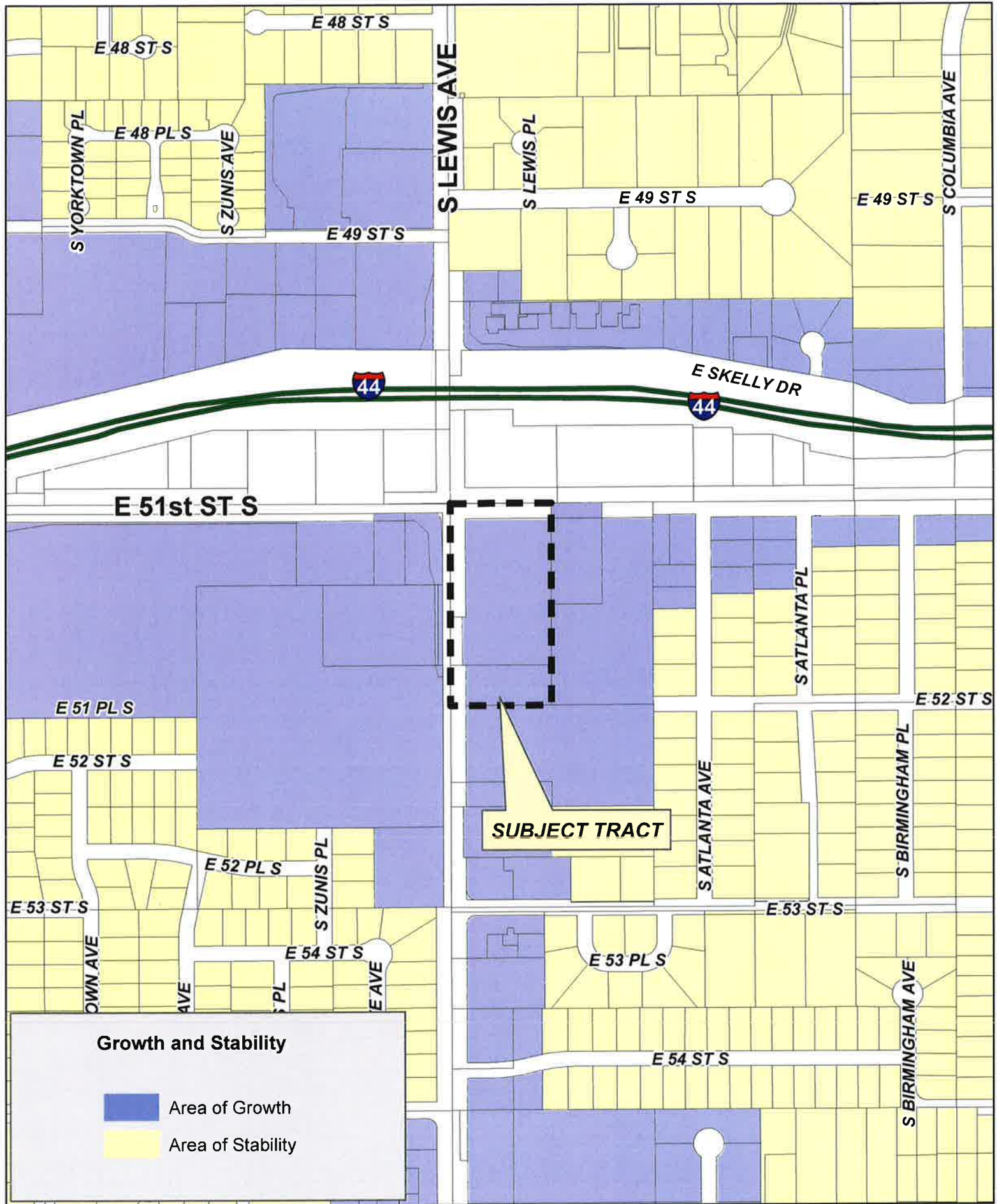
Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: February 2016









Feet  
0 200 400

**QUIKTRIP**  
**NO.0030**

19-13 32

22.7





## Preliminary Plat

A RESUBDIVISION OF PUD TRACT "B" OF LOT ONE (1), BLOCK ONE (1), BRIGHTON GARDENS OF TULSA,



Subdivision Statistics:

USE	UTILITY EASEMENT
BL	BUILDING BACKTRACK LINE
ACC	ACCESS
LNA	LIMITS OF NO ACCURB
SDC	STORM SEWER EASEMENT
RAW	RIGHT-OF-WAY
P.O.B.	POINT OF BEGINNING
P.O.	PUBLIC SERVICE COMPANY
NW BELL	NORTHWESTERN BELL TEL
BOOK	BOOK
DO	DO

**Monumentation:**

Basis of Beardon\*

### Beachtungen:



Preliminary Plat  
QuikTrip No. 0030  
Sheet 1 of 2  
Date Printed: October 4, 2017



Spanish Gardens  
Addition

Block 1

QuikTrip No. 0030  
Block 1

Brighton Gardens  
of Tulsa

Owner:

Engineer;

Survivor

JUNE 24, 2014 CERTIFICATE OF APPROVAL I hereby certify that the plan was duly adopted by the Town Board and that the same is in accordance with the County Zoning Ordinance. _____ Mayor	TOWN OF CHERRY The approval is valid for five years from the date of this certificate and the County Clerk is to deliver this certificate to the applicant.	CITY ENGINEER _____ APPROVED _____ by the Council of the City of Tallahassee, Florida Chairman Mayor Assistant City Clerk _____ Assistant City Attorney
---	---	---

STATE OF OKLAHOMA  
COUNTY OF TULSA

I, Michael Wille, Tulsa County Clerk, in and for the County and State above named, do hereby certify that the foregoing is a true and correct copy of a file document.

**How can we help you?**

17





**Case Number:** PUD-232-B-1  
**Minor Amendment**

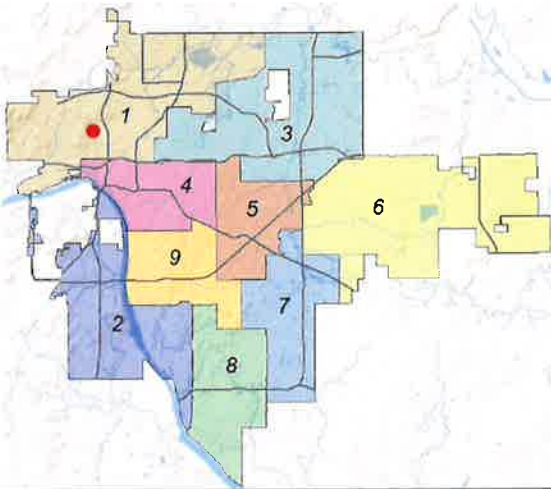
**Hearing Date:** December 6, 2017  
**(continued from November 15, 2017)**

**Case Report Prepared by:**  
Jay Hoyt

**Owner and Applicant Information:**  
Applicant: Michelle Guillory

Property Owner: Same

**Location Map:**  
(shown with City Council Districts)



**Applicant Proposal:**

Concept summary: PUD minor amendment to reduce required street yards abutting Pine PI and Union Ave

Gross Land Area: 0.3 acres

Location: SW/c North Union Ave and West Pine PI

Lot 35, Block 2 Holley Heights

1702 West Pine PI

**Zoning:**  
Existing Zoning: RM-1/RS-3/PUD-232-B  
Proposed Zoning: No Change

**Comprehensive Plan:**  
Land Use Map: Existing Neighborhood  
Growth and Stability Map: Stability

**Staff Recommendation:**  
Staff recommends **approval**.

**Staff Data:**  
TRS: 2702  
CZM: 28  
Atlas: 112

**City Council District:** 1  
*Councilor Name:* Vanessa Hall-Harper

**Osage County Commission District:** 2  
*Commissioner Name:* Kevin Paslay



**SECTION I:** PUD-232-B-1 Minor Amendment

**STAFF RECOMMENDATION**

Amendment Request: Modify the PUD Development Standards to reduce the required street yards abutting Pine Pl and Union Ave

The applicant is requesting to decrease the required street yard abutting Pine Place from 35 ft to 20 ft and the street yard abutting Union Avenue from 25 ft to 18 ft. This is to permit the construction of a single family home on the subject lot.

Staff Comment: This request can be considered a Minor Amendment as outlined by Section 30.010.1.2.c(9) of the City of Tulsa Zoning Code.

*"Changes in structure heights, building setbacks, yards, open spaces, building coverage and lot widths or frontages, provided the approved PUD development plan, the approved standards and the character of the development are not substantially altered."*

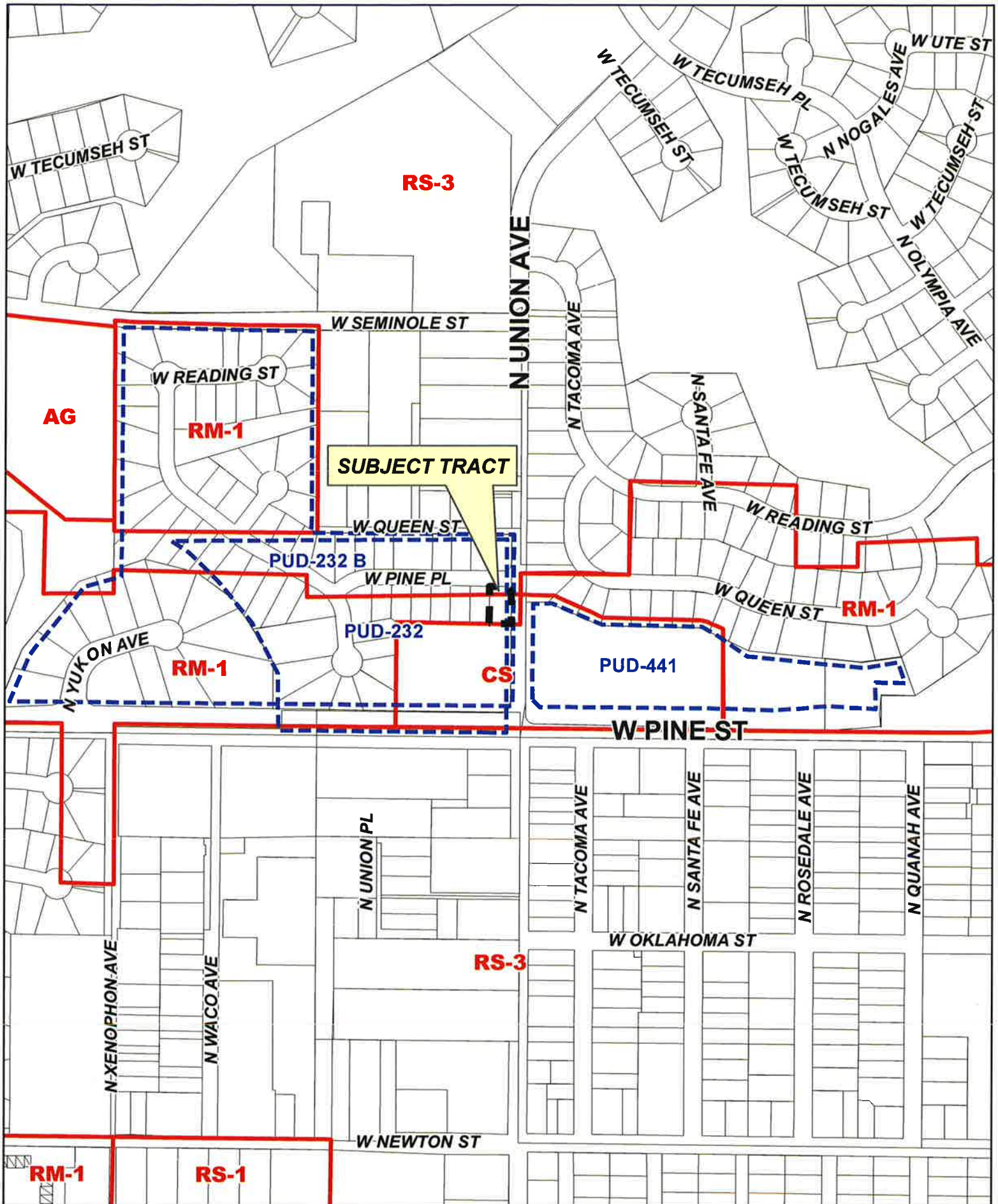
Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-232-B and subsequent amendments shall remain in effect.

Exhibits included with staff recommendation:

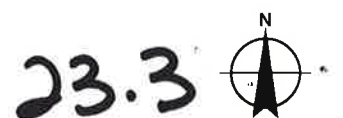
INCOG zoning case map  
INCOG aerial photo  
INCOG aerial photo enlarged  
Applicant Floor Plan

With considerations listed above, staff recommends **approval** of the minor amendment request to reduce the required street yards abutting Pine Place and Union Avenue.



**PUD-232-B-1**

20-12 27







0 200 400  
Feet



Subject  
Tract

**PUD-232-B-1**

20-12 27

Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: February 2016







0 50 100  
Feet



Subject  
Tract

**PUD-232-B-1**

20-12 27

Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: February 2016

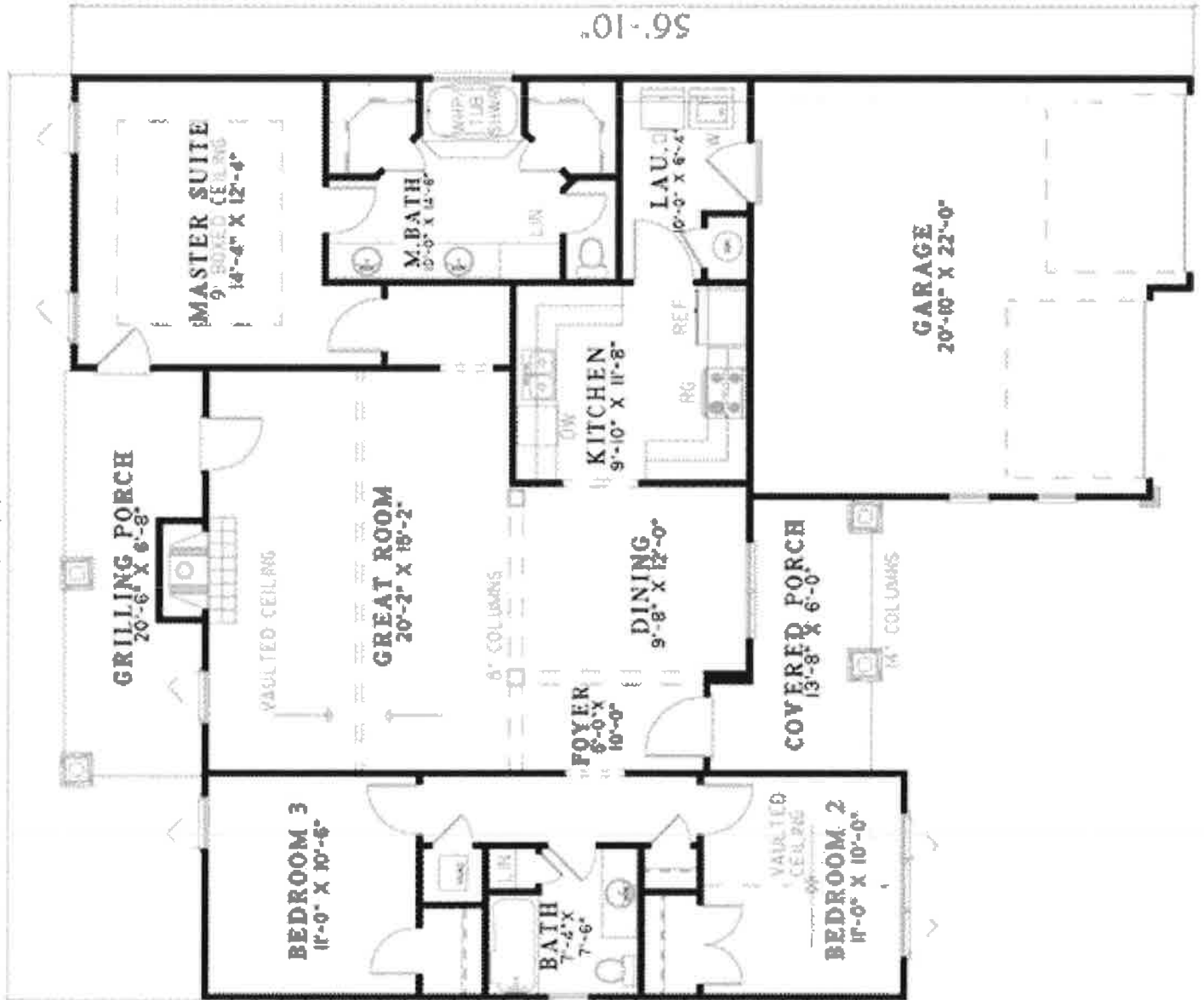
23.5





46'-10"

56'-10"



23.6



Tulsa Metropolitan Area  
Planning Commission

**Case Number:** Z-7423

**Hearing Date:** December 6, 2017

**Case Report Prepared by:**

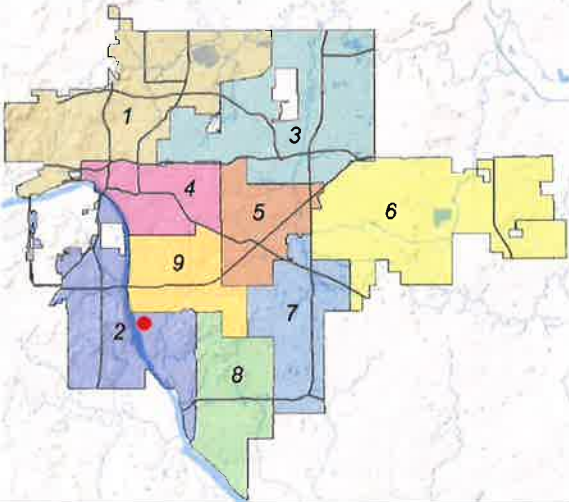
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Tulsa City Council

*Property Owner:* LOWERY, THOMAS MICHAEL &  
CHARLA

**Location Map:**  
**(shown with City Council Districts)**



**Applicant Proposal:**

*Present Use:*

*Proposed Use:* Mixed Use

*Concept summary:* Rezoning request as part of the mixed-use zoning initiative associated with the bus rapid transit system along Peoria Avenue.

*Tract Size:* 1 ± acres

*Location:* North of the northwest corner of E. 66<sup>th</sup> Place S. and S. Peoria Ave.

**Zoning:**

*Existing Zoning:* CS

*Proposed Zoning:* MX1-V-U

**Comprehensive Plan:**

*Land Use Map:* Mixed-Use Corridor

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 8201

CZM: 51

Atlas: 886, 885

**City Council District:** 2

*Councilor Name:* Jeannie Cue

**County Commission District:** 2

*Commissioner Name:* Karen Keith

24.1

## SECTION I: Z-7423

**DEVELOPMENT CONCEPT:** This request for rezoning is responsive to a City Council initiative to encourage mixed use development along the proposed bus rapid transit system route. The site is currently zoned CS and does not have any building height restriction. The Mixed Use rezoning request is also for unlimited height.

In May of this year, the City initiated a land use study that resulted in zoning recommendations on property within ½ a mile of proposed “enhanced stations” along the bus rapid transit route. The subject property was included in that recommendation and the owner of that property has opted-in to a voluntary rezoning program initiated by the Tulsa City Council. No immediate development of the property is proposed.

### **EXHIBITS:**

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map
- Map for bus rapid transit zoning initiative
- Applicant Exhibits:
  - None included

### **DETAILED STAFF RECOMMENDATION:**

Case Z-7423 request MX1-V-U is consistent with the expected development pattern in the area and,

MX1-V-U is not injurious to the surrounding property owners and,

The bus rapid transit study recommended MX1-V without a height recommendation on this site. The rezoning request is consistent with the Bus Rapid Transit System study and its land use recommendations and,

MX1-V-U is consistent with the Mixed-Use Corridor land use vision in the Tulsa Comprehensive Plan therefore

**Staff recommends Approval of Z-7423 to rezone property from CS to MX1-V-U.**

## **SECTION II: Supporting Documentation**

### **RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

*Staff Summary:* MX1-V-U is consistent with the land use vision in the Tulsa Comprehensive Plan and is also consistent with the goals, objectives and strategies of the Riverwood Neighborhood Small Area Plan.

### **Land Use Vision:**

*Land Use Plan map designation:* Mixed-Use Corridor

A Mixed-Use Corridor is a plan category used in areas surrounding Tulsa’s modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and

employment uses. The streets usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods.

#### *Areas of Stability and Growth designation: Area of Growth*

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.”

#### Transportation Vision:

##### *Major Street and Highway Plan:*

Multi-modal streets emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are located in high intensity mixed-use commercial, retail and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of landscaped medians and tree lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

Streets on the Transportation Vision that indicate a transit improvement should use the multi-modal street cross sections and priority elements during roadway planning and design.

*Trail System Master Plan Considerations:* None that affect site development however the river trail system is less than ½ mile from this site. Pedestrian and bicycle connectivity should be an important concept with any new redevelopment opportunity.

#### Small Area Plan:

Riverwood Neighborhood Small Area Plan (Completed in 2008).



Phase One infrastructure recommendations included Transit Connections and shelters specifically for Inhofe Plaza which is directly west of this site.

The Riverwood Community identified the viability of retail and land uses along South Peoria corridor as a key element of the community plan. These activities contribute to greater livability and convenience within the neighborhood and can convey a neighborhood identity to visitors as well as residents from other areas of the City. Rezoning considerations should consider a walkability community especially for frequent users that may be elderly or physically challenged.

The primary goal identified in this small area plan:

Provide diversified, convenient, concentrated, and efficient commercial activities. This will add to the quality of area as a self-sufficient unit of the total urban pattern.

Objectives include:

1. Locate commercial facilities where compatible commercial uses can support one another and where community services and facilities are capable of supporting commercial activities.
2. Provide a reasonable ratio of commercial activities in relation to the population residing within the area.

Strategies for redevelopment included in the small area plan include:

1. Add continuous sidewalks on both sides of the street
2. Redesign the fronts of large parking lots and build small closely spaced or attached storefronts with courtyard parking behind
3. Encourage a mix of housing within walking distance of commercial areas
4. Encourage site store entrances near street fronts and parking lots to the rear of buildings so transit riders and cyclist have easy access to the store areas.

Special District Considerations: None

Historic Preservation Overlay: None

#### DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site includes an existing two story residential structure with outdoor storage and storage buildings in the rear.*

*See street view on following page from northeast looking toward the south west.*



Environmental Considerations: None that would affect site redevelopment.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Peoria Avenue	Secondary Arterial / multi modal corridor	100 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>
North	CS	Mixed Use Corridor	Growth	Outdoor storage of RV-s, campers, boats etc
East	RS-2 and CS	Mixed Use Corridor	Growth	Ministorage
South	CS	Mixed Use Corridor	Growth	Single story commercial building
West	RM-2	Mixed Use Corridor	Growth	Inhofe apartments

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11829 dated June 26, 1970, established zoning for the subject property.

***Subject Property:***

**BOA-15382 February 1990:** The Board of Adjustment **approved** a *special exception* to permit an automobile body shop in a CS zoned district on property located north of the northwest corner of E. 66<sup>th</sup> Place South and S. Peoria Avenue on the subject property.

***Surrounding Property:***

**SA-1 September 2016:** The Board of Adjustment **approved** a request for a Special Area Overlay on multiple properties along the Arkansas River extending from W. 11<sup>th</sup> St. S. to E. 121<sup>st</sup> St. S., to establish the River Design Overlay as a supplemental zoning, RDO-1, RDO-2, or RDO-3, to establish regulations governing form function, design and use for properties located within the boundaries of the River Design Overlay District. The regulations are generally intended to maintain and promote the Arkansas River corridor as a valuable asset to the city and region in terms of economic development and quality of life.

**BOA-21311 August 2011:** The Board of Adjustment **approved** a *variance* of the minimum frontage required in the CS District (Section 703) to permit a lot-split; and **approved** a *variance* to permit an additional structure to be erected in connection with a nonconforming use of land (Section 1401.B.3), on property located south of the southwest corner of East 64<sup>th</sup> Street South and South Peoria Avenue.

**BOA-19912 June 2004:** The Board of Adjustment **approved** a *variance* of parking requirement for mini-storage from 14 spaces to 11 spaces; a variance of the 10 foot setback in an R District to 8.4 feet; and Variance of setback from centerline of South Peoria Avenue from 100 feet to 99.6 feet, on property located north of East 66<sup>th</sup> Place and South Peoria Avenue.

**BOA-19546 April 2003:** The Board of Adjustment **approved** a *special exception* to allow Use Unit 13 in an OM zoned District as accessory uses to office use, on property located on the southeast corner of East 66<sup>th</sup> Place South and South Peoria Avenue.

**BOA-19151 August 2001:** The Board of Adjustment **approved** a *special exception* to permit an overhead door sales office in a CS district; a *variance* of the 26' setback requirement from an R District to 16'8" on the east and 22'4" on the north; a *variance* of the 150' frontage requirement in the CS District to 147'; a *variance* of the 100' setback requirement on the west to 95'; and a *special exception* of screening requirement from the south and north back 50' in front and to allow alternative landscaping on the east for property located at 6501 South Peoria Avenue.

**BOA-18763 June 2000:** The Board of Adjustment **approved** a *special exception* to permit a mini-storage with a residence and office in a CS/RM-1/RM-2 zoned district to include a reduction of perimeter setbacks to 5' and to use perimeter buildings to meet screening requirements on property located in the 6400 block of S. Peoria Ave.

**BOA-18589 December 1999:** The Board of Adjustment **approved** a *variance* of maximum height for a fence in the required front yard from 4' to 6'6" with condition that fence is wrought-iron or other open-type fence with a hardship that a four-foot fence would not be a security fence on property located west of E 66<sup>th</sup> Pl. S. and S Peoria Ave.

**BOA-17209 October 1995:** The Board of Adjustment **denied** a *special exception* to permit a private law office to be located in the homeowners management office of a condominium complex – SECTION 401, on property located on the southeast corner of E. 66<sup>th</sup> Pl. S. and S. Peoria Ave.

24.6



**Z-6571 November 1996:** The Board of Adjustment **approved** a request for rezoning a tract of land from OM to CS on the west 200 ft. of tract and denial of the remainder, on property located on the northeast corner of E. 67<sup>th</sup> St. and S. Peoria Ave.

**Z-6567 November 1996:** The Board of Adjustment **denied** a request for rezoning a 1.7± acre tract of land from RS-2 to RM-2 and approval of RS-2 to RM-1 for on property located south of E. 64<sup>th</sup> St. S and S. Peoria Ave.

**BOA-15441 May 1990:** The Board of Adjustment **approved** a *variance* of the minimum frontage requirement in the CS district to 139.2' to permit a lot split on property located at 6500 S. Peoria Ave.

**BOA-15391 March 1990:** The Board of Adjustment **approved** a *special exception* to permit construction of mini-storage warehouses, on property located north of E. 66<sup>th</sup> Place and S. Peoria Avenue.

**BOA-15177 June 1989:** The Board of Adjustment **approved**, per conditions, a *special exception* to permit automobile sales and related uses in a CS zoned district on property located south of the southwest corner of E. 64<sup>th</sup> St. S. and S. Peoria Ave.

**Z-6215 January 1989:** The Board of Adjustment **approved** a rezoning of a .7± acre tract of land from RM-2 to CS and OL on property located east of the southeast corner of W. 67<sup>th</sup> St. and S. Peoria Ave.

**PUD-341-A November 1985:** All concurred in **approval** to delete Lots 4 – 10, Raintree II Amended Addition, from PUD-341, and allow these lots to retain the RM-2 underlying zoning, on property located on the southwest corner of E. 66<sup>th</sup> Pl. S. and S. Peoria Ave.

**PUD-352 January 1984:** The Board of Adjustment **approved** a proposed Planned Unit Development on a 3.2+ acre tract of land for rezoning from CS and RM-2 to CS/RM-2/PUD to allow for an office, display, and storage complex on property located north of the northeast corner of E. 64<sup>th</sup> St. S. and S. Peoria Ave. All concurred in approval of the PUD standards to allow for the requested uses, which included a mini storage with caretaker's quarters.

**Z-5994 October 1984:** The Board of Adjustment **approved** a request for rezoning a .5± acre tract of land from RS-2 to CS on property located at the southeast corner of S. Peoria Ave. and E. 66<sup>th</sup> Place S.

**BOA-12469 February 1983:** The Board of Adjustment **approved** a *special exception* to permit a car wash in a CS District (Section 710 – Principal Uses Permitted in the Commercial Districts), on property located on the northwest corner of East 66<sup>th</sup> Place South and South Peoria Avenue.

**PUD-341 October 1983:** The Board of Adjustment **approved** a proposed Planned Unit Development on a 5.98± acre tract of land for multi-family uses, on property located on the southwest corner of E. 66<sup>th</sup> Pl. S. and S. Peoria Ave.

**BOA-11825 March 1982:** The Board of Adjustment **approved** a *special exception* to allow a multifamily complex in a CS zoned district; a *variance* of the number of dwelling units to 224; and a *variance* of the building height to 36' on property south and west of the subject property.

**BOA-11381 February 1981:** The Board of Adjustment **approved** a *variance* of the height requirements from 26' to 60'9" to permit the erection of a six-story building, and **approved** a *variance*

of the number of parking spaces from 150 to 81 to permit the erection of a six-story building to be occupied by the elderly on property located west of E. 66<sup>th</sup> Place S. and S. Peoria Ave.

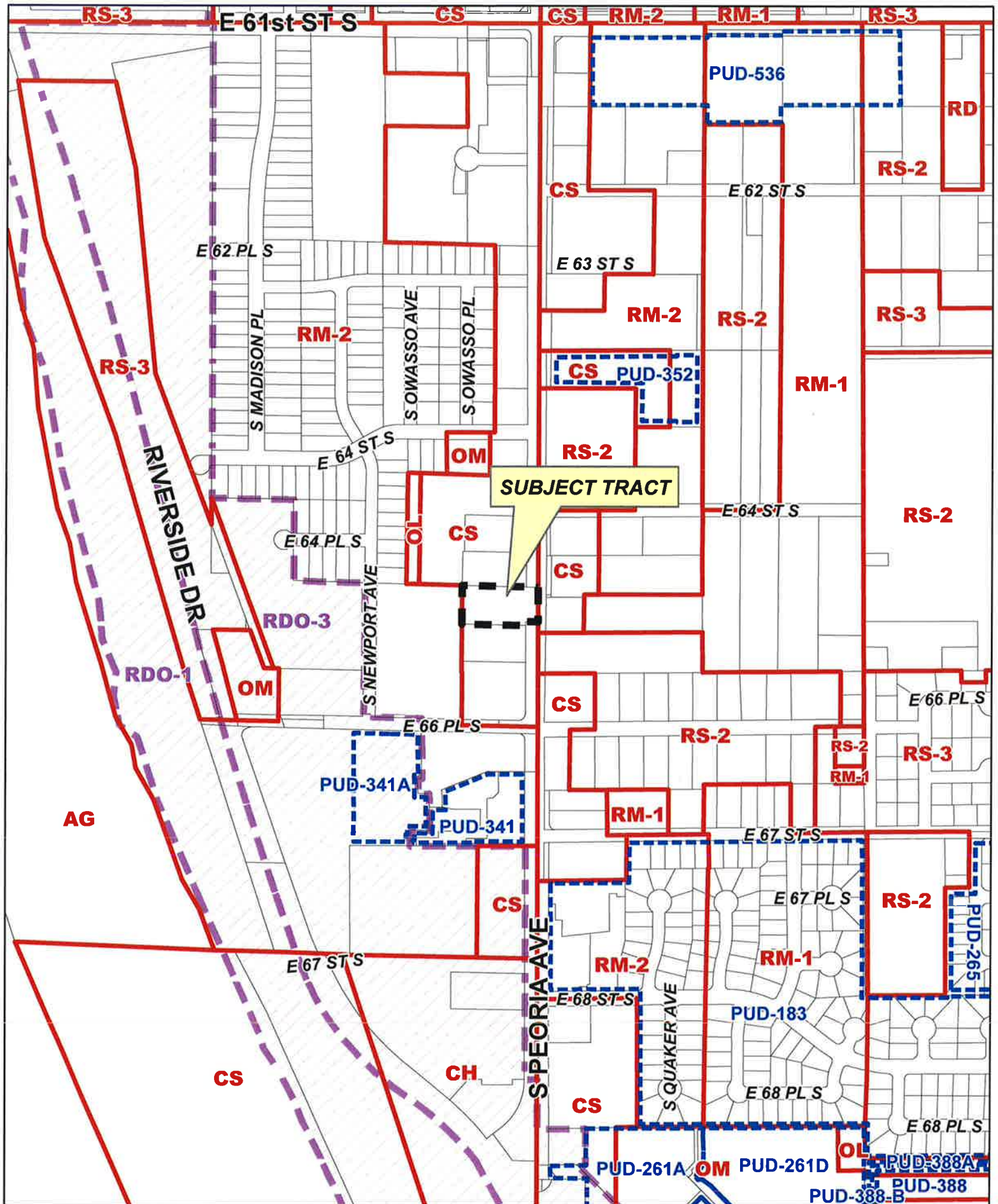
**PUD-183 January 1976:** All concurred in **approval** of a proposed Planned Unit Development on a 40<sup>+</sup> acre tract of land for townhouses, patio homes and garden apartments and accessory uses, on property located on the northeast corner of W. 68<sup>th</sup> St. and S. Peoria Ave.

**Z-3232 August 1968:** The Board of Adjustment **approved** a request for rezoning a 41<sup>+</sup> acre tract of land from U-2B to RM-2 and a 2.36<sup>+</sup> acre tract of land from U-3D to CS on the subject property located north of the northwest corner of East 66<sup>th</sup> Place South and South Peoria Avenue.

12/6/2017 1:30 PM

24.8

REVISED 11/30/2017



Z-7423

18-12 01

24.9





0 Feet 250 500



Subject Tract

**Z-7423**

18-12 01

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016







E 66 PL S

E 64 ST S

S PEORIA AVE



Subject  
Tract

**Z-7423**

18-12 01

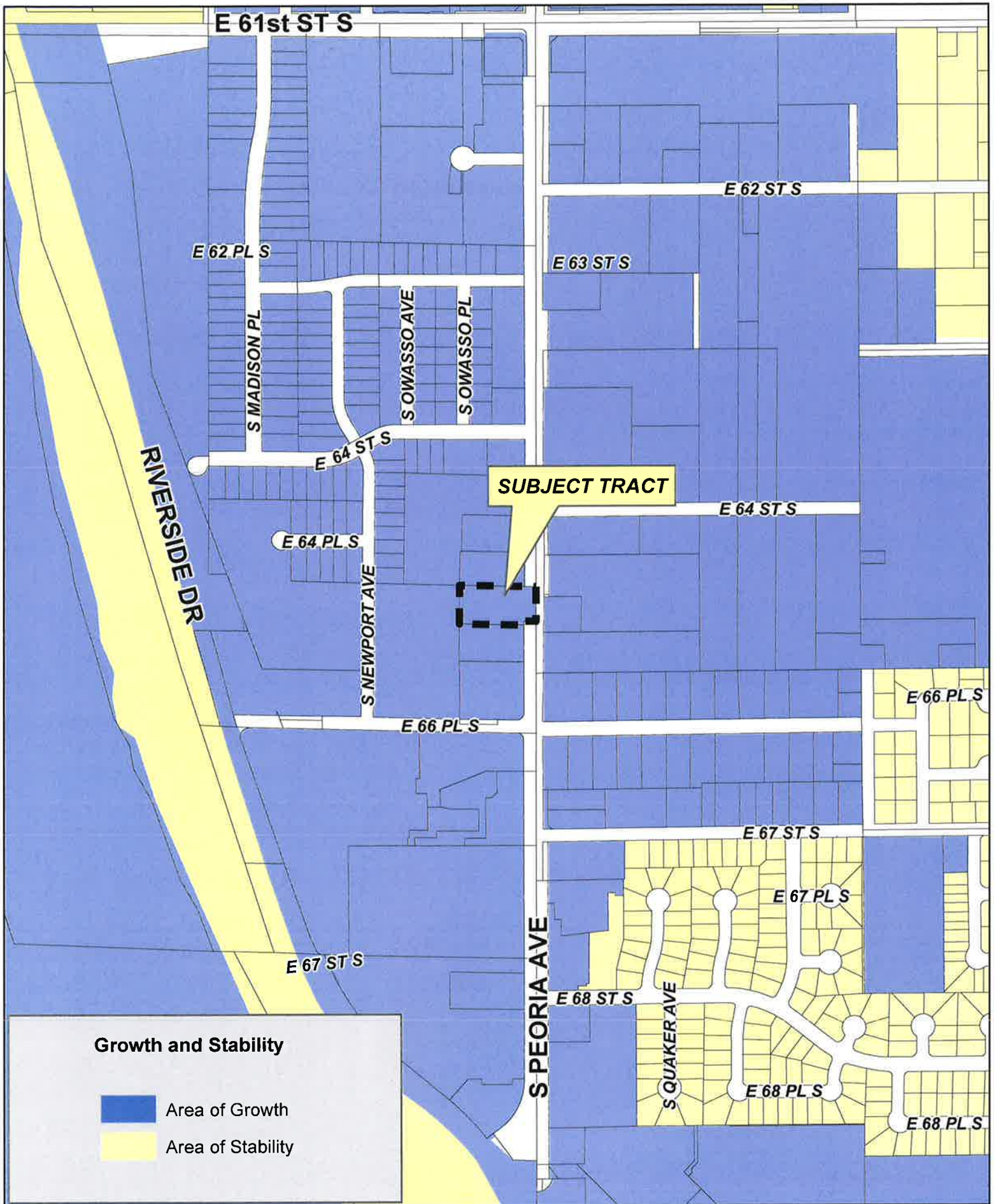
Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: February 2016

24.11







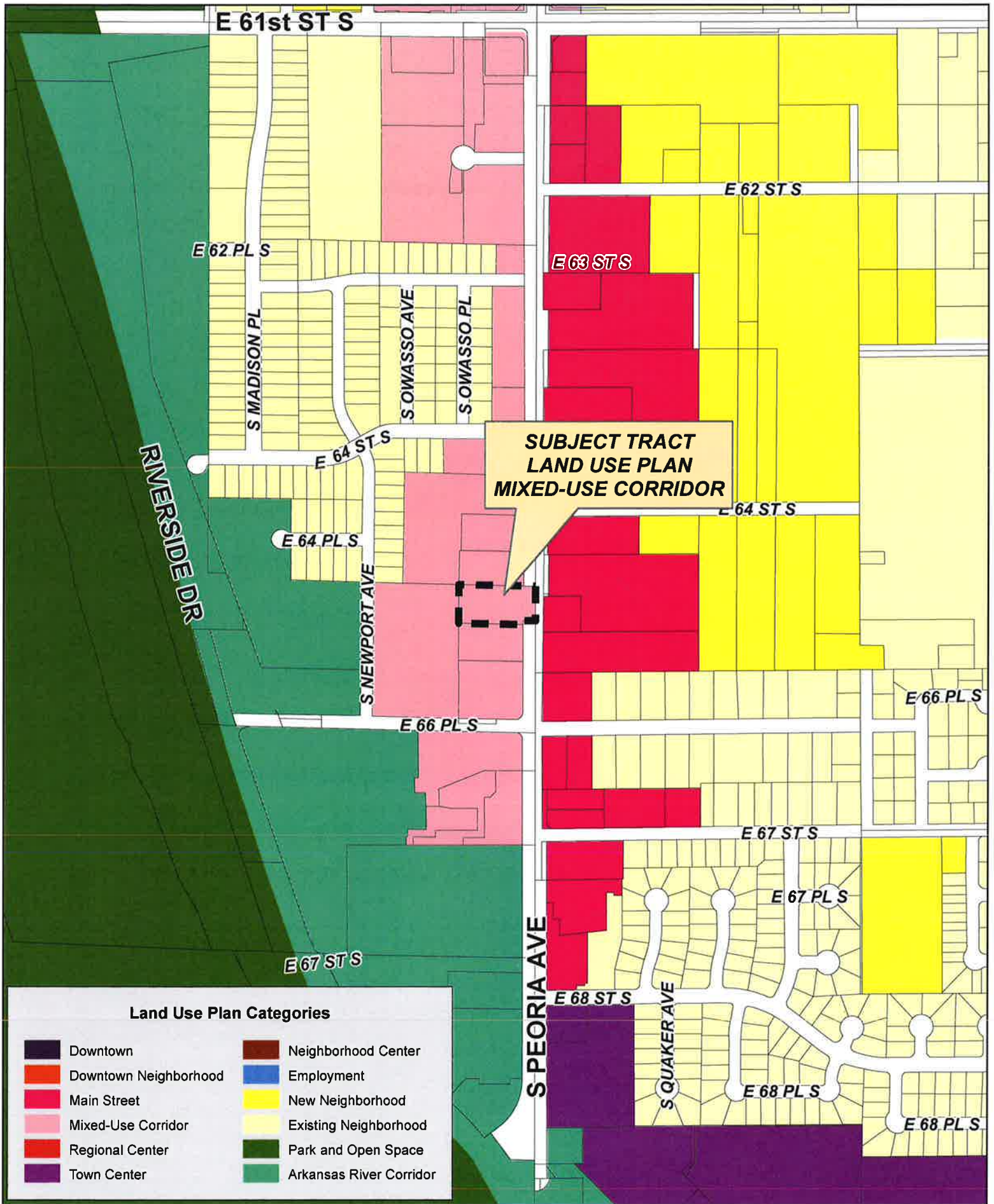
**Z-7423**

18-12 01

24.12





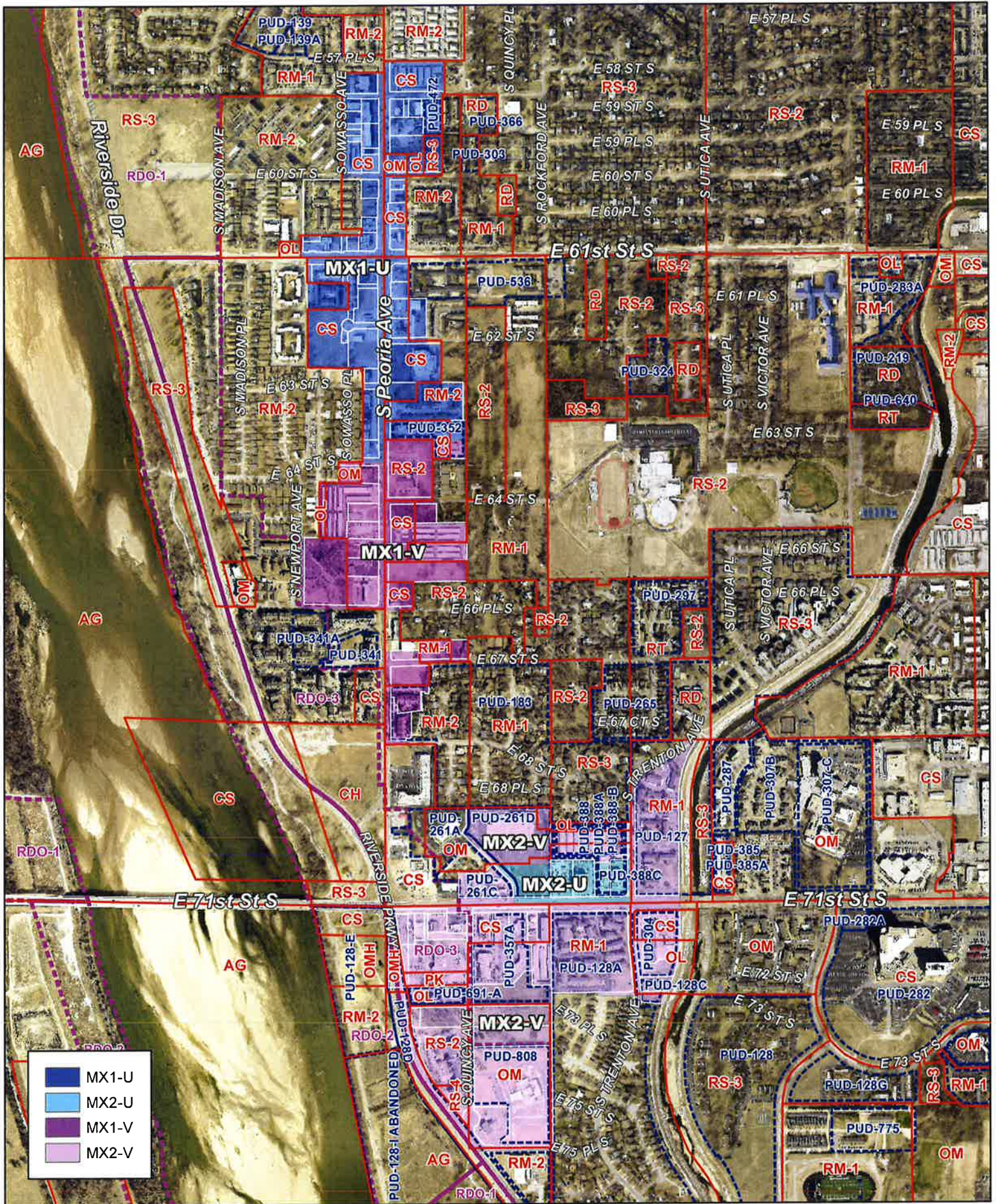


**Z-7423**

18-12 01



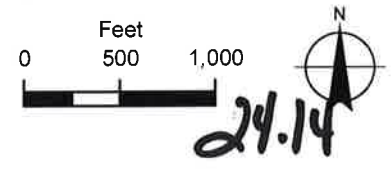




Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016

# 61st & 71st Streets







Tulsa Metropolitan Area  
Planning Commission

**Case Number:** CZ-464

**Hearing Date:** December 6, 2017

**Case Report Prepared by:**

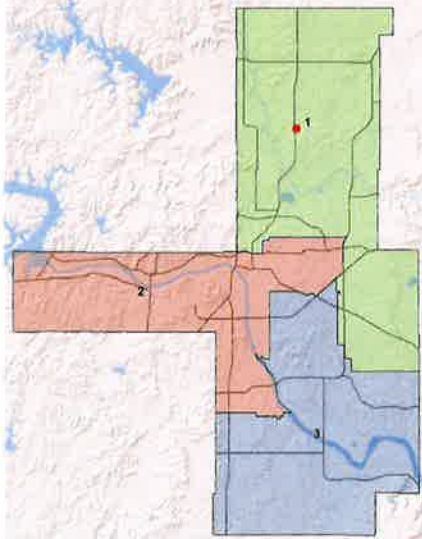
Jay Hoyt

**Owner and Applicant Information:**

*Applicant:* Ron Gales

*Property Owner:* GOODHILE, TROY N & MARIA  
FE CHUA

**Location Map:**  
**(shown with County Commission Districts)**



**Applicant Proposal:**

*Present Use:* vacant

*Proposed Use:* RV sales & Service

*Concept summary:* Rezone to CG to permit RV  
sales and service

*Tract Size:* 16.48  $\pm$  acres

*Location:* North of the northwest corner of East 96<sup>th</sup>  
Street North & North Yale Avenue

**Zoning:**

*Existing Zoning:* AG

*Proposed Zoning:* CG

**Comprehensive Plan:**

*Land Use Map:* N/A

*Stability and Growth Map:* N/A

**Staff Recommendation:**

**Staff recommends denial of CG zoning**

**Staff recommends approval of CS zoning**

**Staff Data:**

TRS: 1316

CZM: 10

Atlas: 0

**County Commission District:** 1

*Commissioner Name:* John Smaligo

25.1

REVISED 11/28/2017



## SECTION I: CZ-464

### DEVELOPMENT CONCEPT:

The applicant has requested CG zoning to allow for an RV sales and service facility.

### EXHIBITS:

INCOG Case map  
INCOG Aerial

### DETAILED STAFF RECOMMENDATION:

The requested CG zoning is not compatible with the existing surrounding zoning. CS zoning, however does exist nearby and would be more consistent with the surrounding uses and intensities. The uses allowed by right in the CS zone are less intense than those allowed in the CG zone.

With CS zoning, the applicant would be required to receive Special Exception approval from the County Board of Adjustment in order for RV Sales and Service to be allowed.

Staff recommends **denial** of CZ-464 request to rezone property from AG to CG and **approval** to rezone property from AG to CS.

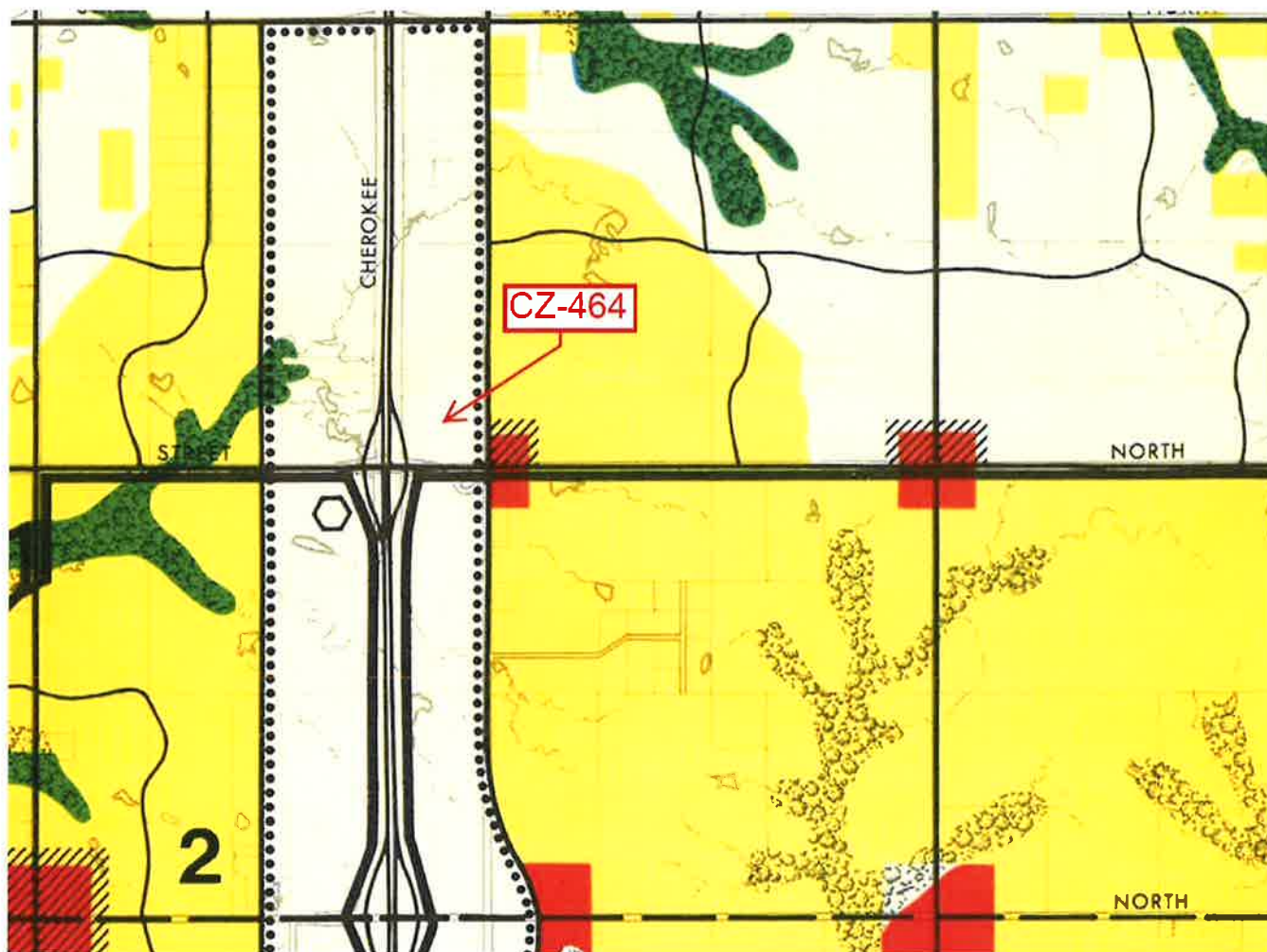
## SECTION II: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

#### Staff Summary:

*No current comprehensive plan contains a designation for CZ-464 however it is designated as Corridor in the North Tulsa County Comprehensive Plan 1980-2000.*

*Corridors are defined as specific areas located along expressways and are to contain major employment and region serving functions in concert with a relatively high residential use.*



## LAND USE PLAN 1980-2000

### NORTH TULSA COUNTY COMPREHENSIVE PLAN

HIGH	RESIDENTIAL	<b>EXISTING</b>	EXPRESSWAY
MEDIUM	COMMERCIAL - OFFICE	PARK	PRIMARY ARTERIAL
LOW	INDUSTRIAL	ELEMENTARY SCHOOL	SECONDARY ARTERIAL
RURAL RESIDENTIAL	RECREATION-OPEN SPACE	SECONDARY SCHOOL	COLLECTOR
DEVELOPMENT SENSITIVE	PUBLIC & QUASI-PUBLIC	FIRE STATION	RAILWAY
SPECIAL DISTRICT	AGRICULTURE	OTHER	
CORRIDOR	PLANNING AREA BOUNDARY		

#### Transportation Vision:

*Major Street and Highway Plan:* North Yale Avenue is designated as a secondary arterial.

*Trail System Master Plan Considerations:* None

*Special District Considerations:* None

*Historic Preservation Overlay:* None

#### DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary:* The site is located on East 96<sup>th</sup> Street North between Highway 75 and North Yale Avenue. The site is currently vacant farmland.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 96 <sup>th</sup> Street North	Secondary Arterial	100 feet	2

Utilities:

The subject tract has municipal water. A state approved septic system is anticipated for this site.

Surrounding Properties:

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>
North	AG	N/A	N/A	Vacant
South	AG/CS	N/A	N/A	Vacant
East	AG	N/A	N/A	Single-Family
West	AG	N/A	N/A	Hwy 75

### **SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Resolution number 98254 dated September 15, 1980, established zoning for the subject property.

***Subject Property: No Relevant History***

***Surrounding Property:***

**CBOA-2570 March 2016:** The County Board of Adjustment **approved** a request for a *special exception* to permit mini-storage (Use Unit 16) in the CS District subject to the two buildings adjacent to the entrance and the far southwest building having a masonry wainscot with stucco fascia above the masonry, on property located at on the northeast corner of East 96<sup>th</sup> Street North and North Highway 75 and abutting the subject property.

**CZ-444 September 2015:** A request for rezoning a 14.74± acre tract of land from AG to CG to allow for a mini-storage facility (see CBOA-2570) on property located on the northwest corner of North Yale Avenue and East 96<sup>th</sup> Street North. All concurred in **approval** of the CS zoning for the western half of the property as measured along the north property line of CZ-444 and recommended **denial** of the CS zoning for the eastern portion of the property.

**CBOA-2414 December 2011:** The County Board of Adjustment **approved** a request for a *special exception* to permit a mobile home dwelling in an R District, subject to a time limit of 5 years from the date of the issued permit; and approved a variance to permit a second dwelling unit per lot of record in an R district, on property located at east of the southeast corner of East 96<sup>th</sup> Street North and North Highway 75.

**CZ-357/ PUD-715 July 2005:** All concurred in **approval** of a request for rezoning a 9.6± acre tract of land from AG to RE/CS and a proposed Planned Unit Development for mechanical and plumbing



business and single-family use, on property located west of the southwest corner East 96<sup>th</sup> Street North and Highway 75 North.

**CBOA-1841 April 2001:** The County Board of Adjustment **approved** a request for a *special exception* to permit mini-storage (Use Unit 16) in the CS District; and a *special exception* to permit a dwelling unit in a CS district to provide security for a mini-storage, on property located at west of the northwest corner of East 96<sup>th</sup> Street North and North Highway 75.

**CZ-264 May 2000:** A request was made for rezoning a 3.8± acre tract of land from RS to CS, for a min-storage facility, on property located on the northwest corner of East 96<sup>th</sup> Street North and North Highway 75. All concurred in **approval** of CS zoning on the south 150' of the subject tract and **denial** of CS on the remainder of the tract.

**CBOA-1492 March 1997:** The County Board of Adjustment **approved** a request for a *special exception* to permit a 150' PCS monopole antenna in an AG district. SECTION 220. HEIGHT EXCEPTIONS – Use 4; subject to the 150' PCS monopole antenna being located as specified by the applicant; subject to the removal if abandoned for 180 days; subject to the monopole tower being designed for collocation; finding that the approval of this application will not be injurious to the neighborhood on property located north of the northwest corner of North Yale Avenue and East 96<sup>th</sup> Street North.

**CBOA-1389 November 1995:** The County Board of Adjustment **denied** a request for a *variance* of lot area from 2 acres to 1.18 acres, and land area from 2.2 acres to 1.77 acres on Tract A; a *variance* of lot area from 2 acres to 1.42 acres and land area from 2.2 acres to 1.77 acres on Tract B – SECTION 330 BULK AND AREA REQUIREMENTS IN THE AGRICULTURAL DISTRICTS on property located on the northeast corner of North Yale Avenue and East 96<sup>th</sup> Street North.

**CZ-56 August 1982:** A request for rezoning a 60± acre tract of land from RE and CS to RMH on property located in the northwest corner of East 96<sup>th</sup> Street North and North Highway 75 was filed. The applicant amended the request by re-advertising for a change from RE and CS to RS. All concurred in **approval** of the requested RS zoning, leaving the CS portion of the tract.

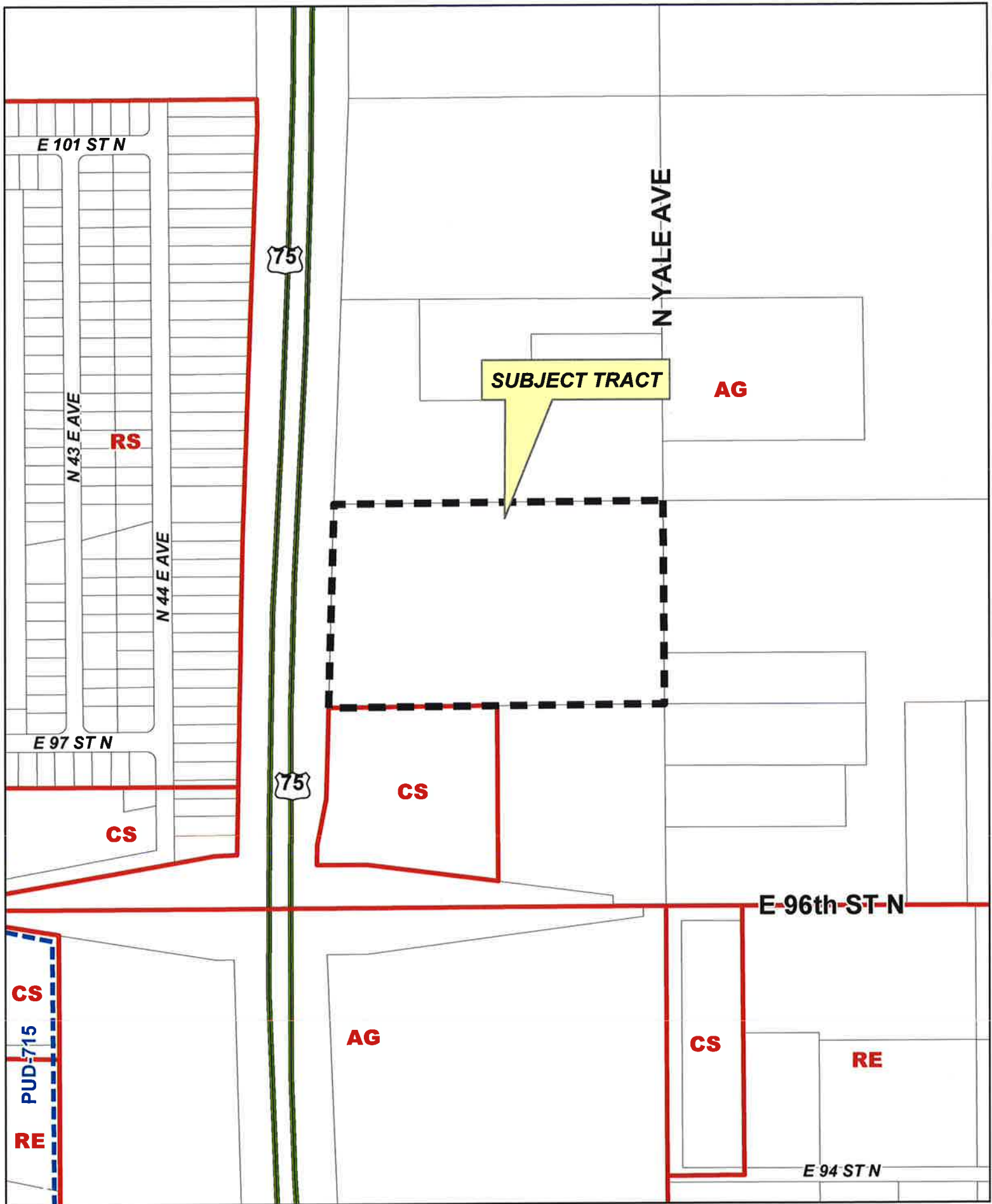
**CZ-29 August 1981:** A request for rezoning a 60± acre tract of land from RE to CG and RMH on property located in the northwest corner of East 96<sup>th</sup> Street North and North Highway 75 was filed. All concurred in **approval** of rezoning the 10 acres at the immediate intersection on the southeast corner of the tract to CS and **denial** of the balance.

**CZ-7 February 1981:** All concurred in **denial** of a request for rezoning a 5± acre tract of land from RE to IM for a concrete ready mix plant, on property located on the northwest corner of East 96<sup>th</sup> Street North and North Highway 75.

12/6/2017 1:30 PM

25.5

REVISED 11/28/2017



**CZ-464**

21-13 16







0 200 400  
Feet



Subject  
Tract

**CZ-464**

21-13 16

Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: February 2016









Tulsa Metropolitan Area  
Planning Commission

**Case Number:** CZ-465

**Hearing Date:** December 6, 2017

**Case Report Prepared by:**

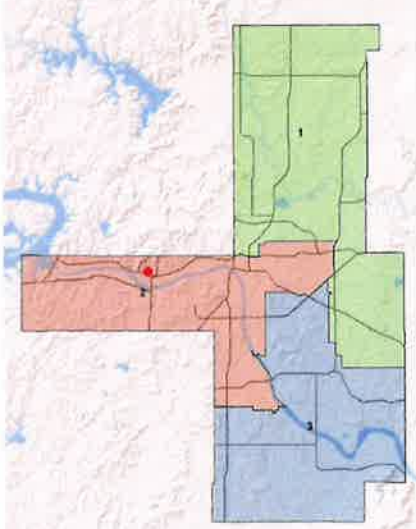
Jay Hoyt

**Owner and Applicant Information:**

*Applicant:* Earl Holcomb

*Property Owner:* HOLCOMB, EARL & BETTY JO

**Location Map:**  
**(shown with County Commission Districts)**



**Applicant Proposal:**

*Present Use:* Vacant

*Proposed Use:* Commercial Shopping

*Concept summary:* Rezone from RS to CS to permit metal building sales.

*Tract Size:* 0.66 ± acres

*Location:* West of the northwest corner of West 2<sup>nd</sup> Street South & North Industrial Avenue

**Zoning:**

*Existing Zoning:* RS

*Proposed Zoning:* CS

**Comprehensive Plan:**

*Land Use Map:* N/A

*Stability and Growth Map:* N/A

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 9110

CZM: 76

Atlas: 0

**County Commission District:** 2

*Commissioner Name:* Karen Keith

26.1

## **SECTION I: CZ-465**

### **DEVELOPMENT CONCEPT:**

The applicant has requested CS zoning in order to permit metal building sales on the site. They have indicated that the site would be used for display and sales only and not for construction of buildings.

### **EXHIBITS:**

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)

### **DETAILED STAFF RECOMMENDATION:**

CS zoning is non injurious to the existing proximate properties and;

CS is consistent with the City of Sand Springs Comprehensive Plan;

CS zoning is consistent with the anticipated future development pattern of the surrounding property therefore;

**Staff recommends Approval of CZ-465 to rezone property from RS to CS.**

## **SECTION II: Supporting Documentation**

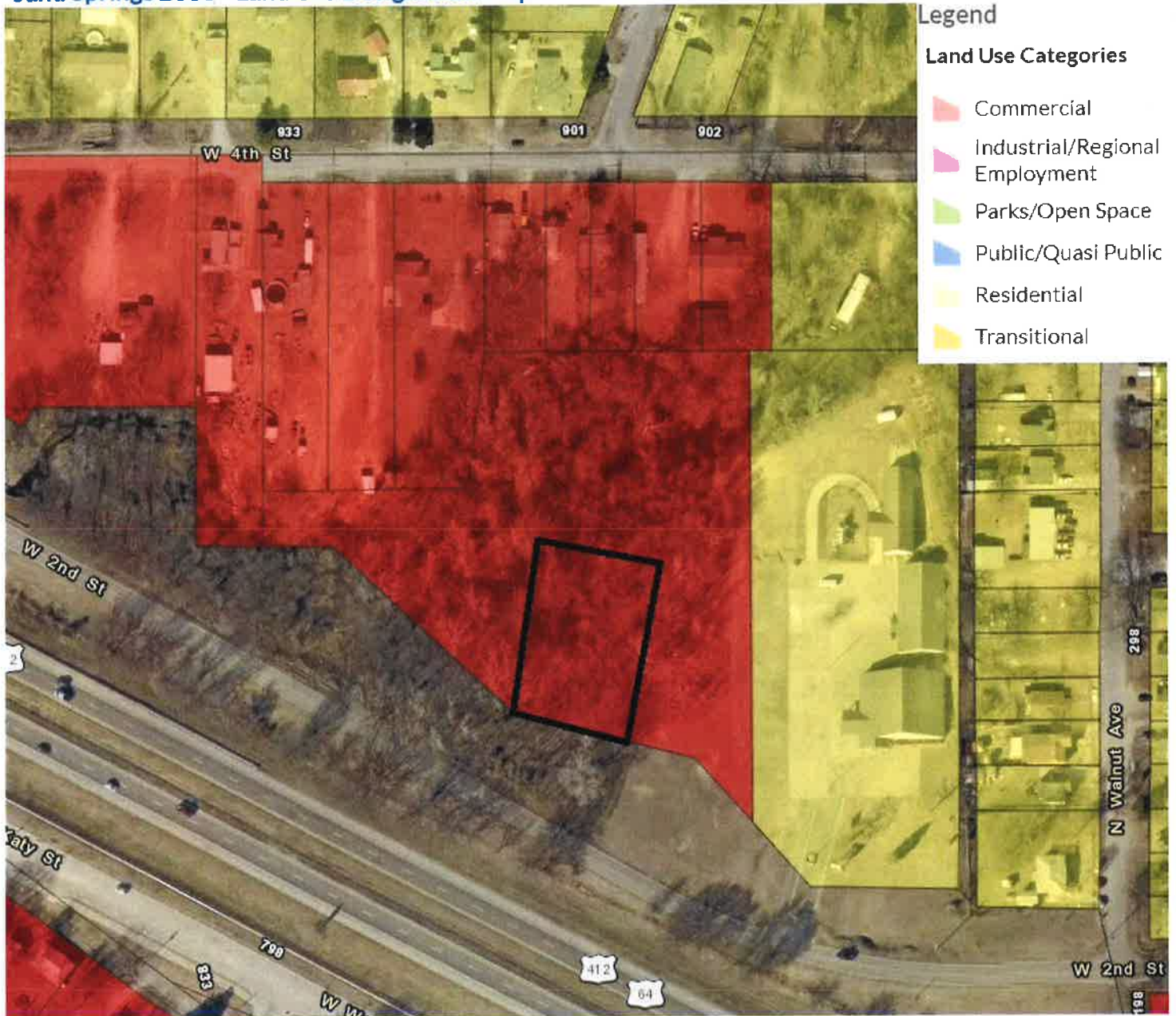
### **RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

*Staff Summary: The subject parcel is located within the Commercial designation of the City of Sand Springs 2030 Comprehensive Plan. The plan lists CS as one of the zoning districts that are best suited for the Commercial District.*

26.2



## Sand Springs 2030 - Land Use Designation Map



### Land Use Vision:

*Land Use Plan map designation:* Commercial District (City of Sand Springs 2030 Comprehensive Plan)

*Areas of Stability and Growth designation:* N/A

### Transportation Vision:

*Major Street and Highway Plan:* W 2<sup>nd</sup> St does not have a MSHP designation in this area.

*Trail System Master Plan Considerations:* The site is located across Hwy 64/412 from the Katy Trail.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is currently vacant, forested land.*

Environmental Considerations: A small portion of the northwest corner of the lot, approximately 800 sf in area, lies within the Tulsa County 100 year flood plain. The applicant will need to work with Tulsa County to mitigate any flood issues if development is proposed for the small area within the flood plain.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP RW</u>	<u>Exist. # Lanes</u>
West 2 <sup>nd</sup> Street	None	None	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>
North	CS	Commercial (Sand Springs 2030)	N/A	Vacant
South	RS	None	N/A	Vacant / ODOT ROW
East	CS	Commercial (Sand Springs 2030)	N/A	Vacant
West	RS	Commercial (Sand Springs 2030)	N/A	Vacant

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Resolution number 98254 dated September 15, 1980, established zoning for the subject property.

***Subject Property:***

No relevant history.

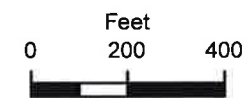
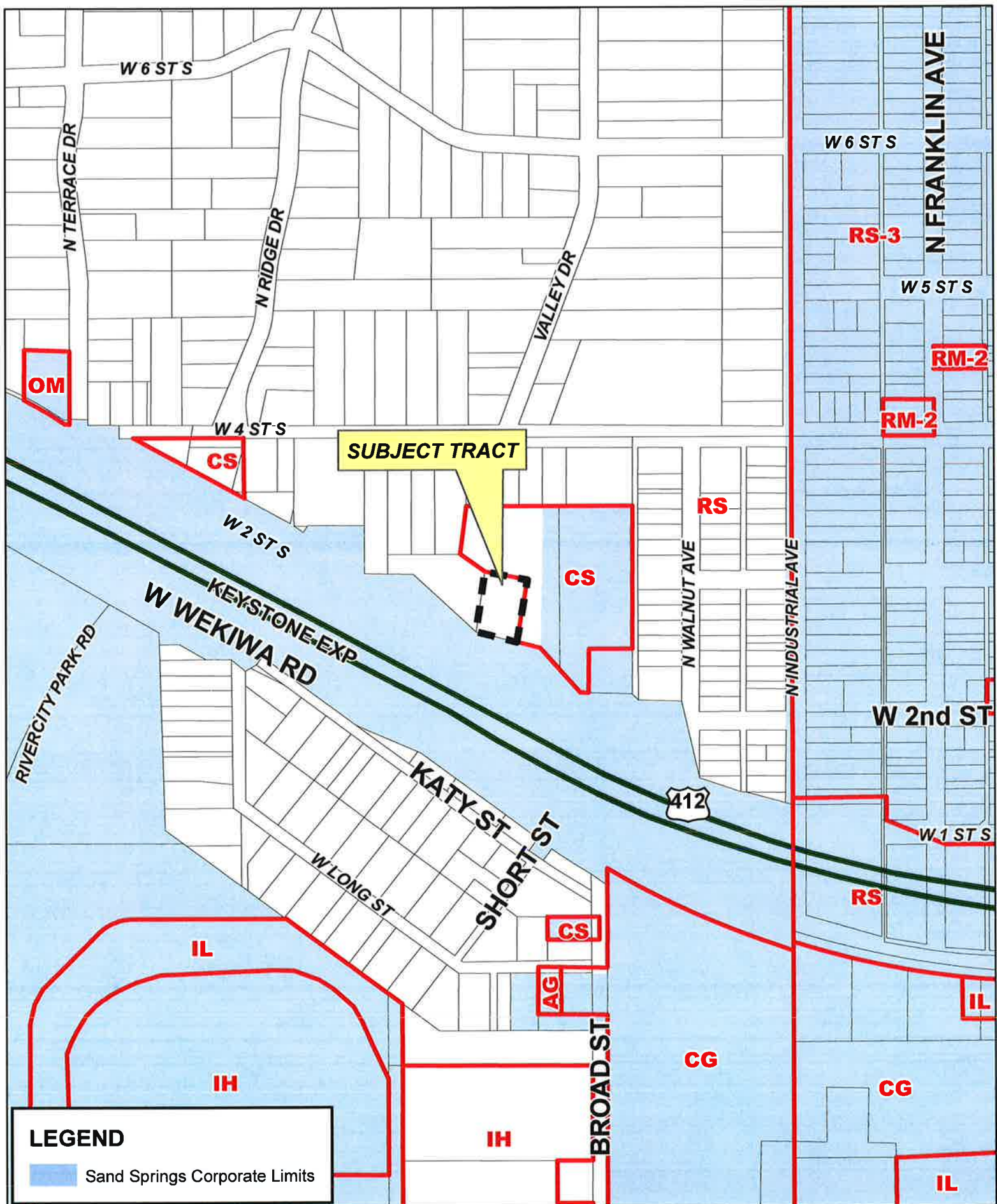
***Surrounding Property:***

No relevant history.

12/6/2017 1:30 PM

26.4  
REVISED 11/28/2017





CZ-465

19-11 10

26.5







0 Feet 200 400



Subject Tract

**CZ-465**

19-11 10

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016



26.6





W2 ST S

KEYSTONE EXP

W WEKIWA RD

412



Subject  
Tract

**CZ-465**

19-11 10

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016



26.7







Tulsa Metropolitan Area  
Planning Commission

**Case :** CZ-465 Plat Waiver

**Hearing Date:** December 6, 2017

**Case Report Prepared by:**

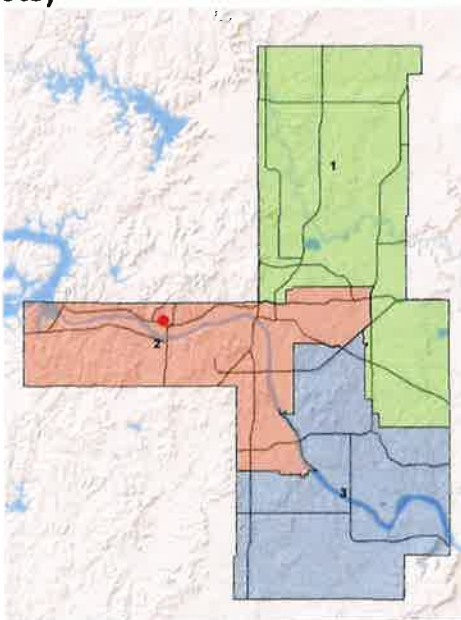
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Earl Holcomb

*Owner:* Earl Holcomb

**Location Map:**  
**(shown with County Commission districts)**



**Applicant Proposal:**

Plat Waiver

*Location:* West of the northwest corner of  
West 2<sup>nd</sup> Street and North Industrial Avenue

**Zoning:**

*Current:* RS (Residential Single-Family)  
*Proposed:* CS (Commercial – Shopping)

**Staff Recommendation:**

Staff recommends **approval** of the plat waiver with conditions

**County Commission District: 2**

*Commissioner Name:* Karen Keith

**EXHIBITS:** Site Map, Aerial, Applicant Submittal

## PLAT WAIVER

### **CZ-465** – (County)

West of the northwest corner of West 2<sup>nd</sup> Street and North Industrial Avenue

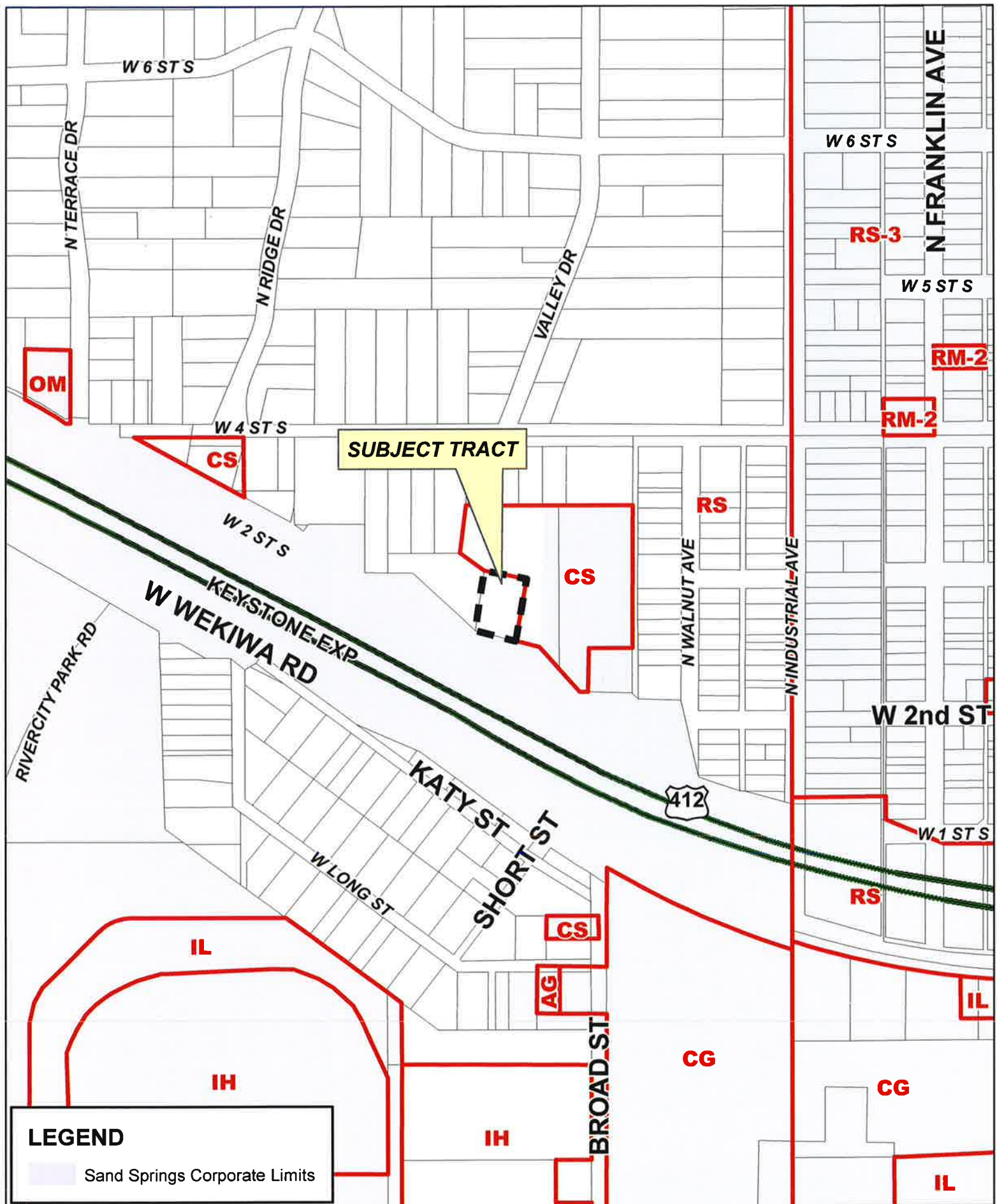
The platting requirement for this property is being triggered by a rezoning request (CZ-465) to rezone the property from RS to CS. The property owner has indicated that no immediate development of the property is proposed and that the intent of the rezoning is to permit metal building sales on the site.

The Technical Advisory Committee met on November 16, 2017 and the following items were determined:

1. All required right-of-way has been dedicated and is in place.
2. Necessary easements and utilities are all in place and no additional easements will be needed at this time.
3. No further subdivision of the property is proposed at this time.
4. The property has a minor amount of floodplain present in the far northeast corner. Development will be restricted within the floodplain.

Staff recommends **approval** of the plat waiver with the following condition:

Per the Subdivision Regulations, plat waivers granted on unplatted properties will require the filing of a current ALTA/ACSM/NSPS survey with the County Clerk's office.



CZ-465

19-11 10

27.3





0 200 400  
Feet



Subject  
Tract

**CZ-465**

19-11 10

Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: February 2016







Tulsa Metropolitan Area  
Planning Commission

**Case Number: Z-7426**

Related to PUD 744-B abandonment

**Hearing Date: December 6, 2017**

**Case Report Prepared by:**

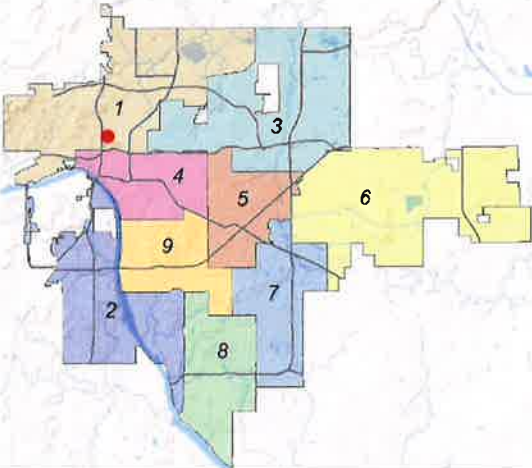
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Capital Homes Residential Group, LLC

*Property Owner:* TULSA DEVELOPMENT  
AUTHORITY

**Location Map:**  
**(shown with City Council Districts)**



**Applicant Proposal:**

*Present Use:* Vacant

*Proposed Use:* Residential

*Concept summary:* Abandon PUD and rezone property to match lot configuration for original Plat

*Tract Size:* 2.05 ± acres

*Location:* NW corner of E. Latimer St. & N. Boston Ave.

**Zoning:**

*Existing Zoning:* RM-3, CS, PUD-786

*Proposed Zoning:* RS-5

**Comprehensive Plan:**

*Land Use Map:* Existing Neighborhood

*Stability and Growth Map:* Area of Stability

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 0235

CZM: 28

Atlas: 75

**City Council District: 1**

*Councilor Name:* Vanessa Hall-Harper

**County Commission District: 1**

*Commissioner Name:* John Smaligo

28.1

## SECTION I: Z-7426

### DEVELOPMENT CONCEPT:

The current zoning was a PUD prepared anticipating development of a senior living center however the center was never constructed. The site is immediately north of the Emmerson elementary site that is being renovated and expanded. The proposal is to construct detached houses on the original lot configuration.

### EXHIBITS:

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map
- Applicant Exhibits:

### DETAILED STAFF RECOMMENDATION:

Case Z-7426 requesting RS-5 zoning is consistent with the expected development pattern in the area and,

RS-5 zoning is non-injurious to the surrounding property owners and,

RS-5 zoning is consistent with the Tulsa Comprehensive Plan and,

RS-5 zoning is consistent with the Unity Heritage Neighborhoods Plan therefore,

**Staff recommends Approval of Z-7426 to rezone property from RM-3, CS, PUD-786/ to RS-5.**

## SECTION II: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: The abandonment of the PUD and rezoning are consistent with the Existing Neighborhood designation in the Tulsa Comprehensive Plan and the rezoning request is consistent with the anticipated redevelopment of the area identified in the Unity Heritage Neighborhoods Plan.*

### Land Use Vision:

*Land Use Plan map designation:* Existing Neighborhood

The Existing Neighborhood category is intended to preserve and enhance Tulsa's existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

*Areas of Stability and Growth designation:* Area of Stability

28.2



The Areas of Stability includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

Transportation Vision:

*Major Street and Highway Plan:* None that affect the site.

*Trail System Master Plan Considerations:* None that affect the site

Sector Plan: Unity Heritage Neighborhoods Plan adopted November 2016

The neighborhood plan was recently adopted with seven goals in the implementation action matrix that are important to this redevelopment opportunity. Emerson school redevelopment was not specifically identified as a growth opportunity area however redevelopment of this school site along with Tulsa Development Authority collaboration has provided an opportunity to help transform and revitalize neighborhoods most impacted by vacancy or poor maintenance as identified in goal 3.

Special District Considerations: None

Historic Preservation Overlay:

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary: All parcels included in the RS-5 zoning request are vacant. The lot configuration of the original Burgess Hill Addition has been manipulated over the years for purposes that are no longer valid. The developer has begun preparation of lot splits and lot combination to assemble the lots back to the original Burgess Hill lot configuration with an alley on the block.*

Environmental Considerations: None that might affect site redevelopment.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
North Boston Avenue	None	50 feet	2
East Latimer Street	None	50 feet	2
North Main Street	Residential Collector	60 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-4	Existing Neighborhood	Stability	Single Family Residential
East	RS-4	Existing Neighborhood	Stability	Single Family Residential
South	RS-4	Existing Neighborhood	Stability	Tulsa Public School Emmerson Elementary
West	RS-4/CS	Existing Neighborhood	Stability	3 story multifamily and single family residential

### SECTION III: Relevant Zoning History

**ZONING ORDINANCE:** Ordinance number 11918 dated September 1, 1980, established zoning for the subject property.

#### ***Subject Property:***

**Z-7179 September 2011:** All concurred in **approval** of a request for rezoning a 2.32± acre tract of land from RS-3/CS to RM-3/CS on property located north and east of the northeast corner of East Latimer Street and North Main Street on the subject property.

**Z-7178 September 2011:** All concurred in **approval** of a request for rezoning a .315± acre tract of land from RS-4 to RM-3/CS on property located north of the northeast corner of East Latimer Street and North Main Street on the subject property.

**PUD-786 September 2011:** All concurred in **approval** of a proposed Planned Unit Development on a 2.63± acre tract of land for on property located north and east of the northeast corner of East Latimer Street and North Main Street on the subject property.

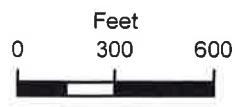
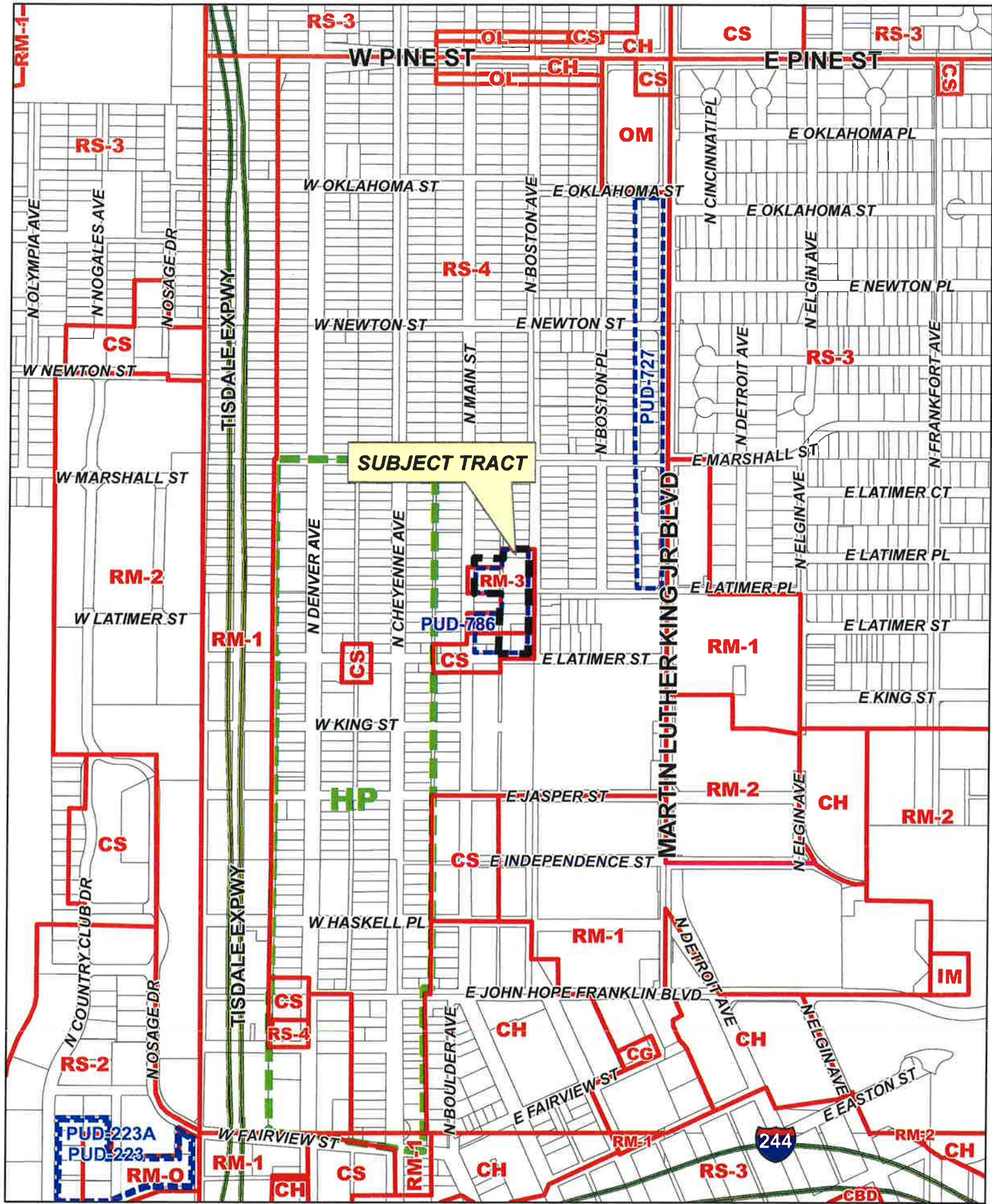
**Z-6373 October 1992:** All concurred in **approval** of a request for rezoning a 195± acre tract of land from RM-2 to RS-4 on property located north of the northeast corner of East Latimer Street and North Main Street on the subject property as part of a larger blanket rezoning study.

#### ***Surrounding Property:***

**PUD-727 March 2006:** All concurred in **approval** of a request for rezoning a 7.6± acre tract of land from RS-4 to RS-4/PUD-727 on property fronting North Cincinnati Avenue between East Oklahoma Street and East Latimer Place, east of the subject property.

12/6/2017 1:30 PM

28.4



# Z-7426 RS-5 Zoning

20-12 35

28.5







0 300 600  
Feet



Subject  
Tract

**Z-7426**

20-12 35

Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: February 2016





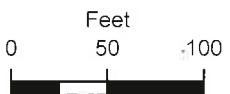


N MAIN ST

N BOSTON AVE

ELATIMER PL

ELATIMER ST



Subject  
Tract

**Z-7426**

20-12 35

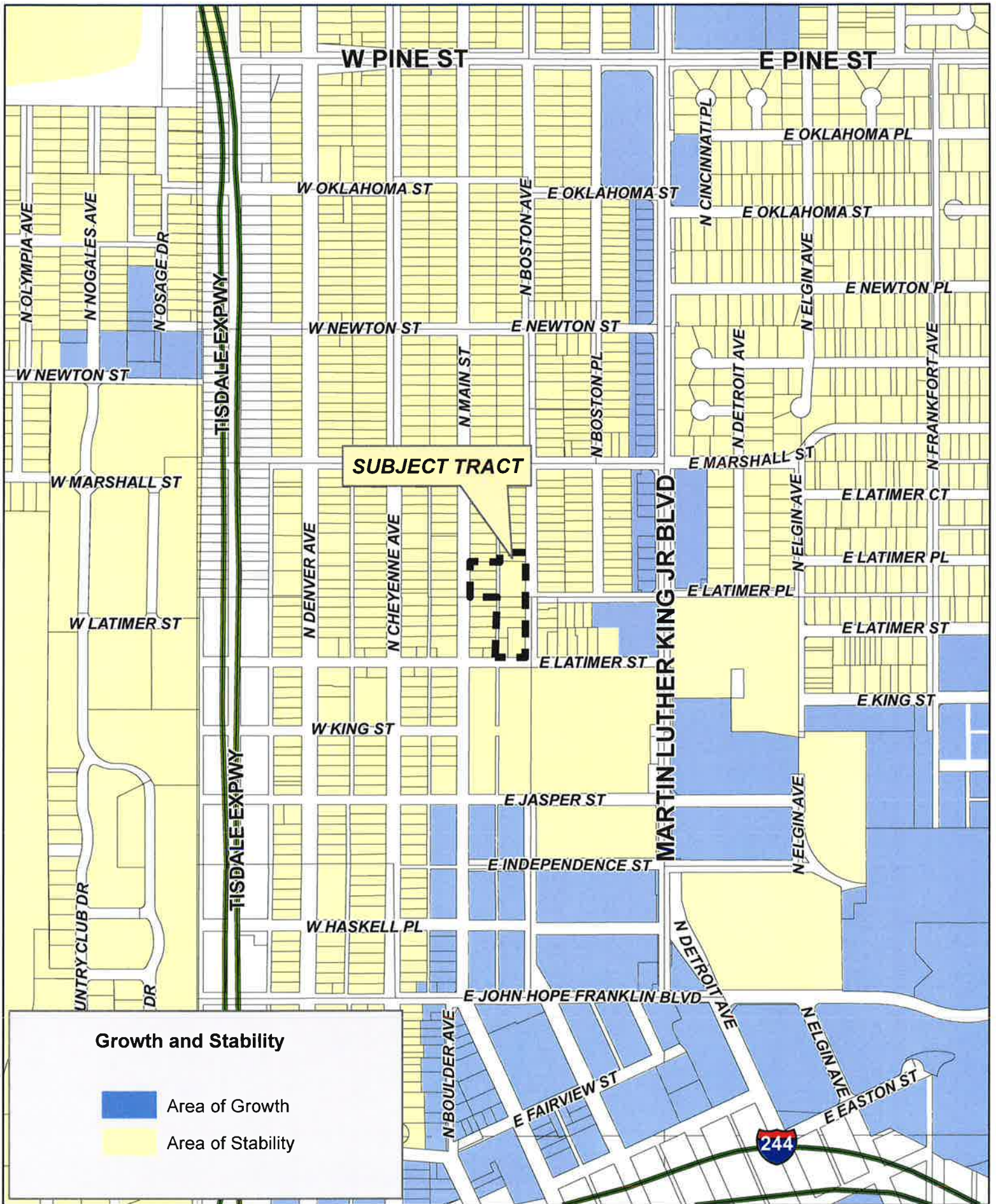
Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: February 2016



28.7



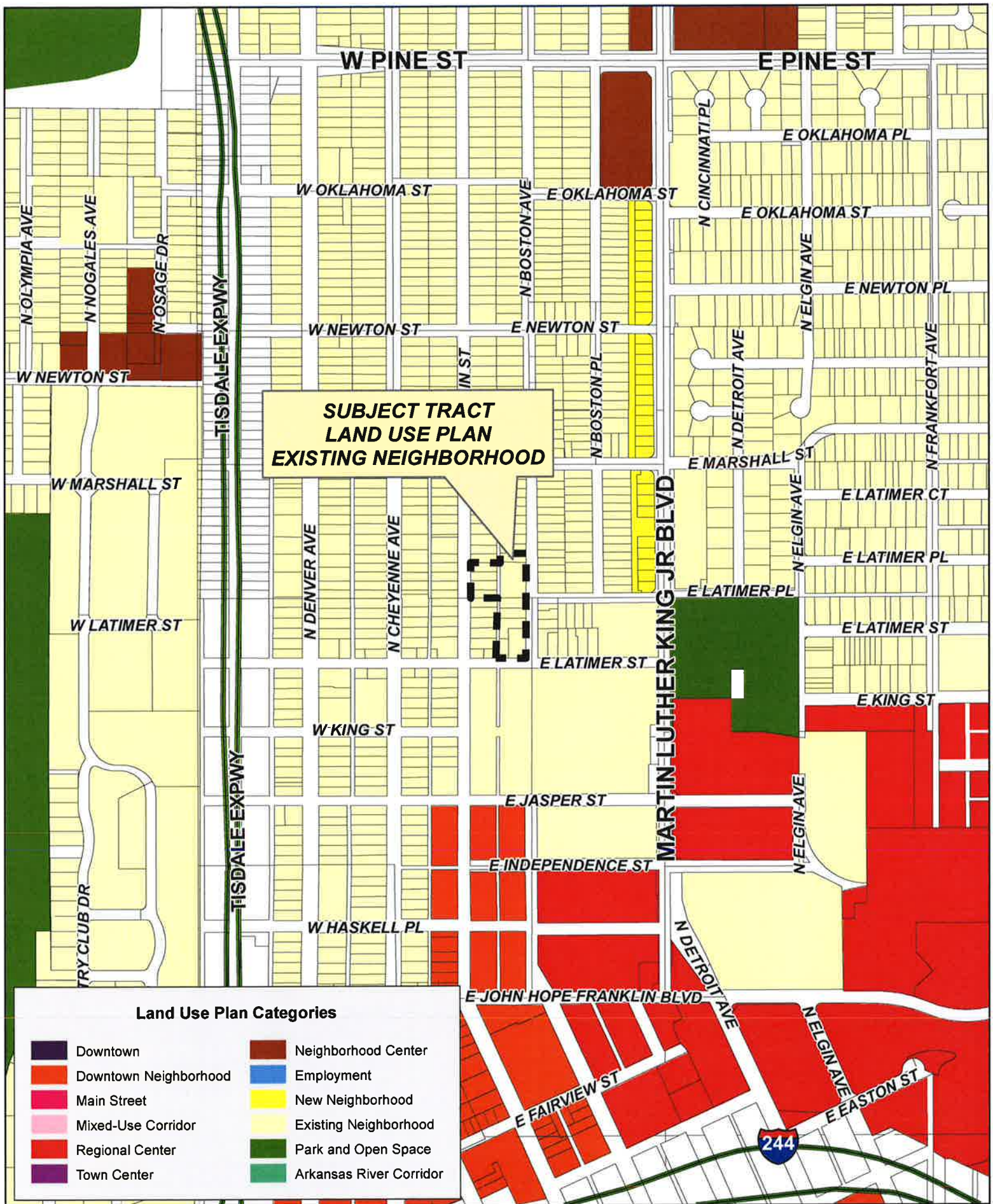


Z-7426

20-12 35

28.8





Feet  
0 300 600

Z-7426

20-12 35

28.9





Tulsa Metropolitan Area  
Planning Commission

**Case Number: Z-7427**

Related to PUD-786-A

**Hearing Date: December 6, 2017**

**Case Report Prepared by:**

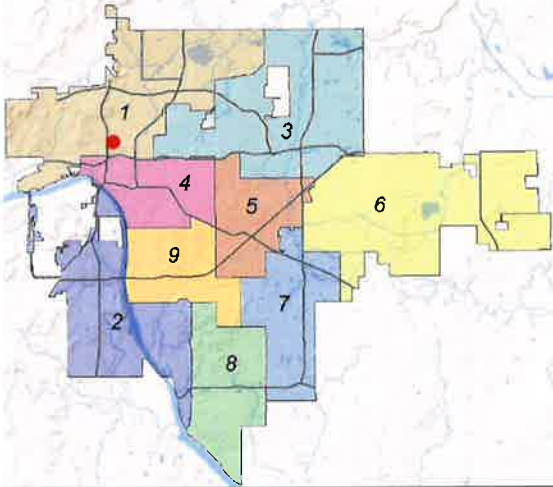
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Capital Homes Residential Group, LLC

*Property Owner:* CHARNEY PROPERTIES INC

**Location Map:**  
**(shown with City Council Districts)**



**Applicant Proposal:**

*Present Use:* Vacant Property

*Proposed Use:* Mixed Use

*Concept summary:* Abandon PUD and rezone property to match lot configuration for original Plat and rezone existing CS tract to MX1-U-45

*Tract Size:* 0.58 ± acres

*Location:* NE/c of N. Main St. & E. Latimer St.

**Zoning:**

*Existing Zoning:* RM-3, CS, PUD 786

*Proposed Zoning:* MX2-U-45

**Comprehensive Plan:**

*Land Use Map:* Existing Neighborhood

*Stability and Growth Map:* Area of Stability

**Staff Recommendation:**

**Staff recommends approval of MX1-U-45.**

**Staff Data:**

TRS: 0235

CZM: 28

Atlas: 75

**City Council District: 1**

*Councilor Name:* Vanessa Hall-Harper

**County Commission District: 1**

*Commissioner Name:* John Smaligo

29.1



## SECTION I: Z-7427

### DEVELOPMENT CONCEPT:

The current zoning was a PUD which was prepared anticipating development of a senior living center however the center was never constructed. The site is immediately north of Tulsa public school (Emerson elementary) that is being renovated and expanded. The application submitted includes proposal for MX2 zoning district however our correspondence seems to reference MX-1 zoning as recommended by staff. MX1-U-45 will replace CS zoning at the southwest corner of the PUD. MX-1 uses are intended to accommodate small scale retail, service, and dining uses that serve nearby residential neighborhoods. The district also allows a variety of residential uses and building types.

### EXHIBITS:

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map
- Applicant Exhibits:
  - None Included

### DETAILED STAFF RECOMMENDATION:

After several meetings with staff the applicant submitted a request for MX2 zoning. As the project concept has refined we have had further discussions with the applicant and determined that MX1 is the appropriate request at this location and still supports the goals of the Tulsa Development Authority and the developer.

Case Z-7427 requesting MX2-U-45 zoning may allow some uses that are not consistent with the expected development pattern in the area however MX1-U-45 removes those concerns and,

MX1-U-45 zoning is non-injurious to the surrounding property owners and,

MX1-U-45 zoning is consistent with the Tulsa Comprehensive Plan and,

MX1-U-45 zoning is consistent with the Unity Heritage Neighborhoods Plan therefore,

**Staff recommends Approval of Z-7427 to rezone property from RM-3,CS to MX1-U-45.**

## SECTION II: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: The abandonment of the PUD and rezoning are consistent with the Existing Neighborhood designation in the Tulsa Comprehensive Plan and the rezoning request is consistent with the anticipated redevelopment of the area identified in the Unity Heritage Neighborhoods Plan.*

### Land Use Vision:

*Land Use Plan map designation:* Existing Neighborhood

The Existing Neighborhood category is intended to preserve and enhance Tulsa's existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as

permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

*Areas of Stability and Growth designation: Area of Stability*

The Areas of Stability includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

Transportation Vision:

*Major Street and Highway Plan:* None that affect the site.

*Trail System Master Plan Considerations:* None that affect the site

Sector Plan: Unity Heritage Neighborhoods Plan adopted November 2016

The neighborhood plan was recently adopted with seven goals in the implementation action matrix that are important to this redevelopment opportunity. Emerson school redevelopment was not specifically identified as a growth opportunity area however redevelopment of this school site along with Tulsa Development Authority collaboration has provided an opportunity to help transform and revitalize neighborhoods most impacted by vacancy or poor maintenance as identified in goal three.

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary: Two of the lots contained in the MX1-U zoning recommendation contain single family residential homes, two lots are vacant. All parcels included in the abutting RS-5 zoning request are vacant. The lot configuration of the original Burgess Hill Addition is largely the same as originally platted. The developer has begun preparation of lot splits and lot combination to reconfigure the lots back to the original Burgess Hill lot configuration. The plat was filed in 1909 with lots that are consistent with MX1-U zoning lot and building regulations and with the concurrent RS-5 zoning request abutting this site.*

Environmental Considerations: None that might affect site redevelopment.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
North Boston Avenue	None	50 feet	2
East Latimer Street	None	50 feet	2
North Main Street	Residential Collector	60 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-4	Existing Neighborhood	Stability	Single Family Residential
East	RS-4	Existing Neighborhood	Stability	Single Family Residential
South	RS-4	Existing Neighborhood	Stability	Tulsa Public School Emmerson Elementary
West	RS-4/CS	Existing Neighborhood	Stability	3 story multifamily and single family residential

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11918 dated September 1, 1980, established zoning for the subject property.

***Subject Property:***

**Z-7179 September 2011:** All concurred in **approval** of a request for rezoning a 2.32± acre tract of land from RS-3/CS to RM-3/CS on property located north and east of the northeast corner of East Latimer Street and North Main Street on the subject property.

**Z-7178 September 2011:** All concurred in **approval** of a request for rezoning a .315± acre tract of land from RS-4 to RM-3/CS on property located north of the northeast corner of East Latimer Street and North Main Street on the subject property.

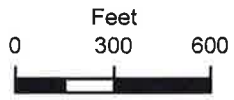
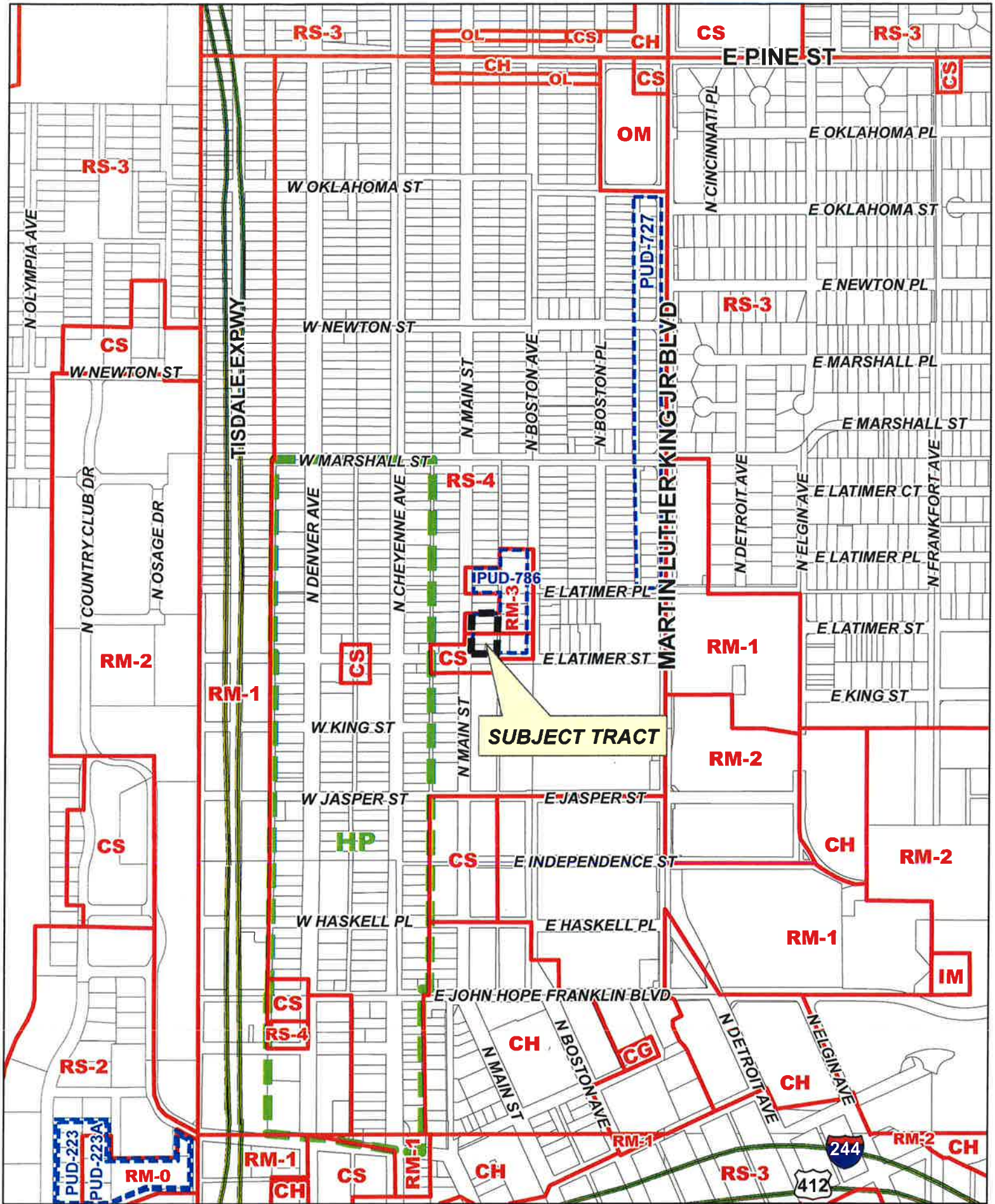
**PUD-786 September 2011:** All concurred in **approval** of a proposed Planned Unit Development on a 2.63± acre tract of land for on property located north and east of the northeast corner of East Latimer Street and North Main Street on the subject property.

**Z-6373 October 1992:** All concurred in **approval** of a request for rezoning a 195± acre tract of land from RM-2 to RS-4 on property located north of the northeast corner of East Latimer Street and North Main Street on the subject property as part of a larger blanket rezoning study.

***Surrounding Property:***

**PUD-727 March 2006:** All concurred in **approval** of a request for rezoning a 7.6± acre tract of land from RS-4 to RS-4/PUD-727 on property fronting North Cincinnati Avenue between East Oklahoma Street and East Latimer Place, east of the subject property.





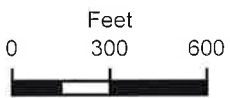
**Z-7427 MX2-U-45 Zoning**

20-12 35

29.5







Subject  
Tract

**Z-7427**

20-12 35

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016



29.6





N MAIN ST

E LATIMER PL

N BOSTON AVE

E LATIMER ST

W KING ST



Subject  
Tract

**Z-7427**

20-12 35

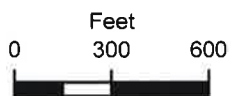
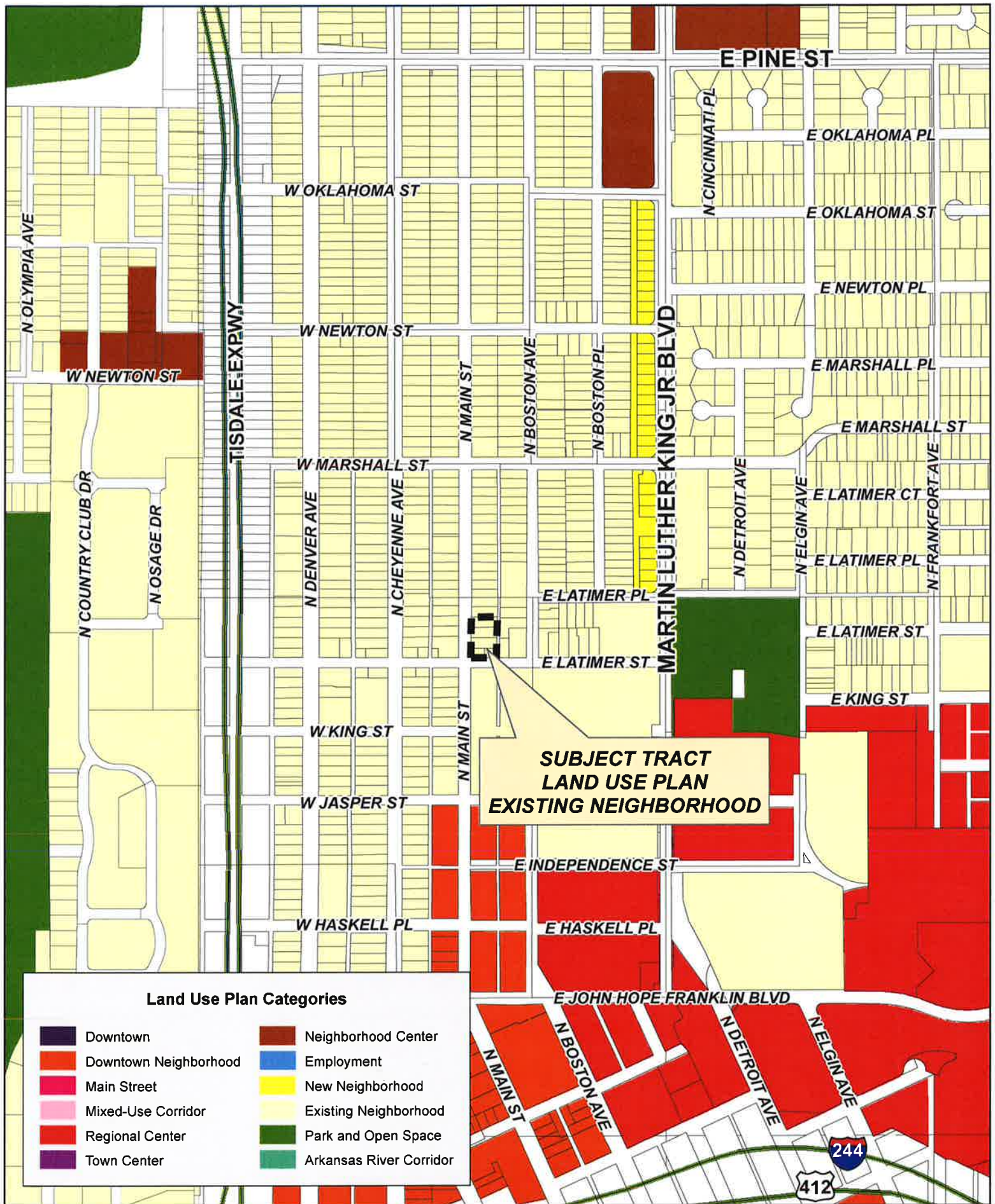
Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: February 2016



29.7



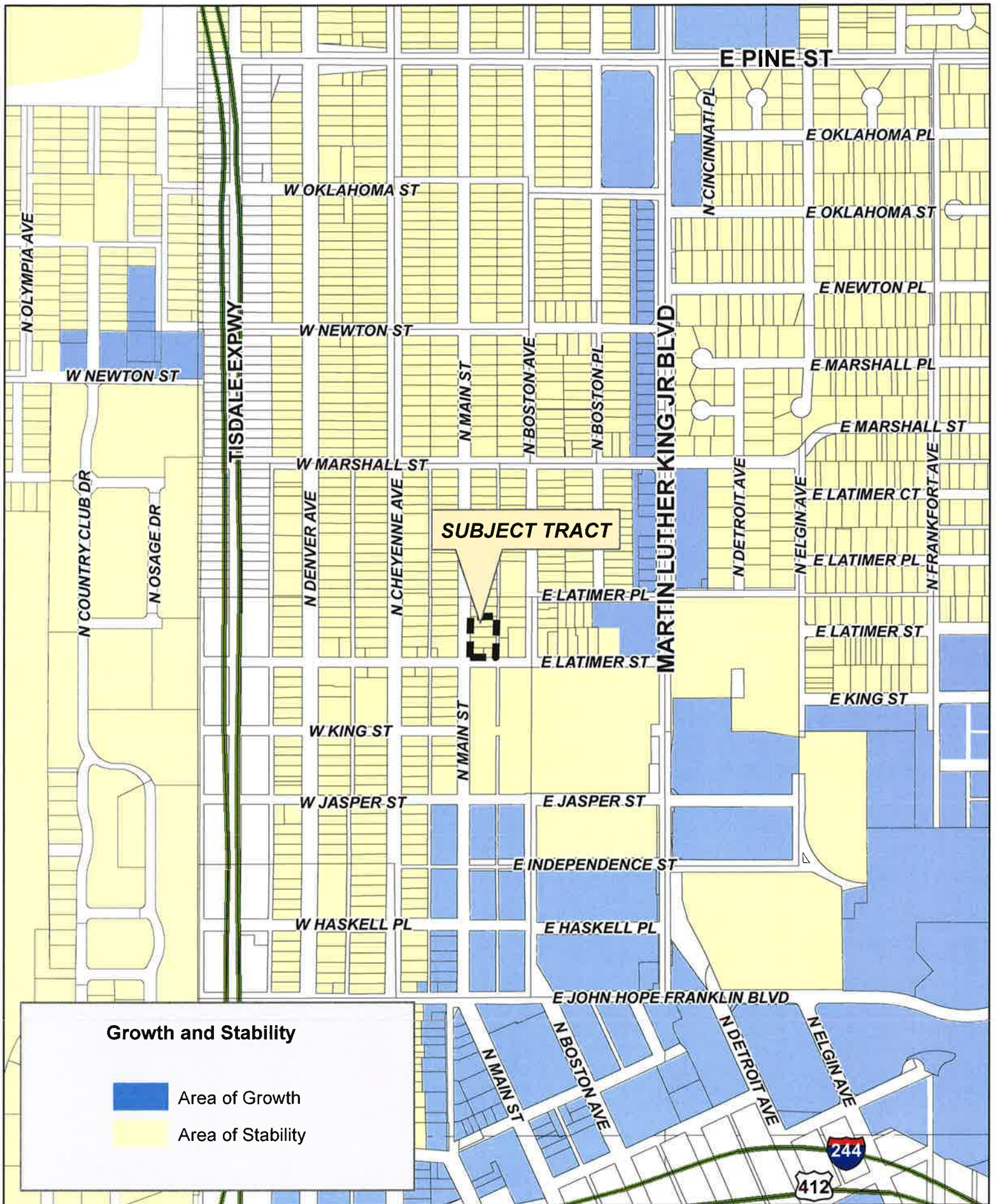


**Z-7427**

20-12 35







Z-7427

20-12 35









Tulsa Metropolitan Area  
Planning Commission

**Case Number:** PUD-786-A  
Related to Z-7426 and Z-7427

**Hearing Date:** December 6, 2017

**Case Report Prepared by:**

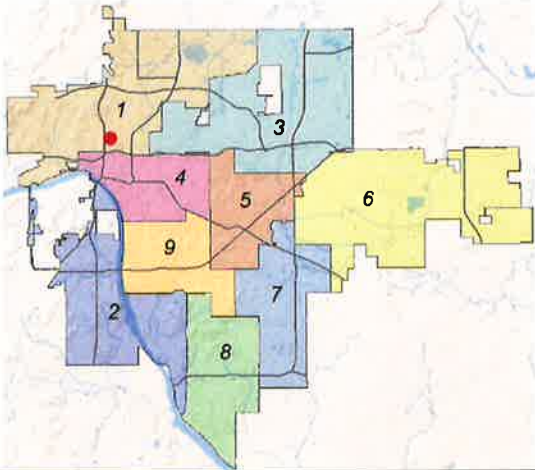
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Capital Homes Residential Group, LLC

*Property Owner:* TULSA DEVELOPMENT  
AUTHORITY

**Location Map:**  
**(shown with City Council Districts)**



**Applicant Proposal:**

*Present Use:* Vacant Land

*Proposed Use:* Mixed Use/ Residential

*Concept summary:* Abandon PUD and rezone  
property to match lot configuration for original Plat.

*Tract Size:* 2.61 ± acres

*Location:* NW/c of E. Latimer St. & N. Boston Ave.

**Zoning:**

*Existing Zoning:* PUD-786, RM-3, RS-4, CS

*Proposed Zoning:* Abandon PUD-786,  
MX1-U-45, RS-5

**Comprehensive Plan:**

*Land Use Map:* Existing Neighborhood

*Stability and Growth Map:* Area of Stability

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 0235

CZM: 28

Atlas: 75

**City Council District:** 1

*Councilor Name:* Vanessa Hall-Harper

**County Commission District:** 1

*Commissioner Name:* John Smaligo

30.1

## SECTION I: PUD-786-A

### DEVELOPMENT CONCEPT:

The current zoning was a PUD which was prepared anticipating development of a senior living center however the center was never constructed. The site is immediately north of the Emerson elementary site that is being renovated and expanded. The proposal is to construct detached houses on the original lot configuration and will include a request for Mixed Use zoning to replace CS zoning at the southwest corner of the PUD.

### EXHIBITS:

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map
- Applicant Exhibits:
  - None included

### DETAILED STAFF RECOMMENDATION:

PUD 786-A will abandon the PUD that was prepared anticipating a senior living center and remove any development restrictions except what will remain either the existing underlying zoning districts or the proposed rezoning. Abandonment of the PUD is non-injurious to the surrounding property owners and,

The underlying zoning or the anticipated rezoning is consistent with the Tulsa Comprehensive Plan and,

The underlying zoning or the anticipated rezoning is consistent with the Unity Heritage Neighborhoods Plan therefore,

**Staff recommends approval of PUD 786-A which will abandon PUD 786 with or without the related zoning request.**

## SECTION II: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: The abandonment of the PUD and rezoning are consistent with the Existing Neighborhood designation in the Tulsa Comprehensive Plan and the rezoning request is consistent with the anticipated redevelopment of the area identified in the Unity Heritage Neighborhoods Plan. If for any reason the related zoning request are not approved the abandonment request of the existing PUD is appropriate at this location.*

### Land Use Vision:

*Land Use Plan map designation:* Existing Neighborhood

The Existing Neighborhood category is intended to preserve and enhance Tulsa's existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as

permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

*Areas of Stability and Growth designation: Area of Stability*

The Areas of Stability includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

Transportation Vision:

*Major Street and Highway Plan:* None that affect the site.

*Trail System Master Plan Considerations:* None that affect the site

Sector Plan: Unity Heritage Neighborhoods Plan adopted November 2016

The neighborhood plan was recently adopted with seven goals in the implementation action matrix that are important to this redevelopment opportunity. Emerson school redevelopment was not specifically identified as a growth opportunity area however redevelopment of this school site along with Tulsa Development Authority collaboration has provided an opportunity to help transform and revitalize neighborhoods most impacted by vacancy or poor maintenance as identified in goal 3.

Special District Considerations: None

Historic Preservation Overlay:

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: Two lots facing North Main Street which are included in the PUD abandonment request have single family residential homes. The remainder of the lots are vacant. The lot configuration of the original Burgess Hill Addition has been manipulated over the years for purposes that are no longer valid. The developer has begun preparation of lot splits and lot combination to assemble the lots back to the original Burgess Hill lot configuration with an alley on the block.

Environmental Considerations: None that might affect site redevelopment.



Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
North Boston Avenue	None	50 feet	2
East Latimer Street	None	50 feet	2
North Main Street	Residential Collector	60 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>
North	RS-4	Existing Neighborhood	Stability	Single Family Residential
East	RS-4	Existing Neighborhood	Stability	Single Family Residential
South	RS-4	Existing Neighborhood	Stability	Tulsa Public School Emmerson Elementary
West	RS-4/CS	Existing Neighborhood	Stability	3 story multifamily and single family residential

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11918 dated September 1, 1980, established zoning for the subject property.

***Subject Property:***

**Z-7179 September 2011:** All concurred in **approval** of a request for rezoning a 2.32± acre tract of land from RS-3/CS to RM-3/CS on property located north and east of the northeast corner of East Latimer Street and North Main Street on the subject property.

**Z-7178 September 2011:** All concurred in **approval** of a request for rezoning a .315± acre tract of land from RS-4 to RM-3/CS on property located north of the northeast corner of East Latimer Street and North Main Street on the subject property.

**PUD-786 September 2011:** All concurred in **approval** of a proposed Planned Unit Development on a 2.63± acre tract of land for on property located north and east of the northeast corner of East Latimer Street and North Main Street on the subject property.

**Z-6373 October 1992:** All concurred in **approval** of a request for rezoning a 195± acre tract of land from RM-2 to RS-4 on property located north of the northeast corner of East Latimer Street and North Main Street on the subject property as part of a larger blanket rezoning study.

***Surrounding Property:***

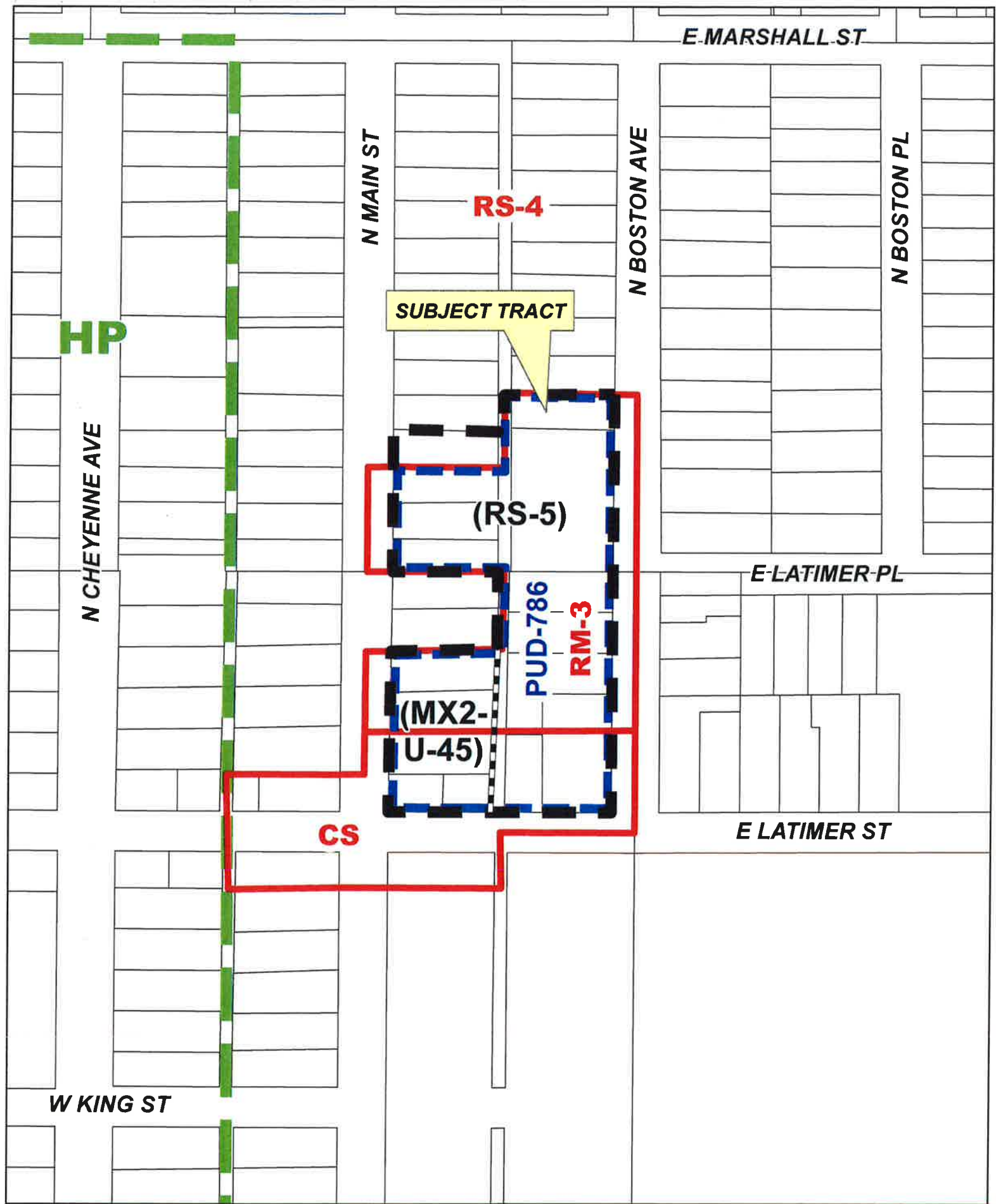
30.4

**PUD-727 March 2006:** All concurred in **approval** of a request for rezoning a 7.6± acre tract of land from RS-4 to RS-4/PUD-727 on property fronting North Cincinnati Avenue between East Oklahoma Street and East Latimer Place, east of the subject property.

12/06/2017 1:30 PM

30.5

REVISED 11/30/2017



E MARSHALL ST

N MAIN ST

N BOSTON AVE

N BOSTON PL

RS-4

SUBJECT TRACT

HP

N CHEYENNE AVE

(RS-5)

E LATIMER PL

PUD-786

RM-3

(MX2-  
U-45)

CS

E LATIMER ST

W KING ST

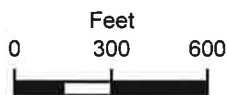


Z-7426/Z-7427/PUD-786-A

20-12 35







20-12 35

30.7





N MAIN ST

N BOSTON AVE

E LATIMER PL

E LATIMER ST



Subject  
Tract

**PUD-786-A**

20-12 35

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016



308





0 300 600  
Feet



Subject  
Tract

**PUD-786-A**

20-12 35

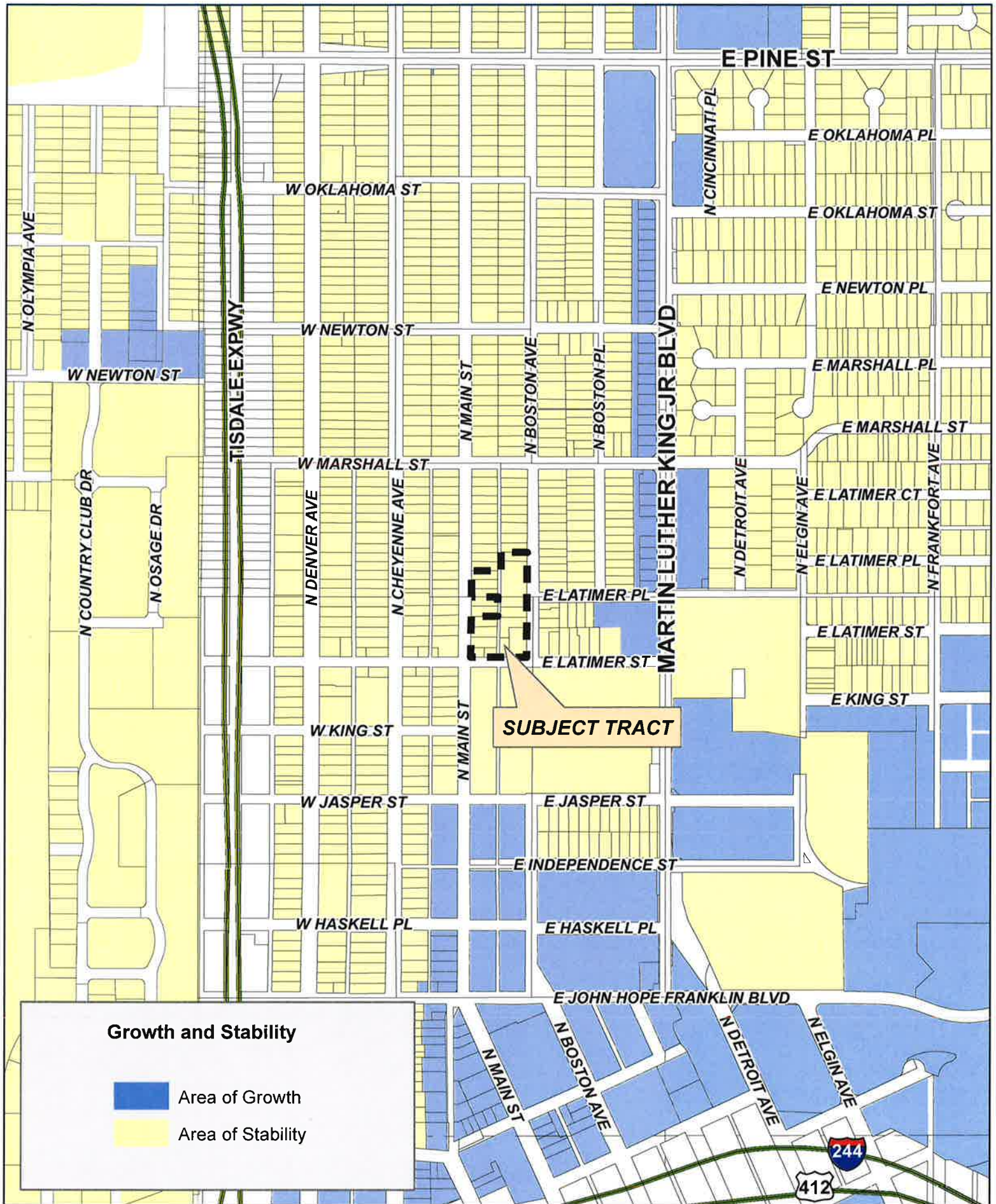
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016

30.9

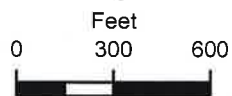






**Growth and Stability**

- Area of Growth
- Area of Stability



**PUD-786-A**

20-12 35

30.10













Tulsa Metropolitan Area  
Planning Commission

**Case :** Z-7426/Z-7427/PUD-786-A Plat  
Waiver

**Hearing Date:** December 6, 2017

**Case Report Prepared by:**

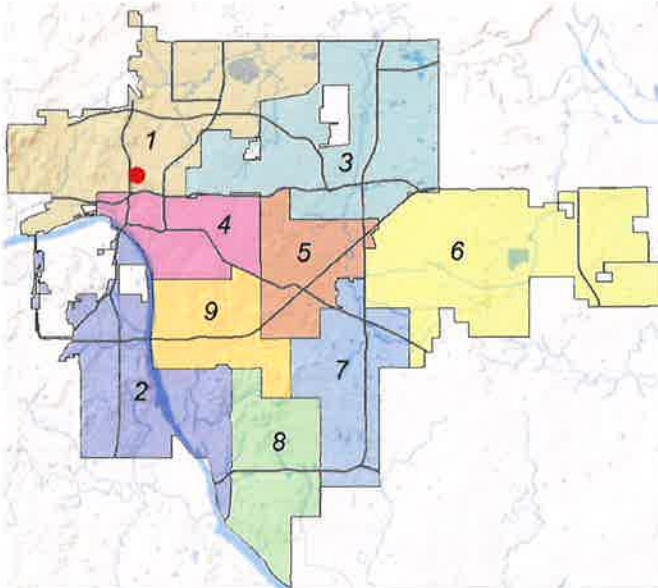
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Capital Homes Residential  
Group, LLC

*Owner:* Tulsa Development Authority

**Location Map:**  
**(shown with City Council Districts)**



**Applicant Proposal:**

Plat Waiver

*Location:* Northeast corner of North Main  
Street and East Latimer Street

**Zoning:**

*Current:* RM-3/CS

*Proposed:* RS-5/MX2-U-45

**Staff Recommendation:**

Staff recommends **approval** of the plat  
waiver

**City Council District: 1**

*Councilor Name:* Vanessa Hall-Harper

**County Commission District: 1**

*Commissioner Name:* John Smaligo

**EXHIBITS:** Site Map, Aerial, Applicant Submittal



## PLAT WAIVER

### Z-7426/Z-7427/PUD-786-A – (CD 1)

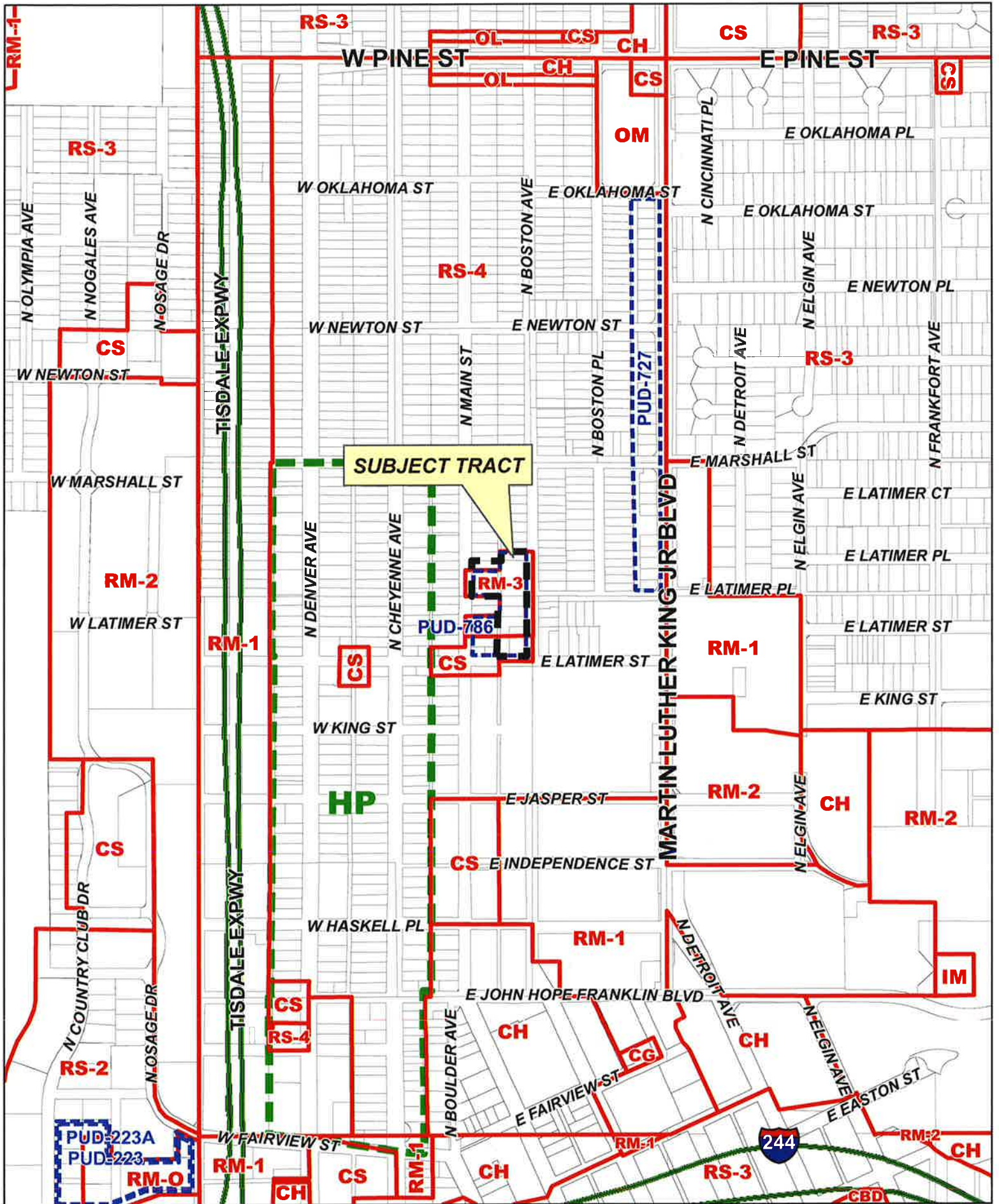
Northeast corner of North Main Street and East Latimer Street

The platting requirement for this property is being triggered by a rezoning request (Z-7426 & Z-7427) and an abandonment of an existing Planned Unit Development. The property is currently zoned RM-3 and CS. The property owner has proposed RS-5 on the majority of the property with MX2-U-45 at the hard corner of E Latimer St. & N. Main St. The intent of the zoning change is to align the zoning with the underlying plat and ensure conformance of lots for single-family residential uses.

The Technical Advisory Committee met on November 16, 2017 and the following items were determined:

1. The property is previously platted under the Burgess Hill and Pouder & Pomeroy subdivision plats. The existing plats align with the proposed zoning and comply with all lot requirements.
2. Utilities are all available and no main line extensions are required.
3. Required right-of-way dedications have all been made by previous plat.
4. Lots proposed for MX zoning will be required to be combined if development is proposed across current lot lines.
5. Detention easements may be required by the City of Tulsa at the time of development.

Staff recommends **approval** of the plat waiver.

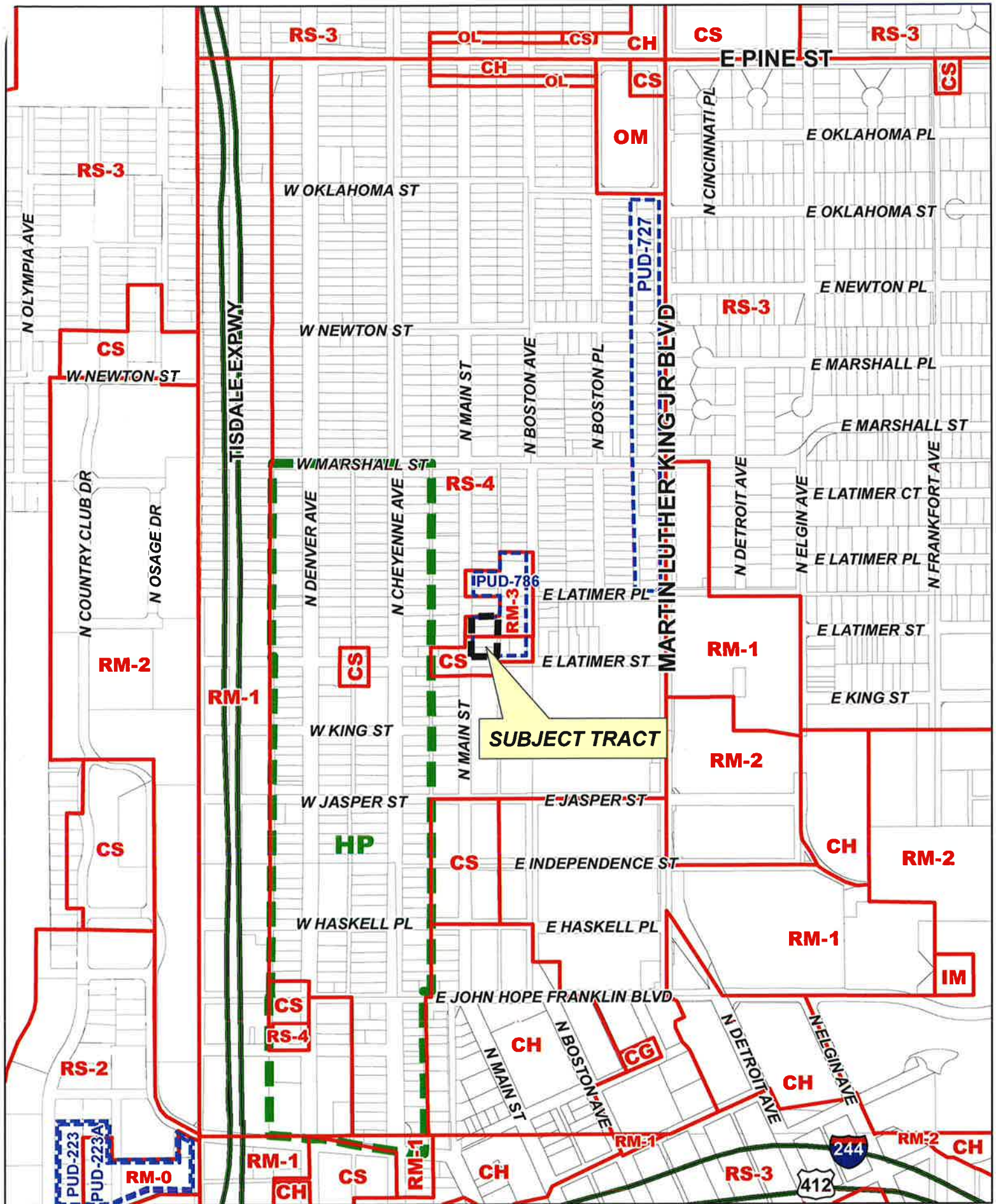


Z-7426

20-12 35

31.3



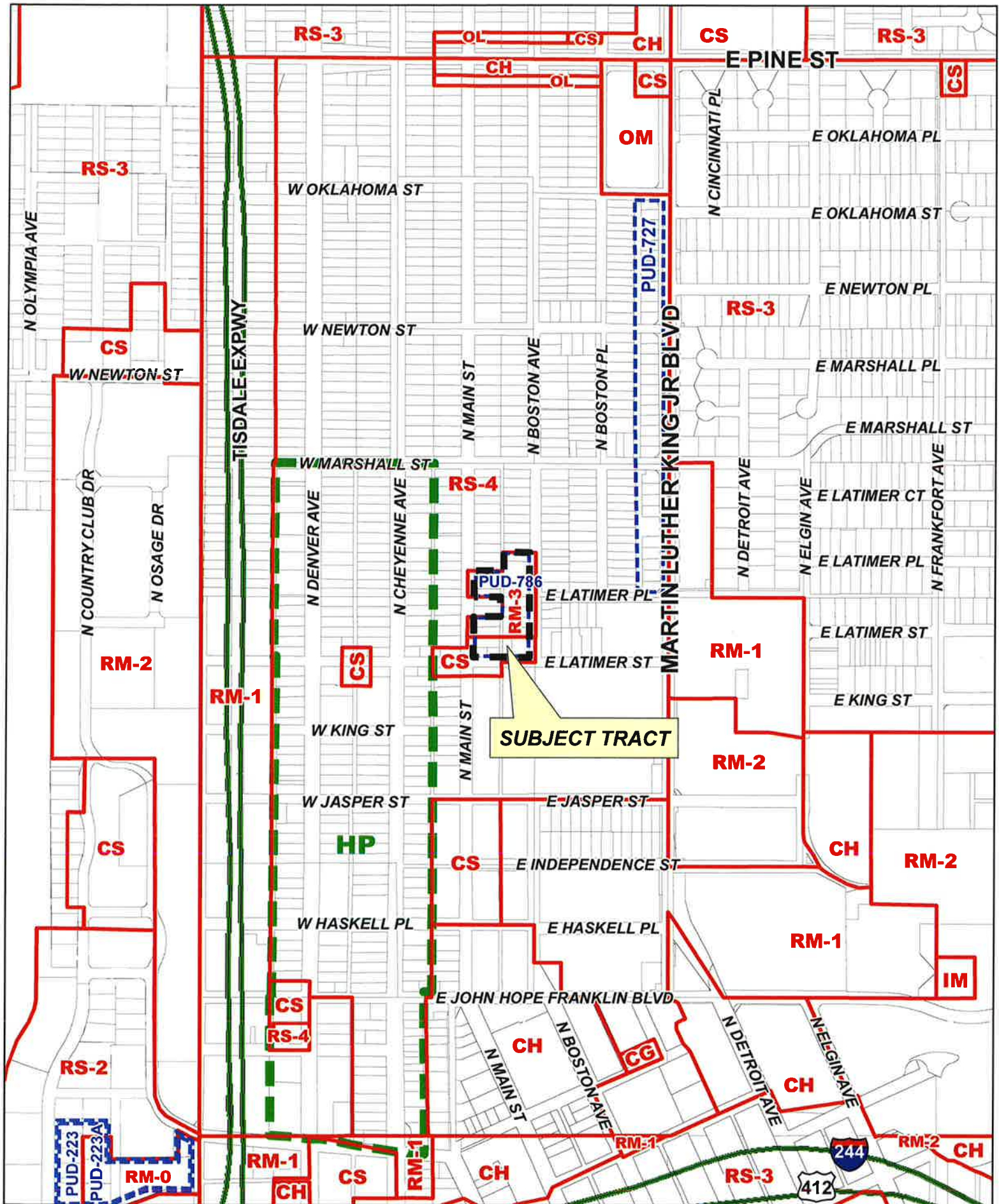


Z-7427

20-12 35

31.4





PUD-786-A

20-12 35









Tulsa Metropolitan Area  
Planning Commission

**Case Number:** Z-7410 with optional  
development plan

**Hearing Date:** December 06, 2017

Note: Original hearing September 20, 2017

**Case Report Prepared by:**

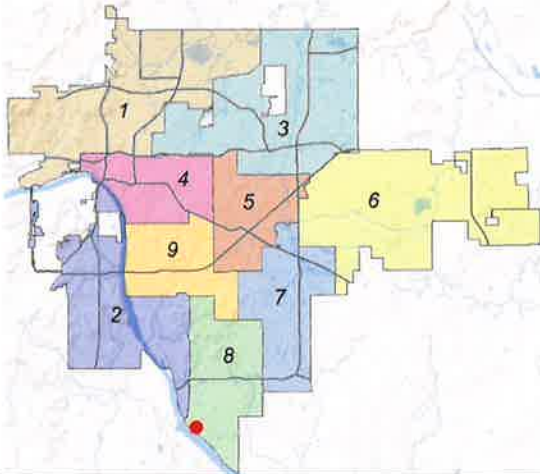
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Erik Enyart

*Property Owner:* BURDEN, THELMA VIOLA  
TRUST

**Location Map:**  
**(shown with City Council Districts)**



**Applicant Proposal:**

*Present Use:* Residential

*Proposed Use:* Single-Family Residential

*Concept summary:* Provide single family residential  
homes similar to surrounding development.

*Tract Size:* 15.815 ± acres

*Location:* North of the northeast corner of South  
Delaware Avenue and East 116<sup>th</sup> Street South

**Zoning:**

*Existing Zoning:* AG/ RDO-3

*Proposed Zoning:* RS-3/ RDO-3

**Comprehensive Plan:**

*Land Use Map:* Arkansas River Corridor

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

The city council remanded the RS-3 zoning request  
to the planning commission to include an optional  
development plan. Section II in the following staff  
report includes the optional development plan as  
submitted by the applicant. Staff recommends  
approval of RS-3 with the optional development  
plan

**Staff Data:**

TRS: 8333

CZM: 56

Atlas: NA

**City Council District:** 8

*Councilor Name:* Phil Lakin Jr.

**County Commission District:** 3

*Commissioner Name:* Ron Peters

32.1



## **SECTION I: Z-7410**

### **APPLICANTS DEVELOPMENT CONCEPT:**

Development plans are required with some property owner-initiated rezoning and are optional with other property owner initiated rezoning. The purpose is to depict a property owner's generalization plan for the type, amount and character of development proposed on the subject property. By providing certainty about development proposals, development plans provide review and decision-making bodies with additional information on which to base a rezoning decision.

### **EXHIBITS:**

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map
- Applicant Exhibits:
  - Optional Development Plan Exhibit "A"
  - Legal description exhibit A.1 (text)
  - Legal description exhibit A.2 (drawing)

### **SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS:**

Z-7410 with the optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in an RS-3 zoning district and its supplemental regulations except as further refined below. All uses categories, building types, subcategories or specific uses outside of the permitted uses defined below are prohibited.

#### **Permitted Use Categories**

- 1) Residential
  - a. Single household

#### **Permitted Building Types**

- 1) Residential
  - a. Single household

Maximum Number of Single households shall not exceed 49.

Minimum Lot Area shall not be less than 9000 square feet.

#### **Development Design:**

The final layout and design (subdivision plat) of the single-family subdivision will be in substantial compliance with optional development plan exhibit "A" attached.

### **DETAILED STAFF RECOMMENDATION:**

Z-7410 requesting RS-3 zoning is consistent with the Comprehensive Plan for the City of Tulsa and,

RS-3 zoning is consistent with the expected development pattern in the area and,

RS-3 zoning with the optional development plan is consistent with the expectations expressed by the City Council and is non-injurious to the surrounding property therefore,

32.2

**Staff recommends approval of Z-7410 to rezone property from AG/ RDO-3 to RS-3/ RDO-3 with the optimal development standards outlined in section II above.**

### **SECTION III: Supporting Documentation**

#### **RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

*Staff Summary: This parcel is in Arkansas River Corridor and RDO-3 which are primarily intended to apply to properties that do not have direct access to the river but that are visible from riverfront areas. These benefit from proximity to the river and contribute to the overall visual environment of the riverfront area. New detached houses and duplexes, where allowed, are exempt from compliance with the entire site and building design regulations of the overlay at this location.*

#### **Land Use Vision:**

##### *Land Use Plan map designation: Arkansas River Corridor*

The Arkansas River Corridor is located along the Arkansas River and scenic roadways running parallel and adjacent to the river. The Arkansas River Corridor is comprised of a mix of uses - residential, commercial, recreation and entertainment – that are well connected and primarily designed for the pedestrian. Visitors from outside the surrounding neighborhoods can access the corridor by all modes of transportation.

This Corridor is characterized by a set of design standards that support and enhance the Arkansas River Corridor as a lively people-oriented destination. The Corridor connects nodes of high quality development with parks and open spaces. The natural habitat and unique environmental qualities are amenities and are respected and integrated as development and redevelopment occur. The future development of this Corridor is intended to complement the residential character of adjacent thriving neighborhoods by providing appropriate transitions and connections to the Arkansas River.

##### *Areas of Stability and Growth designation: Area of Growth*

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.”

#### **Transportation Vision:**



**Major Street and Highway Plan: Multi Modal Corridor and Parkway**

Multi-modal streets emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are located in high intensity mixed-use commercial, retail and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of landscaped medians and tree lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking. Streets on the Transportation Vision that indicate a transit improvement should use the multi-modal street cross sections and priority elements during roadway planning and design.

**Trail System Master Plan Considerations:**

This project is directly across South Delaware Avenue from the planned South River Parks Trail system. The planned subdivision should provide direct and convenient access to the future trail system for pedestrians, bicycles and motorized vehicles

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

**DESCRIPTION OF EXISTING CONDITIONS:**

*Staff Summary: The existing site is vacant with very few trees and one residence near the northeast corner of the site. The property is surrounded by single family residential development with no opportunities for street connectivity into the existing subdivisions.*

Environmental Considerations: None that would affect residential development.

**Streets:**

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP RW</u>	<u>Exist. # Lanes</u>
South Delaware Avenue	Parkway with a multi modal corridor designation	150	2

**Utilities:**

The subject tract has municipal water and sewer available.

**Surrounding Properties:**

<u>Location</u>	<u>Existing Zoning</u>	<u>Existing Land Use Designation</u>	<u>Area of Stability or Growth</u>	<u>Existing Use</u>
North	RS-1 /PUD's 667 and 681	Existing Neighborhood	Stability	Single Family Residential
East	RS-2 / PUD 709	Existing Neighborhood	Stability	Single Family Residential

32.4

South	RS-2 / PUD-726	Existing Neighborhood	Stability	Single Family Residential
West	AG across river	Arkansas River Corridor	Growth	Vacant with sand plan operation further northwest

#### SECTION IV: Relevant Zoning History

**ZONING ORDINANCE:** Ordinance number 11832 dated June 26, 1970, established zoning for the subject property.

**Subject Property:** *No relevant history.*

#### **Surrounding Property:**

**Z-7015 March 9, 2006:** All concurred in approval of a request for rezoning a 23.39± acre tract of land from AG to RS-2 on property located on the east side of S. Delaware Ave. and approximately 116<sup>th</sup> St.

**Z-6894 June 26, 2003:** All concurred in approval of a request for rezoning a 15± acre tract of land from AG to RS-1 on property located south and east of S. Louisville Ave. and E 111<sup>th</sup> St. S.

**Z-6900 July 2003:** All concurred in approval of a request for rezoning a 81± acre tract of land from AG to RS-2 on property located at the SE/c of 116<sup>th</sup> ST S and S. Oswego Ave.

**Z-6867 October 2002:** All concurred in approval, subject to conditions, of a request to rezone a 46± acre tract of land from AG to RS-1 on property located south of the southwest corner of E. 11<sup>th</sup> St S and S. Delaware Ave.

**BOA-20185 January 24, 2006:** The Board of Adjustment **Denied** a *special exception* to permit a ready mix concrete plant for the manufacture of cement utilizing sand and gravel at the source of supply for utilization off the premises on a 1.55 acre tract within a previously approved sand and gravel mining operation, on property located between S. Delaware Ave. and the Arkansas River south of 106<sup>th</sup>.

**BOA-18434 July 8, 1999:** The Board of Adjustment **Approved** a *special exception* to increase wall height in the front, side, and rear yards to permit a wall at the Estates of Waterstone, on property located north of the subject property.

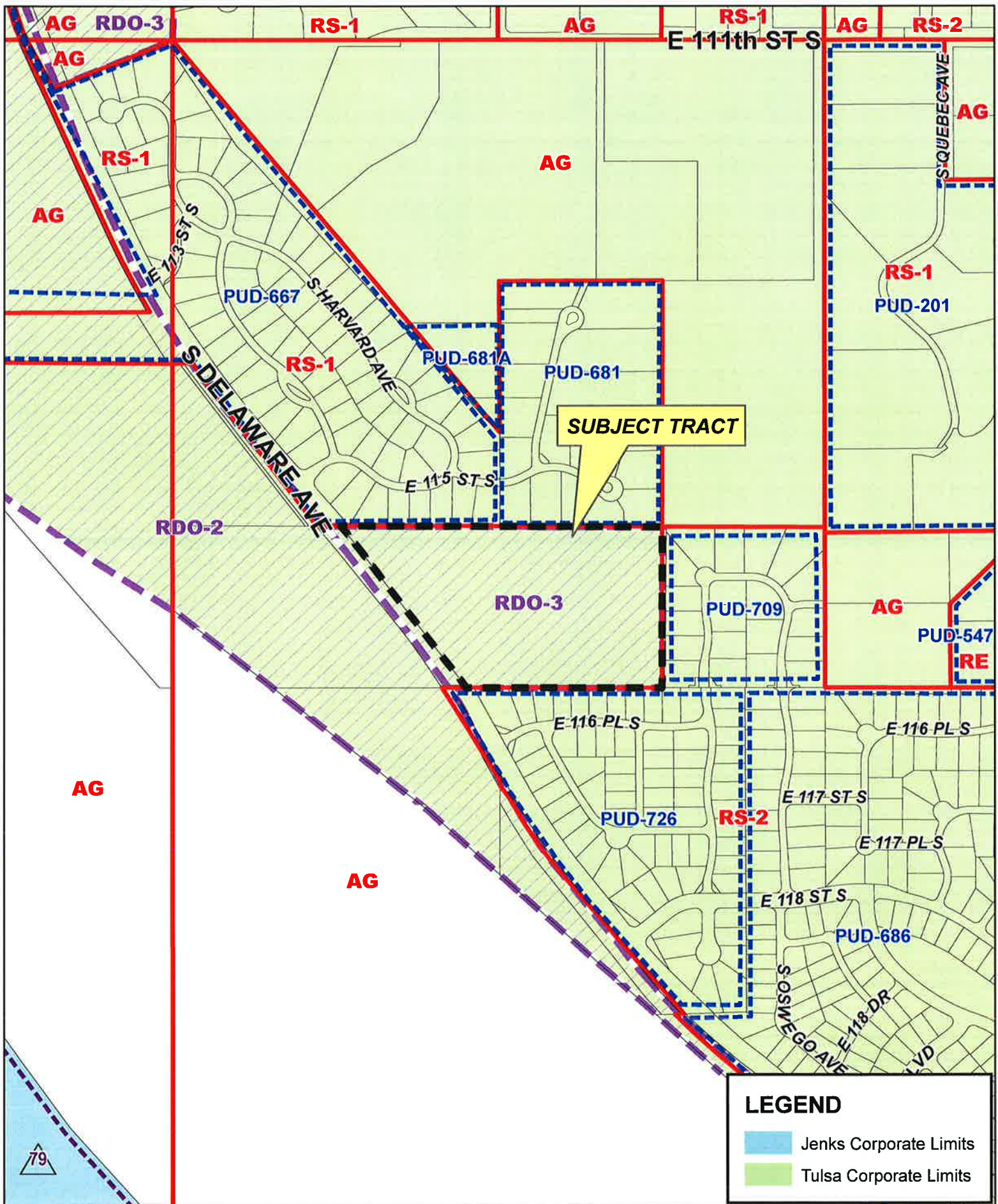
**BOA-14942 October 6, 1988:** The Board of Adjustment **Approved** a *special exception* to allow for a sand dredging business only (located within the banks of the Arkansas River) in an AG zoned district, on property located at 11300 S. Delaware Ave.

**BOA-12457 February 24, 1983:** The Board of Adjustment **Approved** a *variance* to allow two dwelling units on one lot of record, on property located NE of the subject property.

12/06/2017 1:30 PM

32.5

REVISED 11/28/2017



0 250 500  
Feet

18-13 33

**Z-7410**  
**with Optional**  
**Development Plan**

32.6







0 Feet 250 500



Subject  
Tract

18-13 33

**Z-7410**  
**with Optional**  
**Development Plan**

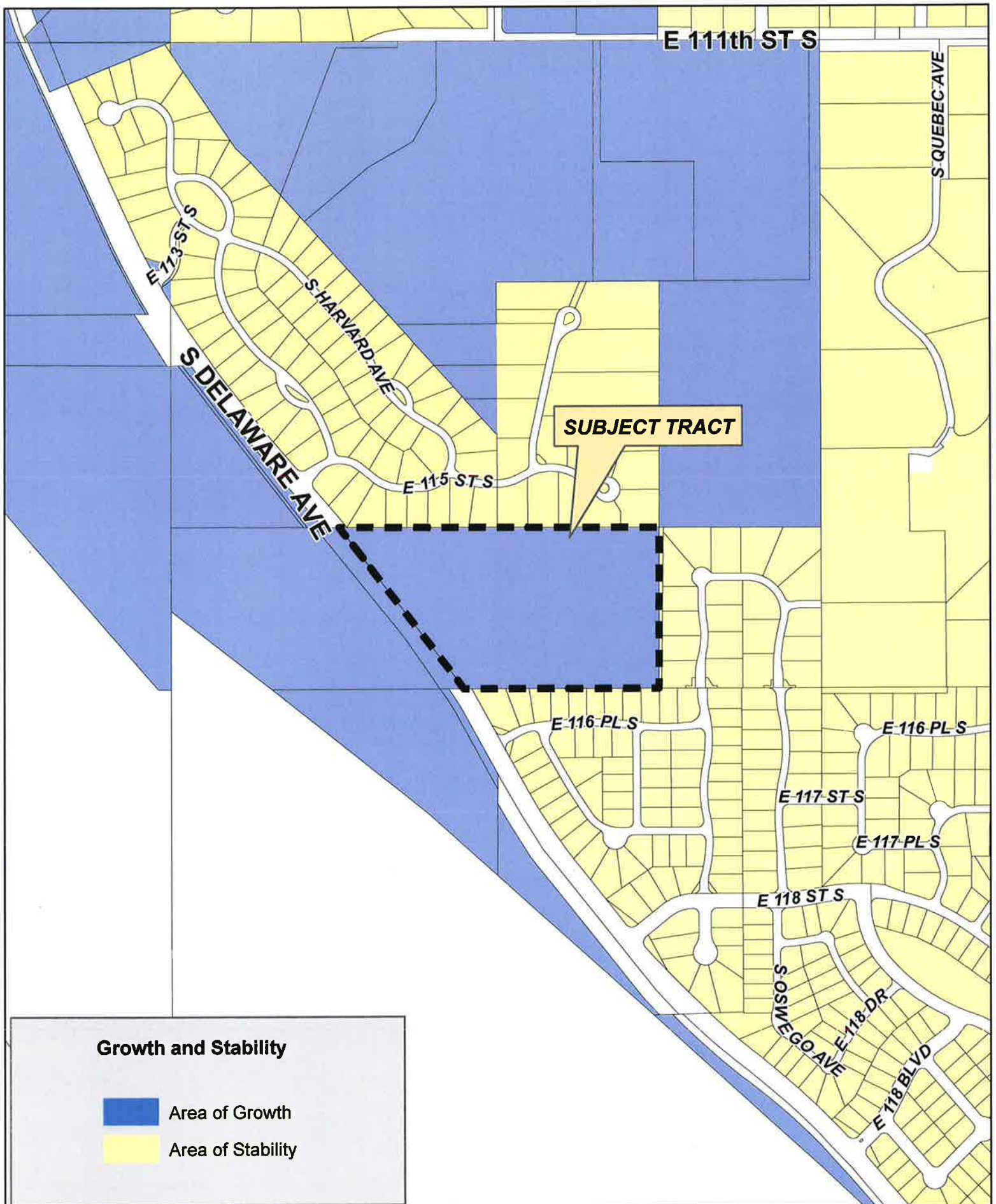
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016



32.7





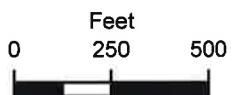
**Growth and Stability**



Area of Growth



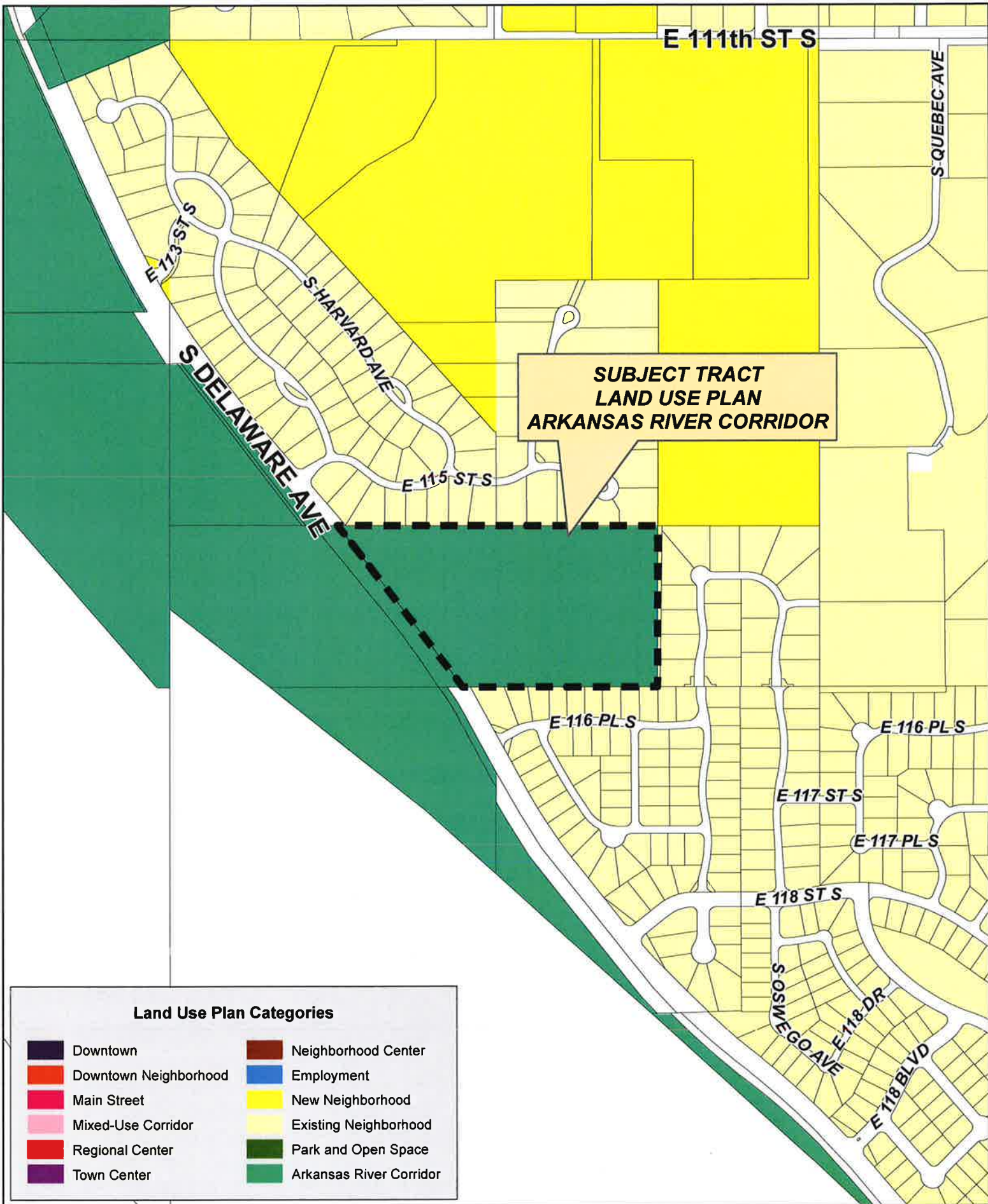
Area of Stability



18-13 33

**Z-7410**  
**with Optional**  
**Development Plan**





18-13 33

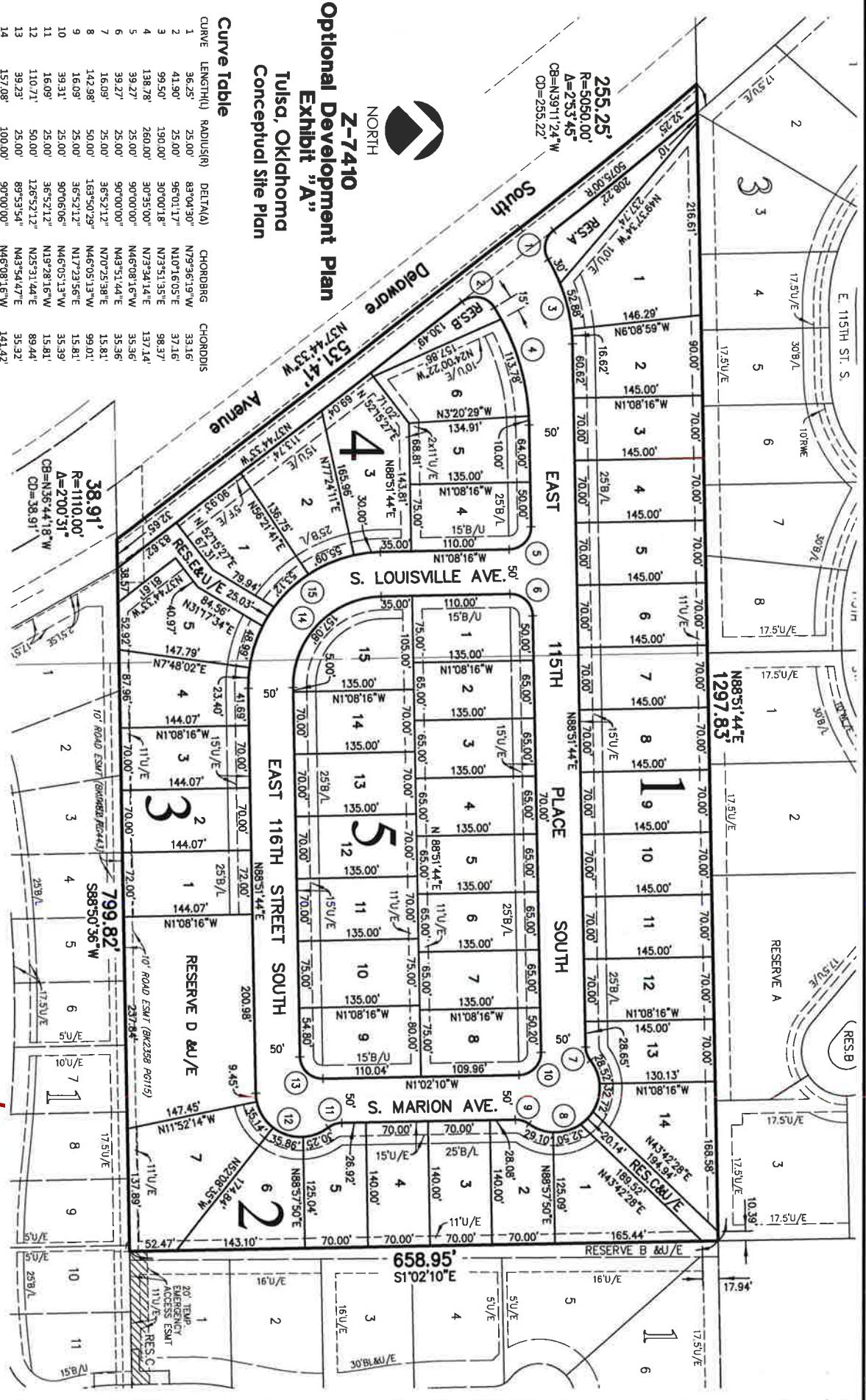
**Z-7410**  
**with Optional**  
**Development Plan**

32.9





32.10



**Optional Development Plan**  
**Exhibit "A"**  
**Tulsa, Oklahoma**  
**Conceptual Site Plan**

Curve Table						
CURVE	LENGTH	RADIUS(R)	DELTA	CHORD(BEARING)	CHORD(S)	
1	36.25	25.00	83°04'30"	N79°36'19"W	33.16	
2	41.90'	25.00	96°01'17"	N10°16'05"E	37.16	
3	99.50'	190.00'	30°00'18"	N73°51'35"E	98.37	
4	138.78'	260.00'	30°35'00"	N73°34'14"E	137.14	
5	39.27'	25.00'	90°00'00"	N46°08'16"W	35.36	
6	39.27'	25.00'	90°00'00"	N46°08'16"W	35.36	
7	16.09'	25.00'	36°52'12"	N70°25'39"E	15.81	
8	142.98'	50.00'	169°50'29"	N46°05'13"W	99.01	
9	16.09'	25.00'	36°52'12"	N17°23'56"E	15.81	
10	39.31'	25.00'	90°06'06"	N46°05'13"W	35.39	
11	16.09'	25.00'	36°52'12"	N19°28'16"W	15.81	
12	110.71'	50.00'	126°52'12"	N25°31'44"E	89.44	
13	39.23'	25.00'	89°53'54"	N43°54'47"E	35.32	
14	157.08'	100.00'	90°00'00"	N46°08'16"W	141.42	
15	235.62'	150.00'	90°00'00"	N46°08'16"W	212.13	

10/23/2017 17052852

# Exhibit "A.1"

## Burden Tract

### Zoning Description

PAGE 1 OF 1

#### Description

A TRACT OF LAND THAT IS PART OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF (S/2 NW/4) OF SECTION THIRTY-THREE (33), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT AT THE NORTHWEST CORNER OF "SEQUOYAH HILL II", AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 6015); THENCE SOUTH 1°02'10" EAST AND ALONG THE WEST LINE OF SAID "SEQUOYAH HILL II", FOR A DISTANCE OF 658.95 FEET TO A POINT AT THE SOUTHWEST CORNER OF SAID "SEQUOYAH HILL II", SAID POINT ALSO BEING ON THE NORTH LINE OF BLOCK 1, "SCISSORTAIL AT WIND RIVER" AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 6125); THENCE SOUTH 88°50'36" WEST AND ALONG SAID NORTH LINE FOR A DISTANCE OF 799.82 FEET; THENCE ALONG A 1110.00 FOOT RADIUS CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING OF NORTH 35°44'02" WEST, A CENTRAL ANGLE OF 2°00'31", A CHORD BEARING AND DISTANCE OF NORTH 36°44'17" WEST FOR 38.91 FEET, FOR AN ARC DISTANCE OF 38.91 FEET; THENCE NORTH 37°44'33" WEST FOR A DISTANCE OF 531.41 FEET; THENCE ALONG A 5050.00 FOOT RADIUS CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING OF NORTH 37°44'31" WEST, A CENTRAL ANGLE OF 2°53'45", A CHORD BEARING AND DISTANCE OF NORTH 39°11'24" WEST FOR 255.22 FEET, FOR AN ARC DISTANCE OF 255.25 FEET TO A POINT ON THE SOUTH LINE OF BLOCK 3, "WATERSTONE", AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 5718); THENCE NORTH 88°51'44" EAST, ALONG SAID SOUTH LINE AND ALONG THE SOUTH LINE OF BLOCK 1, "ESTATES AT WATERSTONE" AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 5800) FOR A DISTANCE OF 1297.83 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 688,907 SQUARE FEET, OR 15.815 ACRES.

#### Basis of Bearing

THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:

(1) 3/8" IRON PIN FOUND WITH YELLOW PLASTIC MARKED "TANNER" AT THE SOUTHWEST CORNER OF LOT 3, BLOCK 3, "WATERSTONE";

(2) 3/8" IRON PIN FOUND AT THE NORTHWEST CORNER OF LOT 6, BLOCK 1, "SEQUOYAH HILL II";

THE BEARING BETWEEN SAID MONUMENTS BEING NORTH 88°51'44" EAST.

#### Certification

I, DAN E. TANNER, OF TANNER CONSULTING, LLC, CERTIFY THAT THE ATTACHED DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE REAL PROPERTY AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.

DAN E. TANNER, P.L.S.  
OKLAHOMA P.L.S. #1435  
OKLAHOMA CA #2661  
EXPIRATION DATE: 6/30/19



 **Tanner Consulting LLC**  
5323 SOUTH LEWIS AVENUE, TULSA OKLAHOMA 74105-6538 | 918.745.9929



R 13 E

EAST 111TH ST SOUTH



EAST 121ST ST SOUTH

Location Map

T 18 N

SOUTH YALE AVE

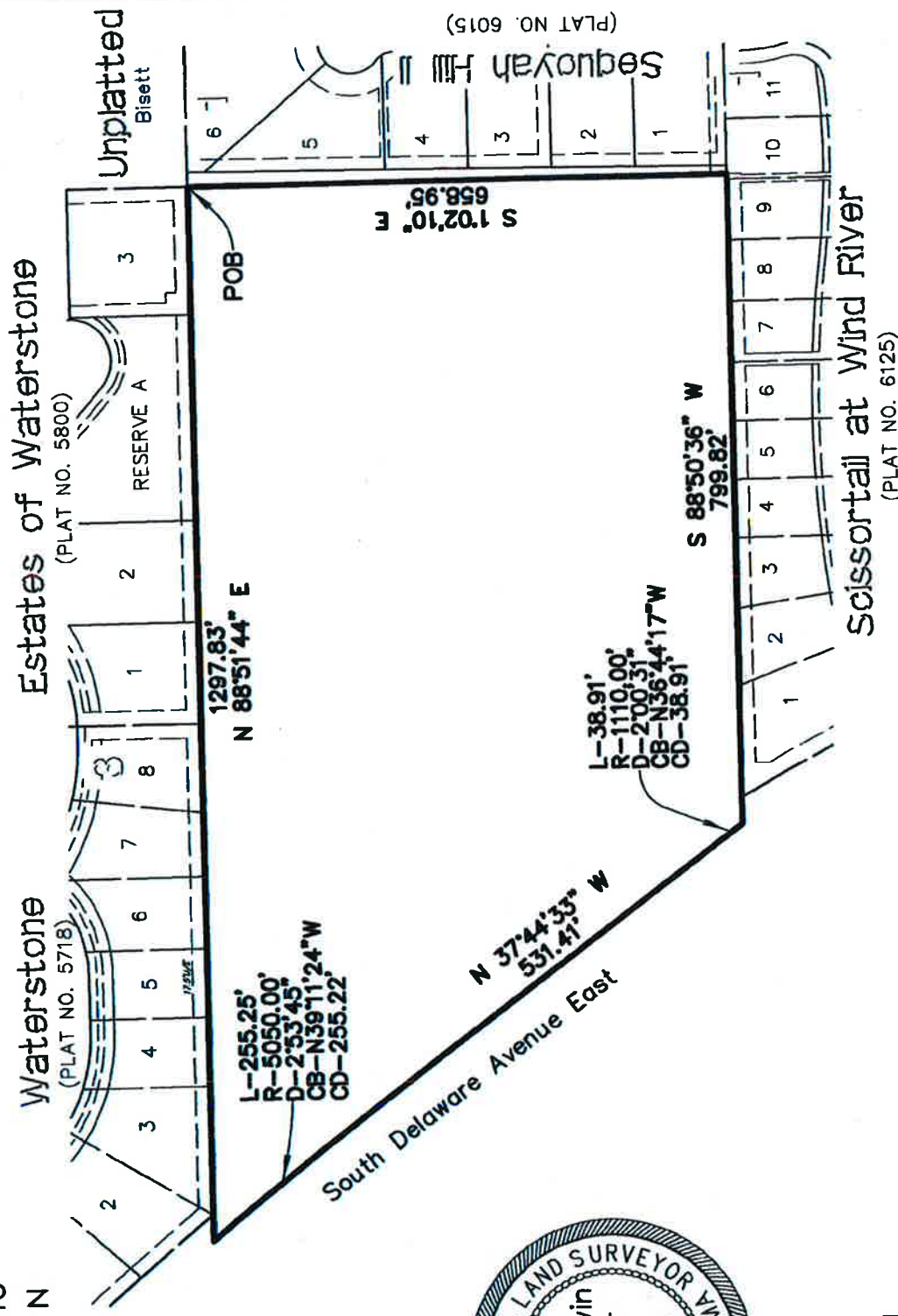
# Exhibit "A.2"

Burden Tract

Zoning Exhibit



NORTH  
NOT TO SCALE



## LEGEND

- CB CHORD BEARING
- CD CHORD DISTANCE
- L LENGTH OR ARC LENGTH
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT

08/10/2017 RMC GILL 17052EX\_TRACT EXHIBIT

**Tanner Consulting LLC**  
5323 SOUTH LEWIS AVENUE, TULSA OKLAHOMA 74105-6539 | 918.745.9829

32.12





Tulsa Metropolitan Area  
Planning Commission

**Case Number: PUD-744-B**

Related to Z-7422 heard at 11/15/2017 planning commission

**Hearing Date: December 6, 2017**

**Case Report Prepared by:**

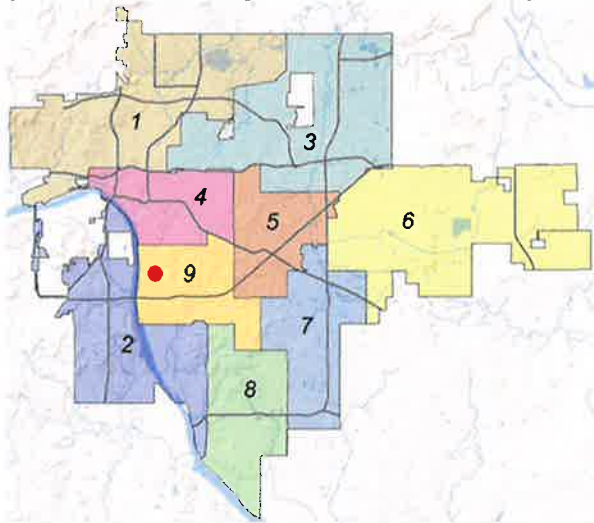
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Tulsa City Council c/o/ Tim Clark

*Property Owner:* NORDIC, LLC

**Location Map:**  
**(shown with City Council Districts)**



**Applicant Proposal:**

*Present Use:* mixed use

*Proposed Use:* mixed use

*Concept summary:* The PUD will be abandoned to remove conflicts with the MX3-U-U zoning that was recommended for approval by the Planning Commission 11/15/2017

*Tract Size:* 1.98 ± acres

*Location:* East of northeast corner of S. Peoria Ave.  
& E. 42<sup>nd</sup> St. S.

**Zoning:**

*Existing Zoning:* PUD-744, PUD-744-A,  
RM-1, RS-3

*Proposed Zoning:* MX3-U-U (Abandonment of  
PUD-744 & 744-A)

**Comprehensive Plan:**

*Land Use Map:* Mixed-Use Corridor

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 9330

CZM: 47

Atlas: 315

**City Council District: 9**

*Councilor Name:* Ben Kimbro

**County Commission District: 2**

*Commissioner Name:* Karen Keith

## SECTION I: PUD-744-B

**DEVELOPMENT CONCEPT:** This request for rezoning is responsive to a City Council initiative to encourage mixed-use development along the proposed bus rapid transit system route. The current zoning on the site is and PUD/RS-3/RM-2. The planning commission recommended approval of rezoning this site and additional property west of the PUD to MX3-U-U.

### EXHIBITS:

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map
- Applicant Exhibits:
  - None included

### **DETAILED STAFF RECOMMENDATION:**

PUD-744-B will abandon all of PUD-744. The planning commission recommended approval of MX3-U-U which covered all of this PUD and additional parcels west of this site. The PUD abandonment request was not heard simultaneously. Abandonment of the PUD to support MX3-U-U is consistent with the expected development pattern in the area and,

PUD-744-B is not injurious to the surrounding property owners as long as MX3-U-U is approved at City Council and,

PUD-744-B will allow future development as anticipated by the MX3-U-U zoning which is considered more of a Regional Mixed-Use district and intended to accommodate larger scale development. PUD-744-B along with MX3-U-U zoning is consistent with the Bus Rapid Transit System study and its land use recommendations and,

PUD-744-B to allow development consistent with MX3-U-U zoning is supported by Brookside Infill Plan and,

PUD-744-B to allow development consistent with MX3-U-U zoning is supported by the Mixed-Use Corridor land use vision in the Tulsa Comprehensive Plan therefore

**Staff recommends Approval of PUD 744-B to rezone property from RS-3, RM-2, PUD-744, PUD-744-A / to PUD-744-B anticipating MX3-U-U as the replacement zoning. Staff does not recommend approval of PUD-744-B unless the MX3-U-U is also approved at City Council.**

## **SECTION II: Supporting Documentation**

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: MX3-U-U is consistent with the land use vision in the Tulsa Comprehensive Plan and is also consistent with the goals, objectives and strategies of the Brookside Infill Plan.*

### Land Use Vision:

*Land Use Plan map designation: Mixed-Use Corridor*

33.2

REVISED 11/28/2017

A Mixed-Use Corridor is a plan category used in areas surrounding Tulsa's modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. The streets usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods.

*Areas of Stability and Growth designation: Area of Growth*

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.”

Transportation Vision:

*Major Street and Highway Plan:*

Multi-modal streets emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are located in high intensity mixed-use commercial, retail and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of landscaped medians and tree lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

Streets on the Transportation Vision that indicate a transit improvement should use the multi-modal street cross sections and priority elements during roadway planning and design

*Trail System Master Plan Considerations:* None that affect site development however the Rivertrail system is less than ½ mile from this site. Pedestrian and bicycle connectivity should be an important concept with any new redevelopment opportunity.

Small Area Plan: Brookside Infill Design Recommendations (Completed 2002)

Concept statement: “As Tulsa continues to mature as a city, infill development will become more important as land on the perimeter is no longer available for development. Infill will no



longer be the exception; it will be the rule in terms of predominant types of development. Support and encouragement of infill development are strongly recommended and should be implemented through City regulations, policies and philosophies in order to ensure quality and consistency in future development”.

Staff comment: *This was a statement from the infill task force prepared by the Mayor's office and the Planning Commission in 1999 and continues to be more relevant today with implementation of the Bus Rapid Transit system and the construction of the Gathering Place. It has taken almost 20 years for the City to adopt zoning categories to support infill development strategies that will encourage design standards and building placement strategies to help create an urban fabric along Peoria from East 36<sup>th</sup> South street to I-44. Many design recommendations were restricted to the street right of way. Some of that has been implemented from 41<sup>st</sup> Street to Crow Creek.*

Peoria from 38<sup>th</sup> Street South to 51<sup>st</sup> Street South (Skelly Drive) Goals:

- A. It is intended that the physical environment and services in the business areas are maintained and enhanced to benefit existing business, as well as to promote and encourage revitalization, redevelopment and reuse of undervalued, vacant lots and obsolete buildings.
- B. Improvements in the area will be made to help provide a continuity of image and to foster an improved emphasis on pedestrians. This is to be accomplished in part by providing sidewalk design and replacement crosswalks at selected locations, streetscape elements and other features will link this area and connect with the other portions of Brookside
- C. The historical context of business development patterns in this area is encouraged to continue, but with the additional emphasis of accommodating pedestrians and linking with the overall Brookside marketplace.
- D. Business in this area along Peoria Avenue and those streets intersecting with Peoria Avenue may develop with buildings constructed nearer to the abutting street property line. Developments with storefront parking should provide no more than one or two rows of double-loaded parking in the front of buildings. Zero-setback from the front property lines is encouraged.
- E. Sufficient parking for all business land uses is intended to be provided for all new development and redevelopment.

Special District Consideration: None

Historic Preservation Overlay: None

#### DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is vacant and undeveloped property. The area was included in a PUD that was prepared for a townhome development that never was completed. The PUD abandonment is only appropriate with the MX3-U-U zoning as requested previously.*

Environmental Considerations: None that would affect site redevelopment

#### Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Peoria Avenue	Secondary Arterial with Multi Modal Corridor	100 feet	4 lanes with a center turn lane
East 42 <sup>nd</sup> Street South	None	50 feet	2 lanes
East 41 <sup>st</sup> Place South	None	50 feet	2 lanes with on street

			parking on the north side of the street
--	--	--	---

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	PUD/RM-2 and RM-1	Mixed-Use Corridor	Growth	Multi-family and Townhomes
East	RM-2 and RS-3	Mixed-Use Corridor	Growth	Multi-family and single family
South	CH and RS-3	Mixed-Use Corridor and existing neighborhood	Growth along mixed-use corridor / Stability where RS-3 zoned properties abut	Restaurant with drive thru window and single family residential
West	CH	Mixed-Use Corridor	Growth	Commercial and auto repair

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11823 dated June 26, 1970, established zoning for the subject property.

***Subject Property:***

**Z-7422 November 15, 2017:** Planning Commission recommended approval for MX3-U-U zoning on this tract. Z-7422 included property outside PUD 744-A. City Council has not heard that zoning request at the time this report was prepared.

**PUD-744-A March 2009:** All concurred in **approval** of a proposed Major Amendment to PUD on a 2+ acre tract of land to amend the standards to allow for 14 single-family patio homes, on property located east of the northeast corner of east 42<sup>nd</sup> Place and south Peoria avenue and the subject property.

**PUD-744 September 2007:** All concurred in **approval** of a proposed Planned Unit Development on a 1.97+ acre tract of land for town house development with 25 units on property located east of the northeast corner of east 42<sup>nd</sup> Place and south Peoria avenue and the subject property.

**BOA-20356 October 2006:** The Board of Adjustment **approved** a *special exception* to permit a bar (Use Unit 12a) on a lot within 150' of an R district (Section 701), with conditions for no outside activity on the east but parking; the special exception would be permitted for one space in this center not to exceed 1,500 square feet; limiting approval to 3 years, on the subject property.

**BOA-20335 April 2006:** The Board of Adjustment **approved** a *Verification of Spacing Requirements* for a Use Unit 12a- Adult Entertainment establishment, on the subject property.

### ***Surrounding Property:***

**PUD-476-A October 2013:** All concurred in **approval** of a request to abandon PUD-476 on property located south and east of southeast corner of east 41<sup>st</sup> Street and South Peoria Avenue.

**Z-7097 / PUD-758 August 2008:** All concurred in **approval** of a request for rezoning and proposed Planned Unit development on a 6.35± acre tract of land, from RM-1/RM-2 to RM-3/PUD, for apartments, on property located east of southeast corner of South Peoria Avenue and east 39<sup>th</sup> Street.

**BOA-20581 October 2007:** The Board of Adjustment **approved** a *variance* of the maximum permitted height of 35 feet for buildings located in the RM-1 district to permit town homes up to 42 feet in height, on property located on the northwest corner of East 41<sup>st</sup> Place and South Quincy Avenue and north of the subject property.

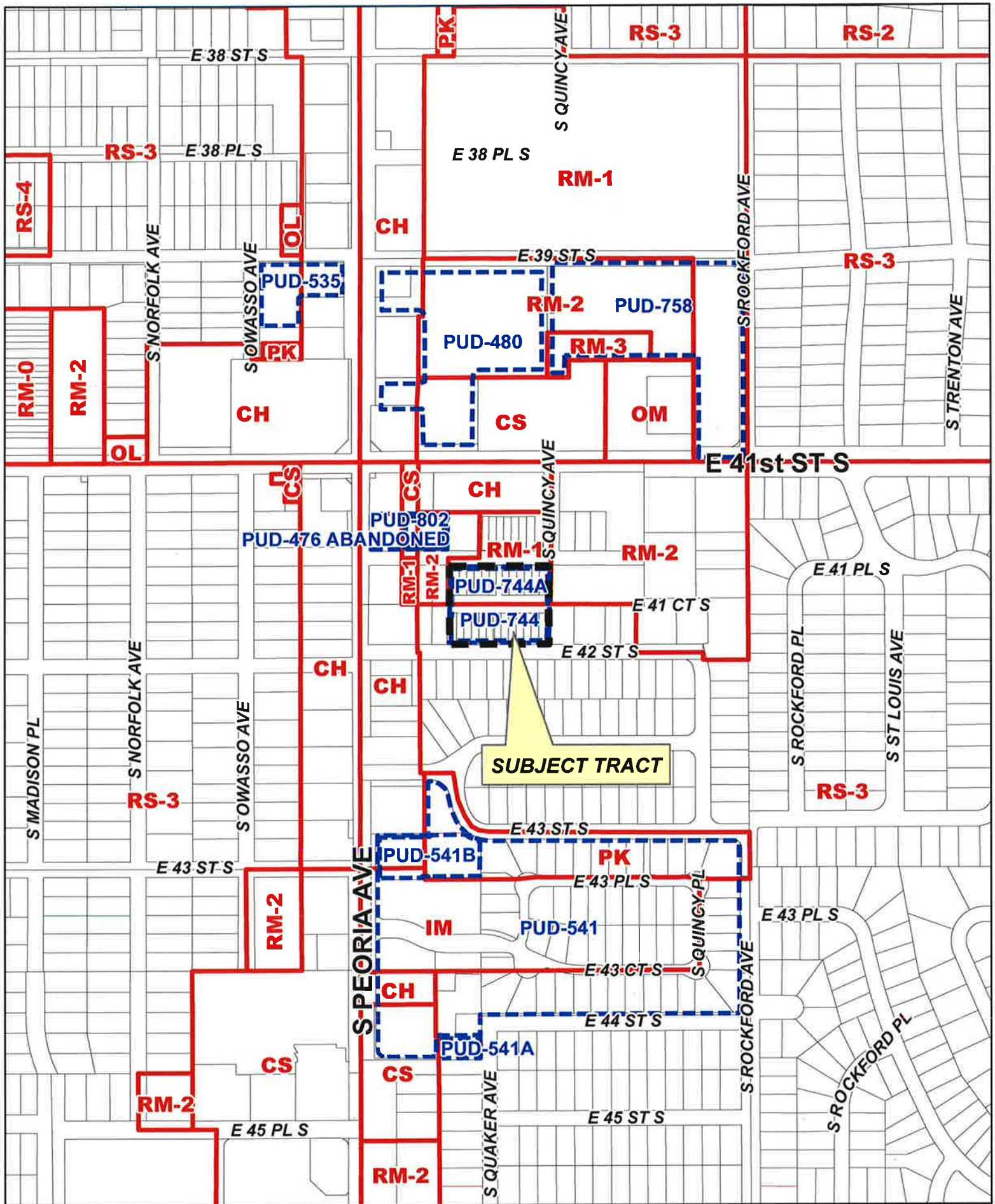
**PUD-480 April 1992:** All concurred in **approval** of a proposed Planned Unit Development on a 5.35± acre tract of land for a grocery store and restaurant (Albertson's) subject to no access from 39<sup>th</sup> Street on property located north and east of northeast corner of east 41<sup>st</sup> Street and South Peoria Avenue.

**BOA-12311 December 1982:** The Board of Adjustment **approved** a *special exception* for off-street parking on a tract in an RS-3 district; and a *special exception* for a temporary waiver of the screening requirement on the north boundary of the off-street parking location to allow for fan fence or shrubbery, in lieu of screening wall for one year, subject to no access to 42<sup>nd</sup> street and that the screening fence on the south and east boundary line be erected on the property immediately on property located at 4143 South Peoria Avenue.

**BOA-14625 October 1987:** The Board of Adjustment **approved** a *special exception* to allow off-street parking in an RM-2 zoned district; **approved** a *variance* to permit access through an RM-2 district to a commercial district; and **approved** a *special exception* of the screening requirements, per plan submitted, on property located at 1315-19 East 41<sup>st</sup> Place.

12/6/2017 1:30 PM





**PUD-744-B**

19-13 30







0 200 400  
Feet



Subject  
Tract

**PUD-744-B**

19-13 30

Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: February 2016







E 41st ST S

SQUINCY AVE

E41PLS

E42STS

E42PLS

0 50 100  
Feet



Subject  
Tract

**PUD-744-B**

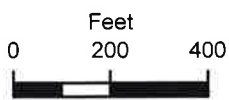
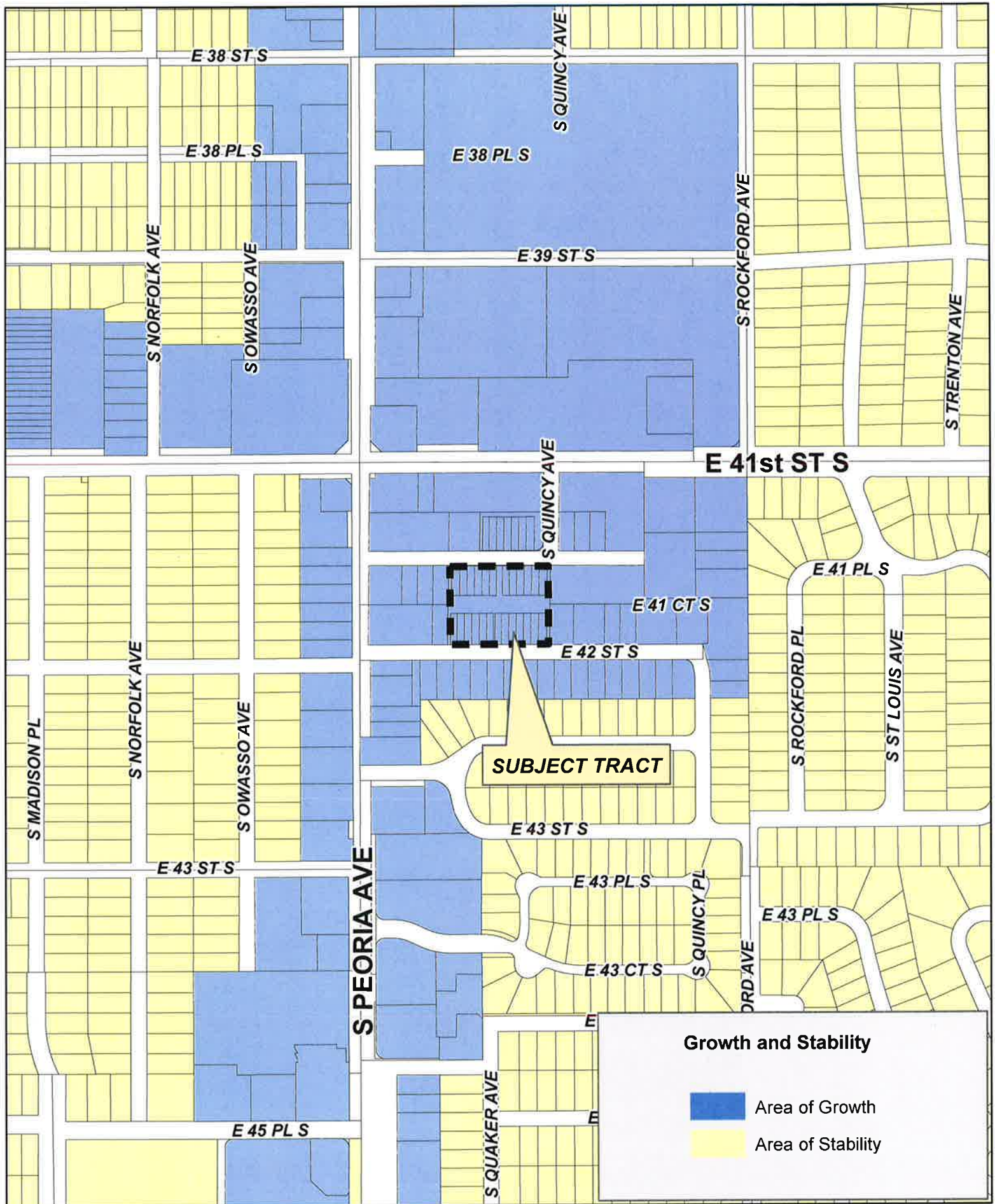
19-13 30

Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: February 2016



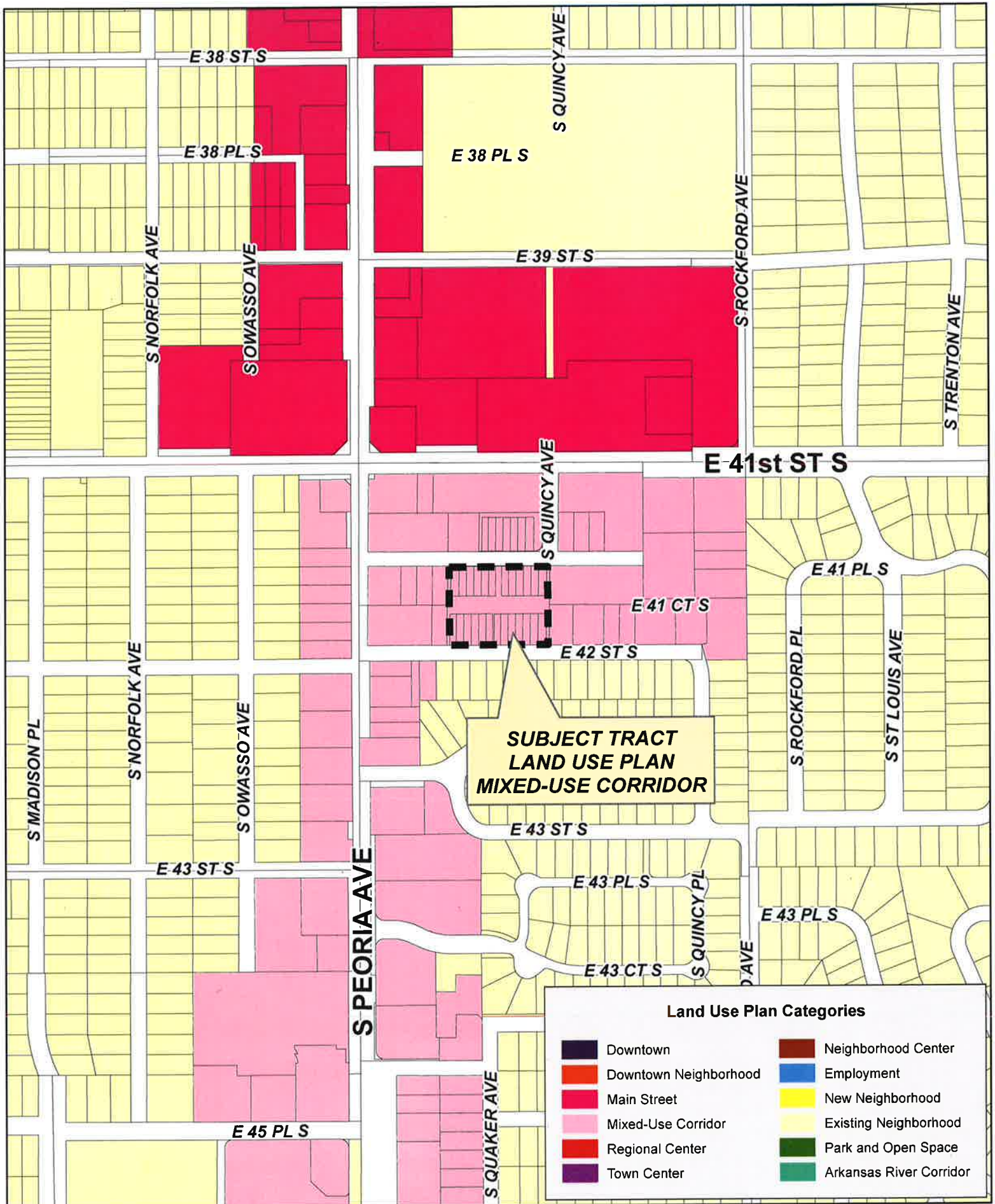




**PUD-744-B**

19-13 30





Feet  
0 200 400

**PUD-744-B**

19-13 30







**TMAPC Staff Report**  
**December 6, 2017**  
**Subdivision and Development Regulations update**

---

**Item:** Consider adoption of new Subdivision and Development Regulations.

**A. Background**

The current Subdivision Regulations for the Tulsa Metropolitan Area were adopted in 1978 and last amended in 2005. The existing Subdivision Regulations do not provide adequate tools to deal with modern development scenarios or implement the vision as expressed in the 2010 Comprehensive Plan update – *PLANiTULSA*. Also, new Subdivision and Development Regulations will serve as a more appropriate companion to the City of Tulsa Zoning Code, which came into effect in January 2016.

The City of Tulsa engaged a project working group consisting of industry professionals and subject matter experts led by Duncan Associates to complete an update to the existing Subdivision Regulations, now called the Subdivision and Development Regulations. The proposed Subdivision and Development Regulations address the quality of the physical development guided by the City's comprehensive plan (*PLANiTULSA*). These regulations ensure transportation circulation and connectivity, public access, and the availability of public services to each lot created within the City of Tulsa and unincorporated parts of Tulsa County.

The process to update the Subdivision Regulations began in May 2016. The technical and working groups have met individually and jointly on multiple occasions, reviewing drafts and providing input. The TMAPC has held three work sessions (April 19, 2017, August 2, 2017 and November 11, 2017) to discuss key issues that were identified. As a final step before the Planning Commission public hearing, TMAPC staff reviewed the draft for consistency with the City of Tulsa's Comprehensive Plan.

Concurrent with the adoption of the new Subdivision and Development Regulations are proposed code amendments, both for the City of Tulsa Zoning Code and the Tulsa County Zoning Code. These changes are necessary to reflect the change in platting requirements that are proposed as part of the update process.

## **B. Comprehensive Plan Conformance**

### **1) City of Tulsa**

Subdivision regulations are intended to address the quality of physical development in accordance with the comprehensive plan. The proposed new Subdivision and Development Regulations will help to implement the following City of Tulsa Comprehensive Plan goals and policies:

*Land Use Goal 2:* Land Use decisions are consistent with the Vision, Land Use and Stability/Growth Maps.

*Land Use Goal 5:* Tulsa's regulatory programs support desired growth, economic development, housing, a variety of transportation modes and quality of life priorities.

*Land Use Goal 16:* Tulsa is known for its built and natural beauty.

*Economic Development Goal 5:* New development supports vibrant, sustainable, transit-oriented communities.

*Housing Goal 1:* A robust mix of housing types and sizes are developed and provided in all parts of the city.

*Housing Goal 10:* Housing planning is coordinated with transportation planning to maximize the benefits of transportation investments.

#### Streets and Circulation

*Land Use Goal 3:* New development is consistent with the PLANiTULSA building blocks.

Policy 3.1 Promote pedestrian-friendly streetscapes by designing pedestrian friendly streetscapes and encouraging new developments to provide pedestrian oriented amenities and enhancements, including:

- Walkways and sidewalks that differentiate the pedestrian space from the auto realm;
- Pedestrian oriented street lighting to increase the sense of safety and reduce the impact of light pollution;

Policy 3.2 Encourage a balance of land uses within walking distance of each other.

*Transportation Goal 2:* Tulsa has a sustainable network of roadways, trails, and transit infrastructure that is well maintained and not a burden on future generations to operate.

Policy 2.1: Adopt a network approach to transportation projects that focuses on connecting people to places-ultimately allowing places to become intense centers of economic development.

- Explore an addition to the local roadway project development process that includes the examination of a street network alternative.
- Encourage development of an interconnected and diverse street pattern to ease congestion, more evenly distribute traffic, and offer flexibility of routes.

*Transportation Goal 3:* The city's transportation system is cost-effective and adequate to meet the needs of the current and projected population.

*Transportation Goal 4:* Tulsa has high performance operations for all modes of travel.

*Transportation Goal 7:* Transportation Policy 3.1 Develop transportation projects using a context sensitive solutions process that involves stakeholders early in the process.

Policy 7.1: Enhance transportation Tulsa's right-of-ways so they both serve as great public places and promote multi-modal travel.

- Provide comfortable and attractive pedestrian and bicycle facilities within existing and new developments.

Policy 7.2: Consider aesthetic needs as an equal to vehicular capacity demands when planning and designing transportation right-of-ways.

*Transportation Goal 8:* Traffic Safety and mobility are improved.

*Transportation Goal 11:* Streets contribute to the urban environment.

*Transportation Goal 13:* Pedestrians have easy access to jobs, shopping, and recreation.

Policy 13.4: Ensure the continued development of sidewalk improvement with other improvements on major arterial corridors where opportunities to enhance the pedestrian environment exist.

*Transportation Goal 14:* Tulsans safely and efficiently use bicycles to go to work, shop and recreation areas.

### Lot and Block

*Land Use Goal 3:* New development is consistent with the PLANiTULSA building blocks.

Policy 3.6 Encourage complimentary building height, scale, design, and character.

- Create a sense of place by encouraging development of buildings, structures, and landscapes that complement the character and scale of their setting.



- Encourage new development to be appropriate to the context of its location in density, massing, intensity, and size, particularly when adjacent to existing residential areas and historic districts.

*Land Use Goal 13:* Existing neighborhoods are stable and infill development revitalizes, preserves and enhances these urban areas.

Policy 13.1 Promote the unique characteristics of existing neighborhoods as key to the city's long-term health and vitality.

*Land Use Goal 15:* Tulsa is a leader in sustainable development.

Policy 15.5 Promote sustainable building practices including:

- Energy efficiency
- Material Efficiency
- Waste reduction
- Durability
- Healthful building environment
- Integrated design

#### Stormwater and Floodplains

*Land Use Goal 18—* Development on impacted sites or areas is regulated to protect sensitive areas.

Policy 18.2: Preserve undeveloped floodplain areas for storm water conveyance.

Policy 18.3: Investigate compensation programs or zoning measures to allow transfer of development rights from environmentally constrained areas to unconstrained areas.

Policy 18.4: Continue to use best management practices for development within floodplain areas.

*Parks Trails and Open Space Goal 1:* Stormwater is captured and cleaned through landscape design, downspout disconnection, and other environmentally friendly techniques.

Policy 1.11: Promote low impact development strategies and designs as a way to manage stormwater runoff, including techniques such as vegetated swales, bio filters, eco-roofs, green streets, pervious pavement and other methods that mimic natural processes.

*Parks Trails and Open Space Goal 2:* Non-point pollution is reduced through low impact development principles, creative building practices, and smart site design that can retain and treat stormwater generated on-site.

Policy 2.3: Through education, incentives, and regulation, promote low impact development principles that emulate natural water flow, minimize land disturbance, and incorporate natural landscape features into the built environment.

*Parks Trails and Open Space* Goal 7: Watersheds are protected and enhanced.

Policy 7.3: Avoid development in floodplains and wetland areas.

*Parks Trails and Open Space* Goal 10: Sensitive areas are protected by regulating development on affected sites.

Policy 10.2: Preserve undeveloped floodplain areas for stormwater conveyance.

*Parks Trails and Open Space* Goal 11: Open space is protected.

Policy 11.3: Restrict development within the floodplain. Where alternatives are not feasible, require balanced cut and fill to prevent loss of flood storage capacity and appropriate mitigation to prevent loss of ecological values.

#### Parks and Open Space

*Land Use* Goal 19: Planning and development of parks and trails are coordinated with the comprehensive plan and parks plan.

*Parks Trails and Open Space* Goal 12: Neighborhoods have adequate access to parks and open space areas.

#### Natural and Cultural Resources

*Land Use* Goal 14: The city's historic resources are protected and programs promote the reuse of these important cultural resources.

*Land Use* Goal 17: Tulsa's natural and sensitive areas are protected and conserved.

*Parks Trails and Open Space* Goal 7: Watersheds are protected and enhanced.

Policy 7.1: Update and improve City programs to protect, conserve and restore significant natural resources and habitats as part of a comprehensive watershed management strategy including education, incentives, regulation, and technical assistance.



## 2) Unincorporated Tulsa County

Three plans in unincorporated Tulsa County remain in effect as a guide for development in certain parts of unincorporated Tulsa County:

- The North Tulsa County Comprehensive Plan (1980-2000)
- District 9 Plan (bounded by the Arkansas River on the north and east, by the Skelly By-Pass and Tulsa County Line on the south, by 65th West Avenue on the west)
- District 24 Plan (bounded by 76<sup>th</sup> Street North on the north, by I-75 on the east, by 56<sup>th</sup> Street North on the south, and by the Osage County Line on the west)

The policies in these plans include concepts such as: preserving the natural environment, especially environmentally sensitive areas; improving the transportation network by providing pedestrian connections through sidewalks and trails; ensuring adequate infrastructure to support development; and prevent hazards in areas that flood. These district plans, although older, remain in effect and can be implemented through some of the provisions in the Subdivision and Development Regulations.

### C. Staff Recommendation

The proposed Subdivision and Development Regulations appropriately responds to citizen input (goals and policies) found in the City of Tulsa Comprehensive Plan, while also addressing policies in the remaining district plans in the County.

Staff recommends **approval** of the adoption of the new Tulsa Metropolitan Area Subdivision and Development Regulations.



## **Subdivision and Development Regulations**

**Pubic Hearing Draft**

November 2017

34.7

**Blank Page**



# Contents

<b>ARTICLE 1. INTRODUCTORY PROVISIONS .....</b>	<b>1-1</b>
1-010 OFFICIAL NAME (TITLE) .....	1-1
1-020 AUTHORITY .....	1-1
1-030 EFFECTIVE DATE .....	1-1
1-040 JURISDICTION .....	1-1
1-050 PURPOSES .....	1-1
1-060 MINIMUM REQUIREMENTS .....	1-2
1-070 CONFLICTING PROVISIONS .....	1-2
1-080 RULES OF LANGUAGE AND CONSTRUCTION .....	1-3
1-090 TRANSITIONAL PROVISIONS .....	1-5
1-100 ADOPTION AND AMENDMENTS .....	1-5
1-110 SEVERABILITY .....	1-5
 <b>ARTICLE 5. DESIGN AND IMPROVEMENTS .....</b>	 <b>5-1</b>
5-010 APPLICABILITY .....	5-1
5-020 REQUIRED INFRASTRUCTURE AND PUBLIC IMPROVEMENTS .....	5-1
5-030 BLOCKS .....	5-2
5-040 LOTS .....	5-3
5-050 RESERVED .....	5-5
5-060 STREETS .....	5-5
5-070 SIDEWALKS .....	5-9
5-080 TRAILS .....	5-10
5-090 PROTECTION FROM FLOODING AND OTHER NATURAL HAZARDS .....	5-10
5-100 STORMWATER MANAGEMENT .....	5-11
5-110 LOW-IMPACT DEVELOPMENT (LID) .....	5-11
5-120 RESERVED .....	5-11
5-130 WATER SUPPLY AND SEWAGE DISPOSAL .....	5-11
5-140 UTILITIES .....	5-13
5-150 EASEMENTS .....	5-13
5-160 STREET LIGHTS .....	5-14
5-170 STREET SIGNS AND TRAFFIC CONTROL DEVICES .....	5-14
5-180 PERFORMANCE GUARANTEES AND SECURITY .....	5-14
5-190 MAINTENANCE GUARANTEES AND SECURITY .....	5-15
5-200 PERPETUAL MAINTENANCE OF COMMON AREAS AND IMPROVEMENTS .....	5-15
5-210 SURVEYS AND MONUMENTS .....	5-16
5-220 OIL AND GAS EXTRACTION SITES .....	5-16
 <b>ARTICLE 10. REVIEW AND APPROVAL PROCEDURES .....</b>	 <b>10-1</b>
10-010 INTENT .....	10-1
10-020 GENERAL PROCEDURAL PROVISIONS .....	10-1

---

CONTENTS

---

10-030	EXEMPT LAND DIVISIONS .....	10-5
10-040	SUBDIVISIONS .....	10-6
10-050	MINOR SUBDIVISIONS .....	10-13
10-060	LOT SPLITS AND ADJUSTMENTS.....	10-15
10-070	MODIFICATIONS .....	10-21
10-080	ADMINISTRATIVE MODIFICATIONS .....	10-23
10-090	CHANGE OF ACCESS.....	10-25
10-100	PLAT VACATIONS .....	10-26
 <b>ARTICLE 15. DEFINITIONS.....</b>		<b>15-1</b>
15-010	GENERAL .....	15-1
15-020	TERMS BEGINNING WITH "A-C" .....	15-1
15-030	TERMS BEGINNING WITH "D-F" .....	15-2
15-040	TERMS BEGINNING WITH "G-I" .....	15-3
15-050	TERMS BEGINNING WITH "J-L" .....	15-4
15-060	TERMS BEGINNING WITH "M-O" .....	15-5
15-070	TERMS BEGINNING WITH "P-R" .....	15-5
15-080	TERMS BEGINNING WITH "S-U" .....	15-6
15-090	TERMS BEGINNING WITH "V-Z" .....	15-7

## ARTICLE 1. INTRODUCTORY PROVISIONS

1-010	OFFICIAL NAME (TITLE) .....	1-1
1-020	AUTHORITY .....	1-1
1-030	EFFECTIVE DATE .....	1-1
1-040	JURISDICTION .....	1-1
1-050	PURPOSES .....	1-1
1-060	MINIMUM REQUIREMENTS .....	1-2
1-070	CONFLICTING PROVISIONS.....	1-2
1-080	RULES OF LANGUAGE AND CONSTRUCTION.....	1-3
1-090	TRANSITIONAL PROVISIONS.....	1-5
1-100	ADOPTION AND AMENDMENTS .....	1-5
1-110	SEVERABILITY .....	1-5

### **1-010 OFFICIAL NAME (TITLE)**

The official title of these regulations is the "Tulsa Metropolitan Area Subdivision and Development Regulations," hereinafter referred to as "these regulations."

### **1-020 AUTHORITY**

These regulations are adopted pursuant to the powers granted and limitations imposed by Oklahoma law, expressly including the statutory authority conferred by Title 19, Oklahoma Statutes, Sections 863.9 and 863.10.

### **1-030 EFFECTIVE DATE**

These regulations become effective on March 19, 2018, except as otherwise expressly stated.

### **1-040 JURISDICTION**

These regulations apply within the jurisdiction of the Tulsa Metropolitan Area Planning Commission.

### **1-050 PURPOSES**

These regulations are adopted for the purposes of:<sup>1</sup>

- 1-050.1** Protecting and promoting the public health, safety and general welfare;
- 1-050.2** Implementing the comprehensive plan and other adopted plans and policies;
- 1-050.3** Providing for orderly growth and land development;
- 1-050.4** Facilitating the creation of accurate records of the separate interests created and conveyed by the subdivision of land, thereby helping to protect private property rights;

<sup>1</sup> Edited and expanded list of purposes.



- 1-050.5** Ensuring that lots proposed to be created are capable of being built upon in accordance with applicable regulations;
- 1-050.6** Promoting sustainable land development practices;
- 1-050.7** Ensuring that the city and county are well-positioned to retain and attract employment growth and economic development activities by addressing a wide range of considerations, including wise use of fiscal resources and quality-of-life considerations; and
- 1-050.8** Establishing review and approval procedures that are as expeditious, efficient and cost-effective as possible, while at the same time ensuring careful and competent review.

#### **1-060 MINIMUM REQUIREMENTS**

- 1-060.1** These regulations represent minimum requirements deemed necessary to carry out the stated purposes of 1-050.
- 1-060.2** In addition to these regulations, all development subject to these regulations must comply with all other applicable ordinances, laws and regulations, expressly including:
  - A.** Building codes, zoning codes, flood protection regulations, and all other applicable laws and standards of the city and county; and
  - B.** All applicable laws, rules, and regulations of the federal government and the State of Oklahoma and their duly constituted agencies.
- 1-060.3** All references in these regulations to other governmental regulations are for informational purposes only and do not constitute a complete list of such regulations. These references do not imply any responsibility for the planning commission to enforce regulations imposed by other government authorities.

#### **1-070 CONFLICTING PROVISIONS**

##### **1-070.1 Conflict with State or Federal Regulations**

If these regulations are inconsistent with state or federal law, the more restrictive provision governs, to the extent allowed by law. The more restrictive provision is the one that imposes more stringent controls.

##### **1-070.2 Conflict with Other Local Regulations**

If these regulations are inconsistent with one another or if they conflict with provisions found in other adopted local government ordinances or regulations, the more restrictive provision governs unless otherwise expressly stated. The more restrictive provision is the one that imposes more stringent controls.

##### **1-070.3 Conflict with Private Agreements and Covenants**

These regulations do not abrogate or annul any easement, covenant, deed restriction or other agreement between private parties. If these regulations impose a greater restriction than imposed by an agreement or covenant among private parties, these regulations govern. The

planning commission is not responsible for monitoring or enforcing agreements or covenants among private parties.

## **1-080 RULES OF LANGUAGE AND CONSTRUCTION**

### **1-080.1 Meanings and Intent**

Words and terms expressly defined in these regulations including those defined in ARTICLE 15 have the specific meanings assigned unless the context indicates another meaning.

### **1-080.2 City and County References**

As established in 1-040, these regulations apply in the City of Tulsa and unincorporated Tulsa County. Whenever reference is made to the city or county or city or county officials, such references are intended to apply to the government, agency or official with jurisdiction over the subject property or subject matter.

### **1-080.3 Public Officials and Agencies**

- A.** References in these regulations to the “planning commission” are references to the Tulsa Metropolitan Area Planning Commission, which is established as a City-County cooperative planning commission pursuant to Section 863.1 et. seq. Title 19, Oklahoma Statutes.
- B.** References in these regulations to the “land use administrator” are references to the head of the land development services division of the Indian Nations Council of Governments (INCOG).
- C.** References in these regulations to the “county engineer” are references to the county engineer of Tulsa County.
- D.** References in these regulations to the “city engineer” are references to the director of engineering services of the City of Tulsa.
- E.** All other employees, public officials, bodies, and agencies to which references are made are those of the City of Tulsa or Tulsa County, unless otherwise expressly stated.

### **1-080.4 Computation of Time**

- A.** References to “days” are to calendar days unless otherwise expressly stated. References to “business days” are references to regular city or county government working days.
- B.** The time in which an act is to be completed is computed by excluding the first day and including the last day. If the last day is a Saturday, Sunday or holiday observed by the city or county, that day is excluded.
- C.** A day concludes at the close of business. Any materials received after the close of business will be considered to have been received the following day.

### **1-080.5 Tenses and Usage**

- A.** Words used in the singular include the plural. The reverse is also true.

- B. Words used in the present tense include the future tense. The reverse is also true.
- C. The words “must,” “will,” “shall” and “may not” are mandatory.
- D. The word “may” is permissive, not mandatory or required.
- E. When used with numbers, “up to x,” “not more than x” and “a maximum of x” all include “x.”
- F. The word “person” includes a firm, association, organization, partnership, limited liability company, trust, or corporation, as well as an individual.
- G. The words “used” and “occupied” include “intended, designed or arranged to be used or occupied.”

#### **1-080.6 Conjunctions**

Unless the context otherwise expressly indicates, conjunctions have the following meanings:

- A. “And” indicates that all connected items or provisions apply; and
- B. “Or” indicates that the connected items or provisions may apply singularly or in combination.

#### **1-080.7 Headings and Illustrations**

Headings and illustrations are provided for convenience and reference only and do not define or limit the scope of any provision of these regulations. In case of any difference of meaning or implication between the text of these regulations and any heading, drawing, table, figure or illustration, the text governs.

#### **1-080.8 Versions and Citations**

All references in these regulations to other city, county, state or federal regulations are to be construed as referring to the most up-to-date version and citation for those regulations, unless otherwise expressly indicated. When the referenced regulations have been repealed and not replaced by other regulations, requirements for compliance are no longer in effect.

#### **1-080.9 Lists and Examples**

Unless otherwise expressly indicated, lists of items or examples that use “including,” “such as,” or similar terms are intended to provide examples only. They are not to be construed as exhaustive lists of all possibilities.

#### **1-080.10 Delegation of Authority**

Whenever a provision appears requiring the head of a department or another local government officer or employee to perform an act or duty, that provision will be construed as authorizing the department head or officer to delegate that responsibility to others over whom they have authority. Delegation of authority is not allowed when these regulations expressly prohibit such delegation.



**1-090 TRANSITIONAL PROVISIONS****1-090.1 Applications Submitted Before Effective Date**

Complete applications for approvals required under these regulations that are pending approval before the effective date specified in 1-030 must be reviewed and approved in accordance with the subdivision regulations in effect immediately before the effective date specified in 1-030. Incomplete applications submitted before the effective date specified in 1-030 will not be reviewed until they are complete. Once complete, the application must be reviewed and approved in accordance with the regulations in effect at the time that the application is deemed complete.

**1-090.2 Permits Issued Before the Effective Date**

Any building, structure or other activity for which a building permit was issued before the effective date specified in 1-030 may be completed in conformance with the issued building permit and other applicable permits and conditions, even if such building, structure or activity does not fully comply with provisions of these regulations. If the permitted construction or activity is not commenced and diligently pursued within the time allowed under the original permit or any extension granted, then the building, structure or other activity is subject to compliance with these regulations.

**1-090.3 Previous Violations**

The adoption of these regulations does not affect nor prevent any pending or future prosecution of, or action to abate, violations of the previous subdivision regulations that occurred before the effective date specified in 1-030.

**1-100 ADOPTION AND AMENDMENTS**

An affirmative vote of a majority the full membership of the planning commission is required to adopt or amend these regulations.

**1-110 SEVERABILITY**

If any portion of these regulations is held to be invalid or unconstitutional by a court of competent jurisdiction, that portion is to be deemed severed from the remaining regulations and does not affect or diminish the validity of the remaining regulations.

**Blank Page**

## ARTICLE 5. DESIGN AND IMPROVEMENTS

5-010	APPLICABILITY .....	5-1
5-020	REQUIRED INFRASTRUCTURE AND PUBLIC IMPROVEMENTS .....	5-1
5-030	BLOCKS .....	5-2
5-040	LOTS .....	5-3
5-050	RESERVED.....	5-5
5-060	STREETS.....	5-5
5-070	SIDEWALKS.....	5-9
5-080	TRAILS .....	5-10
5-090	PROTECTION FROM FLOODING AND OTHER NATURAL HAZARDS .....	5-10
5-100	STORMWATER MANAGEMENT .....	5-11
5-110	LOW-IMPACT DEVELOPMENT (LID) .....	5-11
5-120	RESERVED.....	5-11
5-130	WATER SUPPLY AND SEWAGE DISPOSAL.....	5-11
5-140	UTILITIES .....	5-13
5-150	EASEMENTS.....	5-13
5-160	STREET LIGHTS .....	5-14
5-170	STREET SIGNS AND TRAFFIC CONTROL DEVICES.....	5-14
5-180	PERFORMANCE GUARANTEES AND SECURITY .....	5-14
5-190	MAINTENANCE GUARANTEES AND SECURITY .....	5-15
5-200	PERPETUAL MAINTENANCE OF COMMON AREAS AND IMPROVEMENTS.....	5-15
5-210	SURVEYS AND MONUMENTS .....	5-16
5-220	OIL AND GAS EXTRACTION SITES .....	5-16

### **5-010 APPLICABILITY**

Except as otherwise expressly stated, the design and improvement regulations of this article apply to all:

- 5-010.1** Land divisions;
- 5-010.2** Activities expressly identified in Section 70.080-B of the Tulsa zoning code; and
- 5-010.3** Activities expressly identified in Section 260 of the Tulsa County zoning code.<sup>2</sup>

### **5-020 REQUIRED INFRASTRUCTURE AND PUBLIC IMPROVEMENTS<sup>3</sup>**

- 5-020.1** Except as otherwise expressly stated, developers are responsible for the construction and installation of infrastructure and public improvements in accordance with the regulations of this article. Required infrastructure and

<sup>2</sup> This proposed text reflects a proposal to eliminate the mandatory "platting" requirements now included in Sec. 70-080-B of the Tulsa Zoning Code. Proposed amendments to 70-080-B are included under separate cover.

<sup>3</sup> New section.



improvements must comply with all applicable design criteria and standard specifications.

- 5-020.2** All improvements must be designed and installed to provide for a logical inter-connected system of infrastructure and to create continuity of improvements that will facilitate land development on adjacent properties.
- 5-020.3** If a developer files a final plat for only a portion of a development for which a preliminary subdivision plat was approved, the infrastructure and improvements required to be constructed, installed, and maintained are those improvements that the city or county engineer reasonably deems necessary to serve the lots shown on the final plat.
- 5-020.4** A developer may seek formal acceptance of improvements to be dedicated to the public after all the following have occurred:
- A.** The developer has submitted all required record plans for such improvements to the city or county engineer;
  - B.** The city or county has conducted field inspections to ensure that improvements are installed and constructed in accordance with the submitted record plans; and
  - C.** The owner has certified that there are no liens against the subject property.
- 5-020.5** Unless otherwise expressly stated, the developer is responsible for maintenance of all required infrastructure and improvements, including rights-of-way, to the standards of these regulations until the city or county, another unit of government, a property owners association, or other legal entity assumes actual responsibility for maintenance of the infrastructure and improvements (see [5-200](#)). Final plats must include the developer's signed acknowledgement of this maintenance responsibility.

<b>5-030</b>	<b>BLOCKS</b>
--------------	---------------

**5-030.1 General**

The size and shape of blocks must be suitable for the proposed development and be laid out in a pattern that ensures the connectivity of streets and nonmotorized travel routes and provides for efficient provision of public and safety services.

**5-030.2 Depth**

Blocks must have a depth that accommodates 2 rows of lots, except when reverse frontage along major streets is provided or when prevented by topographic conditions or other physical constraints, such as property size or location next to railroads, water bodies or public parks or open spaces.

**5-030.3 Length**

- A.** To provide safe and convenient motorized and nonmotorized travel routes and minimize out-of-direction travel, blocks within new subdivisions may not exceed the maximum street spacing limits established in [Table 5-1](#).

**Table 5-1: Maximum Block Lengths (Street Spacing)**

Block Type	Maximum Street Spacing	Maximum Street Spacing
	Without Mid-Block Ped Connection (CL to CL, feet)	With Mid-Block Ped Connection (CL to CL, feet)
Urban	700	900
Suburban	1,000	1,300
Rural	1,500	1,600

**Table 5-1 Notes**

- [1] CL = Centerline (of street)
  - [2] Urban = blocks on which the mean lot width of all fronting lots is 60 feet or less
  - [3] Suburban = blocks on which the mean lot width of all fronting lots is more than 60 feet and less than 150 feet
  - [4] Rural = blocks on which the mean lot width of all fronting lots is 150 feet or more
- B. Mid-block pedestrian connections must be located within 200 feet of the actual mid-point between intersecting streets and be in the form of a sidewalk, shared-use path, alley or similar alternative that provides ADA-compliant connection that minimizes out-of-direction nonmotorized travel.
  - C. The planning commission is authorized to approve exceptions to the street spacing and mid-block connection regulations of this section, in accordance with the modification procedures of 10-070. In order to approve such modifications, decision-making bodies must determine that the general modification approval criteria are met and that topography, natural resources (e.g., wetlands, woodlands, floodplains, wildlife habitats), existing development or other physical constraints make shorter block lengths or midblock connections undesirable or impractical or that it is unreasonable to impose otherwise applicable street spacing and mid-block connection regulations based on the existing pattern of development, or other relevant factors.
  - D. Decision-making bodies are authorized to condition modifications to the regulations of this section on the provision of traffic calming improvements, emergency vehicle access routes, and access features that provide safe and convenient motorized and non-motorized access to schools, playgrounds, shopping areas, transportation routes and other community facilities.
  - E. Street spacing is measured from street centerline to street centerline.
  - F. The street spacing regulations of this subsection do not apply along major streets when the city or county engineer determines that access control policies or other safety or traffic management policies require greater spacing between streets.

**5-040 LOTS****5-040.1 General**

The size, shape and orientation of lots must comply with applicable zoning regulations. When lots will not be served by centralized sewer or water service, lot dimensions and area must comply with the requirements of the Oklahoma Department of Environmental Quality.

**5-040.2 Flag Lots<sup>4</sup>**

- A.** The creation of flag lots is prohibited, except that flag lots may be approved through the modification procedures of 10-070 or the administrative modification procedures of 10-080, as applicable, when the authorized decision-making body determines that the modification approval criteria are met and that a flag lot design would:
- (1)** Limit direct access onto a major street;
  - (2)** Provide greater protection of sensitive natural resources areas;
  - (3)** Hide or conceal utility buildings/substations, or radio, television or telecommunication towers; or
  - (4)** Avoid substantial hardship to the subject property owner due to the property's topography or another condition that is unique to the property.
- B.** Decision-making bodies are authorized to impose conditions on the approval of a flag lot, including but not limited to requirements for shared driveways, maximum flag pole length, minimum street frontage and minimum flag pole width.

**5-040.3 Access to Lots****A. General**

Land must be divided in a way that affords each lot with access to a street that complies with the applicable provisions of these regulations.

**B. Access to Major Streets and Highways<sup>5</sup>**

If a property with frontage along a major street or highway is proposed to be subdivided or developed, decision-making bodies are authorized to restrict access to the respective street or highway and require that the developer take one or more of the following actions:

- (1)** Create through lots that back onto the major street or highway and front onto and take access from a parallel street, coupled with the installation of a fence, wall or vegetative visual screen along the major street or highway frontage;
- (2)** Provide a frontage road separated from the major street or highway;
- (3)** Establish deed restrictions or other legally enforceable means of preventing private driveway access to the major street or highway;

<sup>4</sup> New section; proposed replacement for existing prohibition on lots with more than 3 side lot lines. Revised following 11-1-2017 work session to allow administrative approval (see also 10-080).

<sup>5</sup> Partly new.



- (4) Provide a cross-access easement to abutting properties that front on the same major street or highway; or
- (5) Provide a mutual, reciprocal, non-exclusive easement (mutual access easement) to ensure perpetual access to the subject property.

#### **5-040.4 Reserve Areas**

These regulations recognize that it may occasionally be necessary and in the public interest to create lots designated as reserve areas to be occupied by stormwater detention, common recreation, private rights-of-way or other similar uses, subject to the common area maintenance provisions of 5-200. If declared reserved for such purposes by restrictive covenants or other recorded legal documents approved by the city or county, reserve areas are exempt from the lot regulations of this section 5-040.

### **5-050 RESERVED<sup>6</sup>**

### **5-060 STREETS**

#### **5-060.1 Applicability**

The standards of this section apply to all streets unless otherwise expressly stated.

#### **5-060.2 Access**

All lots created after the effective date specified in 1-030 must have an approved means of access to a public street or an approved private street that complies with the street standards of this section (see 5-040.3).

- A. Reserve strips controlling access to streets are prohibited except where their control is placed with the city or county under conditions approved by the planning commission.
- B. When proposed lots abut an existing or proposed major street, the decision-making body is authorized to require one or more of the following:
  - (1) Non-access provisions controlling ingress and egress to the abutting major street;
  - (2) A reverse frontage with a non-access reservation along the rear lot line;
  - (3) A frontage road parallel to the major street.

#### **5-060.3 General Street Layout**

The arrangement and layout of all streets must conform to the comprehensive plan and the major street and highway plan. When streets are not shown on the comprehensive plan or the major street and highway plan, the arrangement and layout of new streets must:

<sup>6</sup> Transportation impact analysis provisions have been removed from subdivision and development regulations draft. TIA provisions now proposed to be included in zoning code.

- A.** Create an integrated system of streets and nonmotorized transportation facilities that provide for safe and efficient access to lots and movement of people;
- B.** Provide for the efficient movement of through traffic by providing an interconnected network of streets and nonmotorized transportation facilities to avoid isolation of areas and over-reliance on major streets and highways; and
- C.** Be uncomplicated, so that emergency services, public services, and visitors can find their way to their intended destinations.

#### **5-060.4 Connectivity of Streets and Nonmotorized Travel Routes<sup>7</sup>**

**A. Intent**

Requiring connected streets and nonmotorized transportation routes helps ensure connected neighborhoods, diffusion and distribution of traffic among multiple travel route options, and easy access by public and emergency service vehicles.

**B. Requirement**

When new streets or nonmotorized transportation improvements are required to be constructed as part of a development, they must connect to similar improvements within the development and be extended to the outer perimeter of the development so that they can be connected to similar improvements.

#### **5-060.5 Dead-End Streets**

**A. Temporary Dead-End ("Stub") Streets<sup>8</sup>**

- (1)** Temporary turnarounds must be provided at the end of stub streets that are intended for extension when a subsequent phase of the development is completed or when the abutting property is developed if the stub street is more than 150 feet in length, as measured from the centerline of the intersecting street to the perimeter of the subdivision to which the stub street extends.
- (2)** At the time that the temporary dead-end street is extended or connected to another street segment, any existing temporary turnaround must be removed by the developer responsible for extending the street. If for any reason the stub street is not extended, a permanent turnaround must be constructed by the subject developer on the (abutting) site being developed.
- (3)** Stub streets must be clearly marked on plats and labeled "Future Street Extension." In addition, developers must post an approved sign in the

---

<sup>7</sup> New section.

<sup>8</sup> New section.

right-of-way of the stub street indicating that the temporary dead-end (stub) street is intended as a "Future Street Extension."

- (4) The following notation must be incorporated into any plat showing a stub street: THIS STREET RIGHT-OF-WAY IS NOT INTENDED TO BE A PERMANENT DEAD-END STREET. IT IS PLATTED WITH THE INTENT OF BEING EXTENDED AND CONNECTED TO STREETS THAT MAY BE BUILT IN THE FUTURE, THEREBY PROVIDING ACCESS TO AND FROM ABUTTING PROPERTIES.

#### B. Permanent Dead-End Streets

- (1) All approved permanent dead-end streets must comply with International Fire Code standards.
- (2) Permanent dead-end streets may not exceed 750 feet in length measured from the centerline of the intersecting street to the center of the turn-around. If a modification of maximum length regulations is approved, decision-making bodies are authorized to impose one or more of the following conditions:
- (a) Supplemental emergency vehicle access routes;
  - (b) A pedestrian access easement from the terminus of the dead-end street;
  - (c) A planted island with a pervious or bioretention landscaped area in the center of any cul-de-sac bulb; or
  - (d) Other requirements designed to ensure connectivity, decrease storm water runoff, or otherwise promote the purposes of these subdivision regulations.

#### 5-060.6 Right-of-Way Widths

The minimum right-of-way width of all proposed streets must comply with the *Major Street and Highway Plan*, or if no width is specified on the *Major Street and Highway Plan*, the following minimum width requirements apply:

**Table 5-2: Minimum Right-of-Way Width for Streets Not Shown on Major Street and Highway Plan**

Street Type	Minimum ROW Width (feet)
Freeway	per ODOT Standards
Parkway	150
Primary Arterial	120 [1]
Secondary Arterial	100 [2]
Secondary Arterial Alternate	100 [2]
Special Trafficway	100
Residential Collector, Residential Street with open drainage (County), Commercial/Industrial Street	60
Commercial/Industrial Collector, Commercial/Industrial Street with open drainage (County)	80
Residential Street	50
Urban Arterial	70[3]
CBD Street	80



**Table 5-2 Notes**

- [1] Minimum right-of-way width of 130 feet is required for a right turn lane on a primary arterial street at the major street intersection to extend for a distance of at least 388 feet paralleling the right side of the primary arterial street, measured from the section line.
- [2] Minimum right-of-way width of 108 feet is required for a right turn lane on a secondary arterial street at the major street intersection to extend a distance of at least 388 paralleling the right side of the secondary arterial street, measured from the section line.
- [3] Minimum right-of-way width of 80 feet (at least 40 feet on each side of centerline) is required at the major street intersection to extend a distance of at least 388 feet measured from the intersection line.

**5-060.7 Street Pavement Width, Construction and Design**

All streets must comply with pavement width, street surfacing, street design and storm drainage requirements established by the city or county engineer.

**5-060.8 Private Streets**

- A. Private streets proposed in the unincorporated county require review and approval through the PUD rezoning process. Private streets proposed in the city require review and approval through the zoning code's optional development plan procedures. Such streets are subject to all applicable regulations of this section.
- B. Private streets are prohibited in subdivisions of more than 20 acres in the City of Tulsa and in subdivisions of more than 40 acres in the unincorporated areas of Tulsa County.
- C. Private streets are prohibited if they will impede reasonable access to existing or future collector or major streets.
- D. Private streets must be constructed in accordance with the same regulations that apply to public streets, and must include sidewalks and all street fixtures required for public streets.
- E. Maintenance responsibility for private streets must be established in accordance with 5-200.
- F. The cost of powering street lights along private streets is the sole responsibility of the property owners association or other legal entity responsible for perpetual maintenance (see 5-200).
- G. Private street entrances (at the gate) must have entrance and exit lanes, with lanes having a width of at least 14 feet. If covered, travel lanes must have a minimum vertical clearance of 14 feet.
- H. Call boxes must be located at least 60 feet from the curb line of the public street from which the private street is accessed.
- I. Private streets intersecting with public streets must have a vehicle turn-around area before any entrance gate that allows a passenger vehicle to complete a turn-around completely outside of the right-of-way of the intersecting public street.

- J. Guaranteed access to all emergency vehicles must be provided at all entrances even in case of electrical power loss.
- K. Gate designs, security systems and access controls must be reviewed and approved by the technical advisory committee before installation. Hard-tempered steel locks are prohibited.

#### **5-060.9 Street Intersections**

- A. All street intersections involving arterial streets must be at right angles. The city or county engineer are authorized to approve intersection designs that are within 15 degrees of a right angle when reasonably determined to be necessary to address pedestrian and vehicle safety, topography or similar considerations.
- B. Where there is an offset in the alignment of a street across an intersection, the centerline offset (jog) must be at least 125 feet. Alternative centerline offsets may be approved by the city or county engineer when reasonably determined to be necessary to address turn-lane stacking or traffic safety considerations.

<b>5-070</b>	<b>SIDEWALKS</b>
--------------	------------------

- 5-070.1** Sidewalks must be installed on both sides of all arterial streets and on both sides of all collector streets and residential (local) streets with curb and gutter. Decision-making bodies are authorized to require the installation of sidewalks in other locations, such as at the end of permanent dead-end streets when they determine that such sidewalks will create a logical and well-connected pedestrian circulation system.
- 5-070.2** Decision-making bodies are authorized to waive the requirement for sidewalk installation, in accordance with the modification procedures of [10-070](#), when they determine that the general modification approval criteria are met and that topography, natural resource constraints or other factors that are unique to the subject property make sidewalk installation impractical.
- 5-070.3** For property being platted, sidewalks must be installed before approval of the final subdivision plat, or the cost of sidewalk installation must be included in the performance guarantee approved in accordance with [5-180](#). For all other development, sidewalks must be installed prior to issuance of a certificate of occupancy.
- 5-070.4** Sidewalk deferrals may be approved pursuant to any applicable fee-in-lieu options available in the city or county (see also Title 35, Section 602, Tulsa Revised Ordinances).
- 5-070.5** Sidewalks must be located inside the right-of-way line or in an alternative location approved by the city or county engineer.
- 5-070.6** All sidewalks must be constructed in accordance with the standards and specifications of the city or county, including sidewalk width requirements. When a sidewalk will provide a connection between existing sidewalks that are less than current required widths, the new sidewalk connection may be tapered to match the

width of the sidewalk to which the connection is being made. This reduced width taper may not extend more than 7 feet from the point of connection and must comply with ADA requirements.

#### **5-080 TRAILS<sup>11</sup>**

When a trail or trail extension, as identified in the comprehensive plan or a trails plan that has been adopted by the governing body, is located on the subject property, the decision-making body is authorized to require that an easement be provided for the trail.

#### **5-090 PROTECTION FROM FLOODING AND OTHER NATURAL HAZARDS**

**5-090.1** All proposed land divisions, new development and redevelopment in a flood hazard area must be reviewed by the floodplain administrator to verify that:

- A.** The proposal is consistent with the need to minimize flood damage;
- B.** All public utilities and facilities, such as sewer, gas, electric and water systems, are located and constructed to minimize or eliminate flood damage;
- C.** Adequate drainage is provided to reduce exposure to flood hazards; and
- D.** The proposal complies with all applicable federal, state and local flood-related building codes and watershed-floodplain development regulations.

**5-090.2** The requirements of this subsection (~~5-090.2~~) apply to all land divisions, new development and redevelopment in a flood hazard area.<sup>12</sup>

- A.** All plats, lot line adjustments and lot splits must show:
  - (1)** Flood hazard area boundaries (including floodways);
  - (2)** Design flood elevations; and
  - (3)** Current effective map panel information.
- B.** All new building lots must be provided with adequate buildable area on naturally high ground outside of the flood hazard areas.
- C.** All new building lots must be accessible by emergency vehicles during flood events by transportation routes with reasonably safe and dry access.
- D.** The design of utilities and facilities must comply with all applicable floodplain regulations, building codes and drainage standards.
- E.** Floodplain permits must be obtained before any development occurs in a flood hazard area.

<sup>11</sup> New section.

<sup>12</sup> Subsections 5-090.1 and 5-090.2 were added after the public review draft in response to comments provided by the floodplain administrator. They reflect current FEMA requirements and practices that have been followed by the city for years. Their addition here will provide greater clarity in the regulations.



- F. All flood hazard areas must be placed in a reserve area or overland drainage easement and preserved as open space.

**5-090.3** Steep slopes or lands subject to subsidence or other natural hazards may not be platted or developed in such a way as to present a danger to life or property, or to the public health, safety, or general welfare.

#### **5-100 STORMWATER MANAGEMENT**

Developers are responsible for designing and installing stormwater management facilities in accordance with all applicable city and county requirements.

#### **5-110 LOW-IMPACT DEVELOPMENT (LID)**

City and county policies support subdivision designs that incorporate low-impact development best management practices for reducing runoff and to mimicking a site's predevelopment hydrology by minimizing disturbed areas and impervious cover and then infiltrating, filtering, storing, evaporating, and detaining stormwater runoff close to its source. Low-impact development practices include measures such as preserving undeveloped open space, biofiltration, reducing impervious cover and using porous pavement.

#### **5-120 RESERVED**

#### **5-130 WATER SUPPLY AND SEWAGE DISPOSAL**

##### **5-130.1 City of Tulsa**

- A. Subdivisions within the corporate limits of the City of Tulsa must be served by a public drinking water supply approved by the Oklahoma Department of Environmental Quality.
- B. The developer must provide an internal sanitary sewer collection system to each lot within a subdivision that is within the boundaries of any sewer district or that abuts or is within 250 feet of any public district or lateral sewer line.<sup>13</sup>
- C. Required sanitary sewer collection systems must be designed and constructed in accordance with the standards of the agency operating the system and be approved by the Oklahoma Department of Environmental Quality.
- D. If an approved public sanitary sewer system is not required, pursuant to the criteria of ~~5-130.1B~~, the planning commission is authorized to allow the subdivision to be initially developed on private sewage disposal systems, subject to the following regulations:
  - (1) In addition to installation of the private sewage disposal systems, the developer must install a sewer collection system within the subdivision that can be connected to an approved public sanitary sewer system when

<sup>13</sup> This revision makes the regulations consistent with Title 17 Tulsa Revised Ordinances (Section 906)

available and provide each lot in the subdivision with an individual sewer tap.

- (2) The approved sewage disposal system and taps must be designed and constructed in accordance with standards established by agency operating the system and the regulations of the Oklahoma Department of Environmental Quality.
- (3) All lots that will be initially served by individual on-site sewage disposal systems must comply with the minimum lot size requirements of the Oklahoma Department of Environmental Quality for on-site sewage disposal systems. These minimum lot size requirements may not be varied except by the agency having jurisdiction over the permitting of the proposed individual on-site sewage disposal systems.
- (4) The developer must also provide soil percolation test results for each lot to be served by an individual on-site sewage disposal system before approval of a building permit for construction on the lot. Percolation test results must be prepared by an entity legally authorized to perform such tests in Oklahoma and must be submitted in a form required by the permitting agency.
- (5) The developer must submit restrictive covenants with the preliminary subdivision plat application relative to the installation and use of private sewage disposal systems and/or connection to the public sanitary sewer system.

#### **5-130.2 Unincorporated Tulsa County**

- A. Subdivisions in unincorporated Tulsa County may be served by individual wells for drinking water in lieu of a public water supply in accordance with applicable regulations of the Oklahoma Water Resources Board and the Oklahoma Department of Environmental Quality.
- B. The developer must provide an internal sanitary sewer collection system to serve each lot in the subdivision. The system must be designed and constructed in accordance with standards established by the agency operating the system and the regulations of the Oklahoma Department of Environmental Quality.
- C. If an approved public sanitary sewer system is not reasonably accessible to the subdivision, as determined by the planning commission after review and recommendation by the technical advisory committee, the planning commission is authorized to allow use of private sewage disposal systems in accordance with the following regulations:
  - (1) Individual on-site sewage disposal systems must comply with the requirements of the Oklahoma Administrative Code, Title 252, Chapter 641.
  - (2) The developer is responsible for obtaining the applicable regulations of the agency having jurisdiction and complying with all applicable

procedural and substantive requirements for the use of private sewage disposal systems.

- (3) All lots to be served by individual on-site sewage disposal systems must comply with the minimum lot size requirements of the Oklahoma Department of Environmental Quality for on-site sewage disposal systems. These minimum lot size requirements may not be varied except by the agency having jurisdiction over the permitting of the proposed individual on-site sewage disposal systems.
- (4) The developer must submit restrictive covenants with the preliminary subdivision plat application relative to the installation and use of private sewage disposal systems and/or connection to the public sanitary sewer system.

#### **5-140 UTILITIES<sup>14</sup>**

**5-140.1** Developers must make all necessary arrangements with respective utility providers for the installation of utilities, including gas, electrical, and communications service.

**5-140.2** In all new residential subdivisions requiring planning commission review and approval and in all nonresidential developments subject to these regulations, all new utility installations must be placed underground within a dedicated easement or public right-of-way, except for the following:

- A.** Temporary overhead utility lines during the time that construction is occurring, but only during periods of construction;
- B.** Service connections, meters, and similar equipment that are customarily attached to the outside wall of the premises they serve;
- C.** Poles used exclusively for street lighting; and
- D.** Electric distribution transformers, switch gear, meter pedestals, and telephone pedestals that are customarily installed above-ground if landscaping or other approved visual screening is provided around ground-mounted equipment.

**5-140.3** No underground water, electric, gas, communication service or other similar utility may be placed within a storm or sanitary sewer easement, except for crossings, unless expressly approved by the city or county engineer.

#### **5-150 EASEMENTS**

**5-150.1** Easements must be provided by the developer when review agencies and authorized decision-making bodies determine that such easements are necessary or desirable to accommodate utilities, drainage facilities (surface or subsurface), best management practices, pedestrian access, emergency vehicle access or other necessary facilities and improvements.

<sup>14</sup> New section.



**5-150.2** Utility easements with a width of up to 17.5 feet may be required around a subdivision perimeter.

**5-150.3** Utility easements with a width of up to 11 feet (22 feet back-to-back) may be required along rear lot lines and side lot lines when necessary to accommodate utilities.

#### **5-160 STREET LIGHTS<sup>15</sup>**

The city or county engineer is authorized to require the installation of street lights along streets. The location and type will be determined during the development review process based on guidelines established in the *American National Standard Practice for Roadway Lighting* (ANSI/IESNA RP-8-00).

#### **5-170 STREET SIGNS AND TRAFFIC CONTROL DEVICES<sup>16</sup>**

All street signs, traffic control devices and related apparatus must comply with city or county standards.

#### **5-180 PERFORMANCE GUARANTEES AND SECURITY<sup>17</sup>**

##### **5-180.1 Purpose**

Performance guarantee and security requirements are established to help ensure that developers properly install infrastructure and improvements required by these regulations in a timely manner, in accordance with approved plans and plats.

##### **5-180.2 Term of Agreement**

The term of a performance guarantee may not exceed 2 years. If the developer has not completed the required infrastructure and public improvements within the 2-year period, the land use administrator is authorized to approve one extension of up to 6 months in duration. Any additional extensions or extensions of a longer duration require approval of the planning commission. Decision-making bodies are authorized to require updated improvement cost estimates and additional security as a condition of any extension granted.

##### **5-180.3 Form and Amount of Security**

- A.** Security must be in the form of an irrevocable letter of credit, cash or other instrument readily convertible to cash, as approved by the city attorney or district attorney. The performance guarantee and security must be conditioned upon the performance of all work necessary to complete the required infrastructure and improvements.
- B.** The estimated total cost of required infrastructure and improvements must be itemized by improvement type and certified by the developer's registered engineer. Cost estimates must be based on industry norms within Tulsa County.

<sup>15</sup> New section.

<sup>16</sup> New section.

<sup>17</sup> This section is entirely new. Proposed replacement for agreements guaranteeing installation of improvement (Sec. 5.2 of current regulations).

- C. The amount of the performance guarantee must equal at least 110% of the estimated total cost of the required infrastructure and improvements.

#### **5-180.4 Default and Use of Security**

If the developer fails to properly install required infrastructure and improvements within the term of the guarantee and any approved extension, the guarantee will be deemed in default. In the case of default, the city or county is authorized to draw or foreclose upon the security funds to fund completion of the required infrastructure and improvements or to contract for installation of the required infrastructure and improvements. If the cost of completing the required infrastructure and improvements exceeds the security amount, the developer is liable for all excess costs. Any security funds to be drawn upon or foreclosed will be subject to an administrative fee that reflects the city or county's actual costs associated with preparing bid documents and preparing and administering a contract for the work to be completed.

#### **5-180.5 Release of Security**

The security must be released once all the following occur:

- A. The conditions of the performance guarantee have been completed to the satisfaction of all agencies with jurisdiction over the improvements.
- B. Any required maintenance guarantee has been provided in accordance with 5-190;
- C. A final inspection has been conducted by the city or county engineer or other qualified professional selected by the city or county engineer and retained by the developer;
- D. Written evidence has been submitted that all owners of the infrastructure and improvements have accepted ownership of the improvements;
- E. The developer has provided as-built or record plans showing monuments, streets, curbs, sidewalks and all other infrastructure and public improvements as they were installed; and
- F. All required certifications of completion have been provided.

### **5-190 MAINTENANCE GUARANTEES AND SECURITY<sup>18</sup>**

Maintenance guarantees and financial security must be provided in accordance with applicable city or county regulations.

### **5-200 PERPETUAL MAINTENANCE OF COMMON AREAS AND IMPROVEMENTS<sup>19</sup>**

#### **5-200.1 Maintenance Obligation for Common Areas and Improvements**

- A. The obligation for perpetual maintenance of any common areas and public or private improvements within a development must be established by the

<sup>18</sup> New section.

<sup>19</sup> This section is entirely new.

developer and approved by the planning commission. Such obligation must be provided for in the plat, or for developments not required to be platted, by a deed restriction or other appropriate document recorded with the county clerk.

- B. If multiple property owners will be responsible for perpetual maintenance and control of common areas and public or private improvements, a property owners association must be established. Each property owner, by acceptance of a deed to a property within the development, will be deemed to have agreed to be a member of the property owners association and be subject to assessment for maintenance of the common areas and public or private improvements.
- C. If the entire development is to remain under single ownership, the common areas and public or private improvements must be maintained by the owner of the property.

#### **5-200.2 Declarations and Covenants**

- A. Declarations and covenants guaranteeing ongoing maintenance of common areas and public or private improvements must be established within a deed of dedication accompanying a plat or, for developments subject to these regulations but not required to be platted, by a deed restriction or other appropriate document recorded with the county clerk.
- B. The declarations and covenants must expressly authorize the city or county to correct maintenance deficiencies in areas containing public improvements that the property owner or property owners association is required to maintain, and to recover actual costs and any legal fees from the subject property owner or property owners association if maintenance duties are not carried out, and to establish and enforce a lien against the property in the development for recovery of the costs and fees.

### **5-210 SURVEYS AND MONUMENTS**

Surveys and monuments must comply with the *Minimum Standards for the Practice of Land Surveying*, as promulgated by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors.

### **5-220 OIL AND GAS EXTRACTION SITES**

#### **5-220.1 General**

The general requirements of this subsection (~~5-220.1~~) apply in the city and county.

- A. All abandoned, inactive wells must be properly plugged.
- B. No building sites may be located within 125 feet of any existing active well or known well bore unless the planning commission approves a modification allowing a reduced setback after finding the reduced setback to be safe.
- C. Access must be provided to unplugged wells for the purpose of maintenance and rework. Such access must be indicated on the plat.



**5-220.2 City Regulations**

Oil and gas wells and oil and gas well drilling operations within the City of Tulsa are subject to the regulations of Title 42A of the Tulsa Revised Ordinances.

**5-220.3 County Regulations**

The regulations of this subsection apply in the unincorporated county.

- A.** Well sites are prohibited in residential subdivisions of less than 10 acres in area.
- B.** There may be no more than one well site within the boundaries of a subdivision plat for each 20 acres of land covered by the plat.
- C.** The county engineer must approve the methods of drilling prior to the commencement of drilling operations.
- D.** Developers who own both the surface rights and all mineral rights may designate future well sites if there are no existing oil, gas or mineral leases of record.
- E.** When developers do not own all mineral rights, or if there are recorded oil and gas leases on the subject property, written notice must be sent to all parties who have an oil, gas, or mineral interest or recorded oil or gas lease, as indicated in the records of the county clerk. The required notice must inform parties of the intent to subdivide the subject property.
- F.** Interested parties have 30 days from the date that mailed notices are postmarked by U.S. Postal Service to respond. Responses must be in writing to both the developer and planning commission of the intent to drill for oil or gas in the future.
- G.** The developer and owners of leases or owners of mineral interests have an additional 120 days to agree upon the location of the well sites.
- H.** If the parties cannot agree on the location of the well sites, the planning commission, after public hearing, is authorized to select the well sites.

**Blank Page**

## ARTICLE 10. REVIEW AND APPROVAL PROCEDURES

10-010	INTENT .....	10-1
10-020	GENERAL PROCEDURAL PROVISIONS .....	10-1
10-030	EXEMPT LAND DIVISIONS.....	10-5
10-040	SUBDIVISIONS .....	10-6
10-050	MINOR SUBDIVISIONS.....	10-13
10-060	LOT SPLITS AND ADJUSTMENTS.....	10-15
10-070	MODIFICATIONS.....	10-21
10-080	ADMINISTRATIVE MODIFICATIONS.....	10-23
10-090	CHANGE OF ACCESS .....	10-25
10-100	PLAT VACATIONS.....	10-26

### 10-010 INTENT

The provisions of this article are intended to establish clear, consistent, predictable and time-efficient procedures for approval of land divisions and for administering these regulations.

### 10-020 GENERAL PROCEDURAL PROVISIONS

#### 10-020.1 Applicability

The general procedural provisions of this section apply to all the procedures in this article unless otherwise expressly stated.

#### 10-020.2 Review and Decision-making Authority (Summary Table)

Table 10-1 provides a summary of the review and approval procedures of this article. In the event of conflict between this summary table and the detailed procedures contained elsewhere in this article, the detailed procedures govern.

**Table 10-1: Review and Decision-making Authority Summary Table**

Procedure	Preapplication Meeting	Land Use Administrator[1]	Planning Commission[2]	Public Notice
Exempt Land Divisions	Optional	DM	–	–
Subdivisions				
Preliminary Plat	Required	R	<DM>	Mail
Final Plat	Optional	DM[2]	–	–
Minor Subdivisions	Required	R	DM	–
Lot Splits and Adjustments				
Type 1	Optional	DM[2]	–	–
Type 2	Optional	R	<DM>	Mail
Modifications	Optional	–	<DM>	–
Administrative Modifications	Optional	DM	–	Mail
Change of Access	Required	DM	–	–

**R** = Review and recommendation | **DM** = Final decision-making authority | **< >** = Public hearing required

#### Table 10-1 Notes

- [1] Only the city council and board of county commissioners are authorized to accept public dedications.
- [2] Final plats, type 2 lot split/adjustments and change of access applications will be forwarded to planning commission for final decision if deemed appropriate by the land use administrator or if requested by applicant.



### **10-020.3 Pre-application Meetings**

- A.** Pre-application meetings provide an early opportunity for staff and applicants to discuss the procedures, standards and regulations affecting required approvals under these subdivision regulations.
- B.** Pre-application meetings are required whenever the provisions of these subdivision regulations expressly state that they are required. They are encouraged in all cases.
- C.** Pre-application meetings must be scheduled with the land use administrator.
- D.** The land use administrator is authorized to establish guidelines for pre-application meetings, including information to be provided and any available alternatives to face-to-face meetings, such as telephone conversations and email correspondence.

### **10-020.4 Applications and Fees**

- A. Authority to Submit Applications**

Applications for approval under the procedures of this section may be submitted only by the owner of the subject property or the subject property owner's duly authorized agent.
- B. Form of Application**

Applications required under these subdivision regulations must be submitted in a form and in such numbers as required by the land use administrator. Applications must include materials and information to assist authorized review and decision-making bodies in their consideration of the application, including at least the following:

  - (1)** A list of the names and addresses of all owners of record of the property that is the subject of the application; and
  - (2)** Maps, plats, surveys, dimensioned site plans, engineering documents, environmental reports, traffic studies, and other materials and information, as required by these subdivision regulations or application checklists established by the land use administrator. Application forms and submittal requirements must be made available to the public.
- C. Application Fees and Notification Costs**

All applications must be accompanied by the application fee that has been established by the planning commission and by an amount to cover the costs of required public hearing notices and publication.
- D. Application Completeness, Accuracy and Sufficiency**
  - (1)** An application will be considered complete and ready for processing only if it is submitted in the required number and form, includes all required information and is accompanied by the required application and notification fees.

- (2)** The land use administrator must determine whether the application is complete within 5 business days of application submittal.
- (3)** If an application is determined to be incomplete, the land use administrator must provide notice to the applicant along with an explanation of the application's deficiencies and identification of any actions that may be taken to keep the application in the same processing cycle. Notice of an incomplete application must be provided by email or personal service.
- (4)** Unless otherwise approved by the land use administrator, no further processing of incomplete applications will occur. When an application's deficiencies are corrected, the application will be placed in the first available processing cycle.
- (5)** Applications deemed complete must be promptly reviewed by staff and other review and decision-making bodies in accordance with applicable review and approval procedures.
- (6)** The land use administrator may require that applications and required submittals be revised before being placed on an agenda for possible action if the land use administrator determines that:
  - (a)** The application or required submittals contain one or more inaccuracies or omissions that hinder timely or competent evaluation of compliance with applicable regulations; or
  - (b)** The decision-making body does not have legal authority to approve the application.

#### **10-020.5 Application Processing Cycles**

The land use administrator is authorized to promulgate reasonable cycles and timelines for processing applications, including deadlines for receipt of complete applications.

#### **10-020.6 Public Notices**

- A.** Whenever the procedures of this article require mailed notices of public hearings or the submittal of an application, the notices must be sent by United States Postal Service first class mail.
- B.** Notices mailed to property owners must be based on property ownership information from the county assessor's office. When required notices have been properly addressed and deposited in the U.S. mail, alleged failure of a party to receive the mailed notice does not constitute grounds to invalidate any action taken.
- C.** All required notices must:
  - (1)** Describe any property involved in the application by map, street address or legal description;
  - (2)** Describe the action sought in the application;

- (3) Indicate the date, time and place of any public hearings or meetings that will be held by the planning commission to consider the application; and
  - (4) Indicate where additional information on the matter can be obtained.
- D. Minor defects in required notices will not be deemed to impair the notice or invalidate proceedings pursuant to the notice. Minor defects in notice are limited to errors in a legal description or typographical or grammatical errors that do not impede communication of the notice to affected parties. If questions arise at any hearing regarding the adequacy of notice, the planning commission must make a formal finding about whether there was substantial compliance with the notice requirements of these regulations.
- E. When the records of the planning commission document the mailing of notices as required by this article, required notice will be presumed to have been given.

#### **10-020.7 Hearing Procedures**

- A. At required public hearings, interested persons must be permitted to submit information and comments, verbally or in writing. The planning commission is authorized to establish reasonable rules and regulations governing the conduct of hearings and the presentation of information and comments.
- B. Once commenced, a public hearing may be continued by the planning commission. No re-notification is required if the continuance is set for a specific date and time and that date and time is announced at the time of the continuance.
- C. If a public hearing for which notice was required to be given is continued for an indefinite period, public hearing notice must be given before the rescheduled public hearing in the same manner as required by these regulations for the originally scheduled public hearing. If the applicant requests and is granted a continuance requiring re-notification, the applicant must pay any costs of re-notification.

#### **10-020.8 Conditions of Approval**

When the procedures of this article authorize approval with conditions, review bodies, including staff, are authorized to recommend conditions and decision-making bodies are authorized to approve the subject application with conditions. Any conditions recommended or approved must relate to a situation likely to be created or aggravated by the proposed development and must be roughly proportional to the impacts of the use or development.

#### **10-020.9 Decision-Making Criteria; Burden of Proof or Persuasion**

Applications must address relevant review and decision-making criteria. In all cases, the burden is on applicants to demonstrate that all applicable review or approval criteria have been met.



## **10-030 EXEMPT LAND DIVISIONS<sup>21</sup>**

### **10-030.1 Purpose**

The exempt land division determination procedures of this section are intended to result in written documentation that a proposed land division is exempt from the subdivision and lot split procedures of this article. While exempt land divisions are exempt from subdivision and lot split procedural requirements, they are not exempt from compliance with other applicable (non-plat) requirements of these and other applicable regulations.

### **10-030.2 Applicability**

Applicants proposing land divisions to be created without following the subdivision or lot split procedures of this article must file an application for determination of exempt land division status in accordance with the procedures of this section. Exempt land divisions are those land divisions in which all lots to be created are more than 5 acres in area and no more than 4 lots are being created, including the parent tract and any remainders. In determining whether a proposed land division meets the criteria for an exempt land division, the calculation of the number of lots being created must include the cumulative total of all lots partitioned, split or divided from the parent tract in the 5-year period immediately preceding the submittal date of the lot exempt land division application.

### **10-030.3 Application Submittal**

A complete application for exempt land division determination must be submitted to the land use administrator.

### **10-030.4 Land Use Administrator Review and Action**

- A.** Following receipt of a request for a determination of exempt land division status, the land use administrator must determine whether the proposed land division is exempt from the subdivision and lot split procedures of this article. The land use administrator may rely upon information provided by the applicant and the applicant's engineer or surveyor in determining the number and size of the parcels proposed to be created.
- B.** If the land use administrator determines that the proposed land division is exempt from following the subdivision and lot split procedures of this article, the land use administrator must certify the proposed land division as exempt and include the following statement on the lot split deed:

*I, [insert name], Land Use Administrator for the Tulsa Metropolitan Area Planning Commission (TMAPC), certify that this conveyance does not constitute a land division requiring review under otherwise applicable subdivision or lot split procedures of the TMAPC. Because of its "exempt" status, the TMAPC has not reviewed this land division for compliance with applicable zoning and subdivision regulations. Prospective purchasers should be aware that plans for building and development may be denied for lots that do not meet applicable zoning, subdivision or building regulations. This approval expires if not recorded before [insert date].*

<sup>21</sup> Entirely new administrative (staff-only) process.

- C. If the land use administrator determines that the proposed land division constitutes a land division that requires review and approval in accordance with the subdivision or lot split procedures of this article, the applicant must be informed of that determination in writing.

<b>10-040 SUBDIVISIONS</b>
----------------------------

**10-040.1 Applicability**

The subdivision review and approval procedures of this section (~~10-040~~) must be followed for all land divisions that will result in the creation of 5 or more lots.

**10-040.2 General Process**

- A. The subdivision review and approval process is a multi-step process requiring:
- (1) Pre-application meeting;
  - (2) Preliminary Subdivision plat (with conceptual infrastructure plans);
  - (3) Infrastructure Plans; and
  - (4) Final plat.

**10-040.3 Pre-application Meeting**

A pre-application meeting is required to be held before or concurrently with the submittal of an application for preliminary subdivision plat approval. (See ~~10-020.3~~ for additional information on pre-application meetings).

**10-040.4 Preliminary Plat**

**A. Application Submittal**

Applications for preliminary subdivision plat approval, including a preliminary subdivision plat and conceptual infrastructure plans, must be submitted to the land use administrator.

**B. Review and Distribution to Review Agencies—Land Use Administrator**

- (1) Upon receipt of a complete application for preliminary subdivision plat approval, the land use administrator must review the preliminary subdivision plat and conceptual infrastructure plans for compliance with these and other applicable regulations.
- (2) The land use administrator is authorized to distribute relevant application documents to review agencies and specify a date by which review agency comments must be received if they are to be incorporated into the comments provided to the applicant and the planning commission.
- (3) The land use administrator must notify the applicant, via email, of all review agencies on the preliminary subdivision plat distribution list.

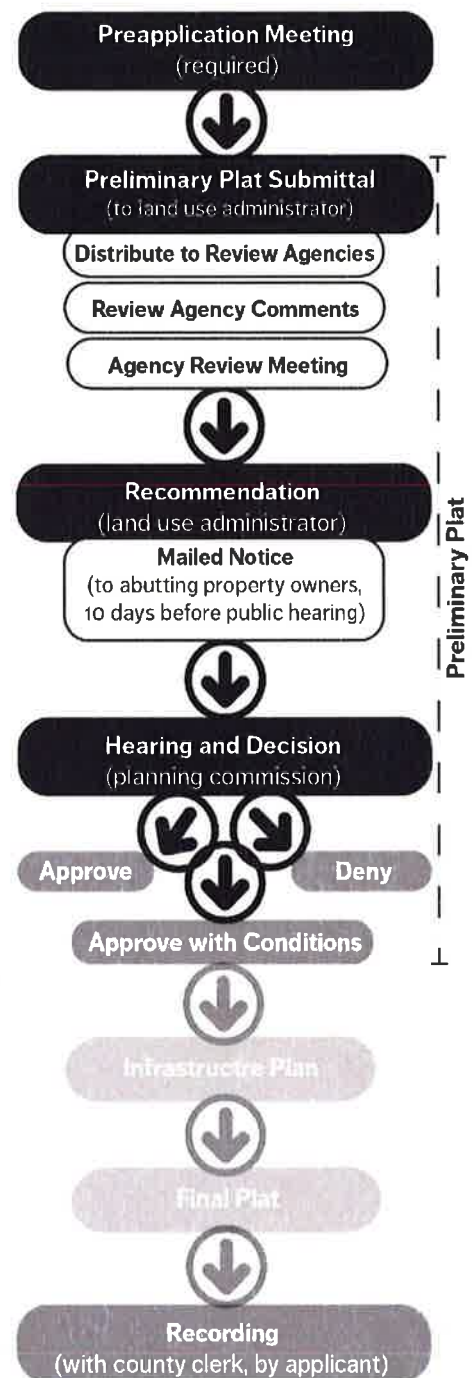
**C. Agency Review Meeting<sup>22</sup>**

- (1) The land use administrator must work with review agencies to integrate all review comments into a single comprehensive written summary, including the name of agency contact from whom the comment was received. The written summary must be submitted to the applicant at least 24 hours before the agency review meeting at which the matter will be discussed.
- (2) An agency review meeting must be held to allow applicants the opportunity to discuss review comments and recommendations with representatives from reviewing agencies.
- (3) Following the agency review meeting, the land use administrator must prepare a recommendation and provide the recommendation and agency review comments to the planning commission.

**D. Hearing and Decision—Planning Commission**

- (1) Following receipt of a recommendation and agency review comments from the land use administrator, the planning commission must hold a public hearing on the preliminary subdivision plat application.
- (2) Notice of the planning commission's required public hearing on a preliminary subdivision plat must be mailed at least 10<sup>23</sup> days before the date of the hearing to all owners of property abutting the property

**Figure 10-1: Preliminary Plats**



<sup>22</sup> Equivalent of TAC meeting.

<sup>23</sup> This proposed change will allow the agency review (TAC) meeting to occur before notices are sent.



that is the subject of the preliminary subdivision plat application (see 10-020.6 for additional information on mailed notices).

- (3) Preliminary subdivision plats may be approved by a simple majority vote, except that approval requires an affirmative vote of at least two-thirds of the entire membership of the planning commission when the governing body of any city or town in Tulsa county whose corporate limits are located within 3 miles of property included in the preliminary subdivision plat files a written objection to preliminary subdivision plat approval with the land use administrator at least 3 days before the public hearing.
- (4) The planning commission's action must be based on whether the proposed preliminary subdivision plat complies with all applicable regulations, other than those regulations for which a modification is expressly approved by the planning commission in accordance with 10-070.
- (5) If a modification is approved or conditionally approved, the planning commission must state the reasons for approval of the modification and include the reasons in the official minutes of the meeting.
- (6) If the preliminary subdivision plat is approved with conditions, the final plat and any other required submittals related to the subdivision review process must demonstrate compliance with the imposed conditions. The planning commission is also authorized to require the applicant to submit a revised preliminary subdivision plat that complies with the imposed conditions.

**E. Effect of Approval**

Upon approval of the preliminary subdivision plat, the applicant may proceed with submittal of the required final plat.

**F. Lapse of Approval**

- (1) Except as otherwise expressly stated in these regulations, an approved preliminary subdivision plat remains valid and effective for 2 years from the date of approval by the planning commission. If final plat approval has not occurred within this 2-year period, preliminary subdivision plat approval lapses and is of no further effect, unless the subdivision is to be built in phases, and a phasing plan was approved by the planning commission as part of the preliminary subdivision plat approval. If a phasing plan is approved, the expiration date of the preliminary subdivision plat will be governed by the time periods approved by the planning commission as part of the phasing plan.
- (2) The planning commission is also authorized to rescind approval of a preliminary subdivision plat prior to approval of a final plat if the commission determines that information provided by the applicant and

upon which the approval or conditional approval was based, was false or misleading.

**G. Extension of Preliminary Plat Approval<sup>25</sup>**

- (1)** The planning commission is authorized to approve one or more extensions of preliminary subdivision plat approval for a maximum of one year per extension.
- (2)** Applicants must file extension requests with the land use administrator before the preliminary subdivision plat approval lapses.
- (3)** Notice of the planning commission's public hearing must be provided in accordance with the notice requirements that apply to preliminary subdivision plats (See 10-040.4D(2)).
- (4)** The planning commission's decision on a preliminary subdivision plat extension request must be based on the following criteria:
  - (a)** Whether circumstances affecting the timing of final plat approval have changed and are beyond the control of the applicant;
  - (b)** Whether the applicant can meet the new deadline despite the changed circumstances;
  - (c)** Whether all aspects of the planning commission's original decision to approve the preliminary subdivision plat will continue to be valid if the extension is granted;
  - (d)** Whether any significant changes in or near the area included in the preliminary subdivision plat have occurred or are expected to occur within the extension period that would change the evaluation of the preliminary subdivision plat; and
  - (e)** Whether planning and provision of public facilities and services in the area will be disrupted if the extension is granted.
- (5)** In approving an extension request, the planning commission is authorized to impose conditions and to impose updated engineering and construction requirements as deemed necessary to protect the public interest.

**10-040.5 Infrastructure Plans**

**A. Application Submittal**

Before any construction occurs and before the final plat is approved, proposed infrastructure plans and engineering data addressing hydrology, hydraulics, grading, water distribution, sewage collection, stormwater management and paving must be submitted to the city or county for review and approval.

---

<sup>25</sup> This is new; establishes a more formalized and transparent process for approval of preliminary plat extensions.

**B. Review and Approval**

- (1) Review agencies must review proposed infrastructure plans for compliance with the preliminary subdivision plat and all applicable regulations and standards. Applicants must revise and resubmit plans for review, as necessary to address review agency comments.
- (2) Once all applicable requirements have been met, the proposed infrastructure plans must be approved.

**10-040.6 Final Plat<sup>26</sup>**

**A. Application Submittal**

Applications for final plat approval, including the final plat must be submitted to the land use administrator following planning commission approval of the preliminary subdivision plat and before such approval lapses (see [10-040.4F](#)).

**B. Intake and Distribution to Review Agencies**

Upon receipt of a complete final plat application, the land use administrator must certify the submittal date, identify the review agencies to whom the final plat application must be distributed and distribute application documents to those review agencies.<sup>27</sup> The land use administrator must notify the applicant, via email or personal service, of all agencies and individuals on the review agency distribution list.

**C. Review and Action—Land Use Administrator**

- (1) The land use administrator must review the final plat to determine if:
  - (a) It is in conformance with the approved preliminary subdivision plat and any conditions of preliminary subdivision plat approval;
  - (b) It complies with these and other applicable regulations; and
  - (c) All applicable release letters, certificates and other documents evidencing review agencies' determination of final plat compliance or approval have been received.
- (2) If the land use administrator determines that the final subdivision plat shows no revisions or only minor deviations from the approved preliminary subdivision plat and complies with all applicable regulations, the land use administrator is authorized to approve the final plat on behalf of the planning commission. The land use administrator is also authorized to forward the final plat to the planning commission for review and final decision. Applicants may elect to request that the final

---

<sup>26</sup> Final plat procedure has been revised to allow staff approval.

<sup>27</sup> This is a change. Move to electronic submittals should alleviate the need for applicants to distribute.



plat be forwarded to the planning commission for a final decision, including reversal of the decision of the land use administrator.

- (3) Minor deviations from approved preliminary plats are deemed to be those that involve insignificant shifts in street and open space locations, minor changes to lot size, minor shifts in lot lines; and other changes that do not alter the general layout and intensity of the subdivision or have a significant impact on proposed or existing infrastructure. All other deviations from the approved preliminary subdivision plat, including revisions that are determined by the land use administrator to constitute a public interest, are deemed to be major revisions.

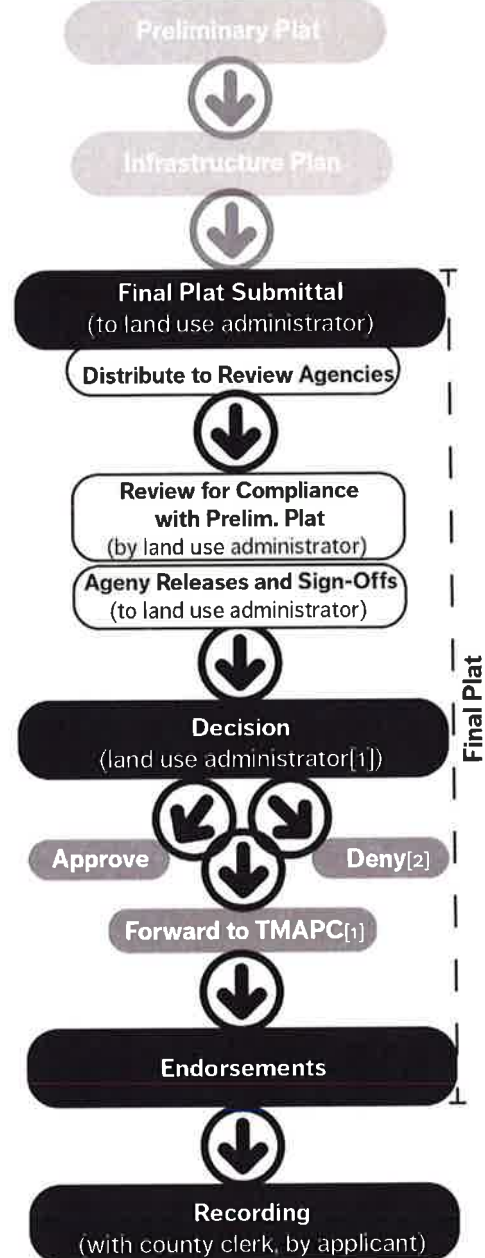
- (4) If the final plat includes major deviations from the approved preliminary plat, a revised preliminary subdivision plat must be submitted in accordance with the procedures of 10-040.4.

#### D. Planning Commission Action

- (1) The planning commission is not required to review and act on final plats unless:

- (a) The applicant requests review and action by the planning commission or reversal of the land use administrator's decision on the final plat; or
- (b) The land use administrator elects to forward the final plat to the planning commission, without acting on the plat.

Figure 10-3: Final Plats



[1] Applicants may request review by planning commission or land use administrator may forward to planning commission for final decision

[2] Applicants may request review by planning commission for reversal of land use administrator's decision.

- (2)** Following receipt of a final plat application from the land use administrator, the planning commission must review the final plat and the report and recommendation of the land use administrator and act to grant final approval, conditional approval (upon receipt of applicable release letters and other documents evidencing review agencies' determination of compliance) or deny approval of the final plat.
- (3)** The planning commission must act on final plats within 30 days of the date of the public meeting at which the final plat application was first considered unless the applicant agrees to an extension of time for planning commission action. If approval is denied, the planning commission must state the reasons for denial, which must be included in the official minutes of the meeting.<sup>28</sup>
- (4)** If the planning commission fails to act on the final plat application within the time required, including any extension agreed to by the applicant, the final plat is deemed approved.
- (5)** Action on final plats requires a simple majority vote of the planning commission, except approval of a final plat requires an affirmative vote of at least two-thirds of the entire membership of the planning commission when the governing body of any city or town in Tulsa county whose corporate limits are located within 3 miles of property included in the final plat files a written objection to preliminary subdivision plat approval with the land use administrator at least 3 days before the public hearing.
- (6)** The planning commission's action must be based on whether the final plat is in conformance with the approved preliminary subdivision plat, including any conditions of approval and whether it complies with all applicable regulations, other than those regulations for which a modification is expressly approved by the planning commission in accordance with 10-070.

#### **E. Endorsements**

- (1)** A final plat is not deemed to have been finally approved and may not be recorded until all requirements of final plat approval have been met and the following endorsements are recorded on the face of the plat:

  - (a)** The land use administrator on behalf of the planning commission;
  - (b)** The city or county engineer;
  - (c)** The city council chair or vice-chair and the mayor; or the chair or vice-chair of the board of county commissioners; and
  - (d)** The city or county attorney.

---

<sup>28</sup> This is a proposed change; currently, the 30-day shot clock begins after hearing is closed (2.3.3(c)).

- (2) If the applicant elects to install required improvements before recording the plat, approval of the improvements may not be endorsed on the plat until all conditions of the approval have been satisfied and all improvements satisfactorily completed. Evidence that required improvements have been satisfactorily completed must be provided in the form of certificates signed by the city or county engineer.
- (3) If the applicant elects to provide performance guarantees and security instead of installing required improvements before recording the plat, approval may not be endorsed on the plat until:
  - (a) All conditions of the approval pertaining to the final plat have been satisfied;
  - (b) An agreement to install required improvements has been executed and delivered to the planning commission; and
  - (c) All applicable requirements of 5-180 have been met.

**F. Release of Final Plat; Recording**

After the final plat has received all required endorsements, the land use administrator must provide a signed copy to the applicant. The applicant is responsible for recording the official, signed final plat with the county clerk and for providing evidence of recordation to the land use administrator. No lot proposed to be created through the subdivision process may be sold or offered for sale until a final plat of the subdivision has been released by the land use administrator and recorded in the office of the county clerk.

<b>10-050 MINOR SUBDIVISIONS</b>
----------------------------------

**10-050.1 Applicability**

- A. Property owners may elect to use the minor subdivision review procedures of this section (10-050) in lieu of the subdivision procedures of 10-040 for land divisions that do not require the approval of infrastructure plans or for which valid approved infrastructure plans exist.
- B. The land use administrator is authorized to allow proposed land divisions requiring no new streets and only minimal new infrastructure to be processed through the minor subdivision review procedures of this section (10-050) after an infrastructure plan predevelopment meeting has been held for the subject property and a recommendation regarding the project's infrastructure status has been received from review agencies.

**10-050.2 General Process**

The minor subdivision review and approval process requires a preapplication meeting and approval of a final plat. No preliminary subdivision plat review is required.



### **10-050.3 Pre-application Meeting**

A pre-application meeting is required to be held before or concurrently with the submittal of an application for minor subdivision approval. (See 10-020.3 for additional information on pre-application meetings).

### **10-050.4 Final Plat**

#### **A. Application Submittal**

Applications for minor subdivision approval, including the required final plat must be submitted to the land use administrator.

#### **B. Intake and Distribution to Review Agencies**

Upon receipt of a complete minor subdivision application, the land use administrator must certify the submittal date and identify the review agencies, if any, to whom the final plat application must be distributed. The land use administrator must notify the applicant, via email or personal service, of all agencies and individuals on the distribution list. Unless otherwise approved by the land use administrator in writing, the applicant is responsible for delivery of the final plat documents to the identified review agencies.

#### **C. Review and Recommendation—Land Use Administrator**

- (1) The land use administrator must review the final plat to determine if:
  - (a) It complies with these and other applicable regulations; and
  - (b) All applicable release letters, certificates and other documents evidencing review agencies' determination of final plat compliance or approval have been received.
- (2) Based on review of the final plat, the land use administrator must prepare a report and recommend that the minor subdivision be approved or disapproved.

#### **D. Planning Commission Action**

- (1) Following receipt of a recommendation from the land use administrator, the planning commission must review the final plat for the minor subdivision and the report and recommendation of the land use administrator and act to grant final approval or deny approval of the final plat.
- (2) The planning commission must act on the final plat within 30 days of the date of the public meeting at which the final plat application was first considered unless the applicant agrees to an extension of time for planning commission action. If approval is denied, the planning commission must state the reasons for denial, which must be included in the official minutes of the meeting.
- (3) If the planning commission fails to act on the final plat application within the time required, including any extension agreed to by the applicant, the final plat is deemed approved.

- (4) Final plats may be granted final approval by a simple majority vote, except that final approval requires an affirmative vote of at least two-thirds of the entire membership of the planning commission when the governing body of any city or town in Tulsa county whose corporate limits are located within 3 miles of property included in the preliminary subdivision plat files a written objection to final plat approval with the land use administrator at least 3 days before the public hearing.

**E. Review Criteria**

In order to be approved, applicants for minor subdivision approval must demonstrate that the proposed minor subdivision:

- (1) Complies with all applicable regulations;
- (2) Will not make any existing lot or structure nonconforming;
- (3) Will not impede transportation access or utility connections for any abutting properties

**F. Release of Final Plat; Recording**

After the final plat has received all required endorsements, the land use administrator must provide a signed copy to the applicant. The applicant is responsible for recording the official, signed final plat with the county clerk and for providing evidence of recordation to the land use administrator. No lot proposed to be created through the minor subdivision process may be sold or offered for sale until a final plat of the subdivision has been released by the land use administrator and recorded in the office of the county clerk.

**10-060 LOT SPLITS AND ADJUSTMENTS<sup>29</sup>**

**10-060.1 Applicability**

- A.** The procedures of this section may be used instead of the subdivision procedures for all:
- (1) Lot splits, which are non-exempt land divisions of platted or unplatted property resulting in the creation of no more than 4 lots, including the parent tract and any remainders; and
  - (2) Lot line adjustments, which combine multiple, existing abutting lots into a single lot or alter the boundary between or reconfigure the shapes of existing abutting lots without creating more lots than existed before the lot line adjustment occurred.<sup>30</sup>

<sup>29</sup> Updated procedures have been revised to allow staff approval in many cases.

<sup>30</sup> The lot line adjustment procedure of this section is new. It is intended to address situations that now require processing of a lot split and a lot combination. Since the lot line adjustment procedure can be used to combine or consolidate lots, the existing lot combination procedure has been eliminated.

- B. The procedures of this section may not be used for and no application may be approved by the land use administrator or the planning commission if approval of the application would result in the creation of 5 or more lots from the parent tract, as calculated cumulatively for the 5-year period immediately preceding the submittal date of the lot split/adjustment application.
- C. Lots created by platting are deemed to create new parent tracts.

#### **10-060.2 Application Submittal**

Lot split and adjustment applications must be submitted to the land use administrator.

#### **10-060.3 Review of Application**

- A. Upon receipt of a complete application for lot split/adjustment approval, the land use administrator must review the proposal to determine whether it complies with these and other applicable regulations.
- B. The land use administrator is authorized to distribute relevant lot split/adjustment application documents to review agencies and specify a date by which review agency comments must be received if they are to be considered in the action on the proposed lot split/adjustment.
- C. The land use administrator must notify the applicant, via email, of all review agencies on the lot split/adjustment distribution list.
- D. The land use administrator is authorized to call an agency review meeting to allow applicants the opportunity to discuss review comments and recommendations with representatives from reviewing agencies. The land use administrator must work with review agencies to integrate all review comments into a single comprehensive written summary. The written summary must be submitted to the applicant at least 24 hours before any agency review meeting at which the matter will be discussed.

#### **10-060.4 Type 1 Lot Splits/Adjustments (Land Use Administrator Action)**

- A. Type 1 lot splits/adjustments are those that do not include any modifications of these regulations,
- B. The land use administrator is authorized to review and take final action on type 1 lot split/adjustment applications, in accordance with the procedures of this subsection (10-060.4).
- C. If, after review of a proposed type 1 lot split/adjustment, the land use administrator determines that the proposed lot split/adjustment complies with all applicable regulations and approval criteria and requires no modifications, the land use administrator must approve the lot split/adjustment application. Otherwise, the land use administrator is authorized to approve the type 1 lot split/adjustment with conditions or deny approval of the type 1 lot split/adjustment application.
- D. In lieu of acting on a type 1 lot split/adjustment application in accordance with 10-060.4C, the land use administrator is authorized to forward the lot



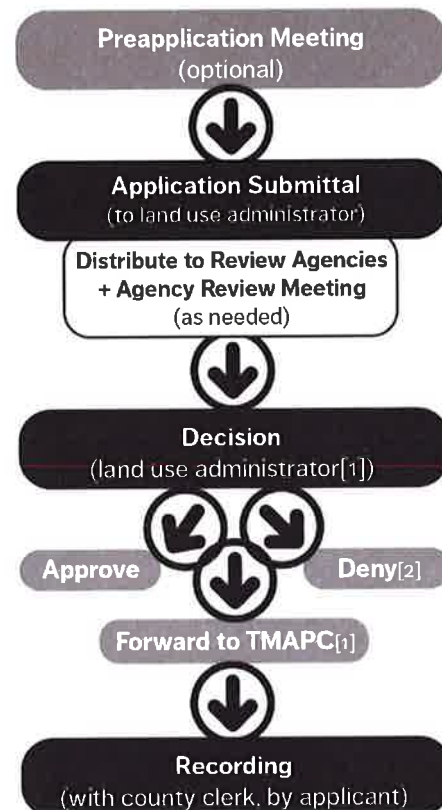
split/adjustment application, a recommendation and any agency review comments to the planning commission for final review and decision in a public meeting.

- E.** The planning commission is not required to review and act on type 1 lot split/adjustment applications unless:

- (1)** The applicant requests review and action by the planning commission or reversal of the land use administrator's decision on the lot split/adjustment; or
- (2)** The land use administrator elects to forward the lot split/adjustment to the planning commission, without acting on the application.

- F.** Lot split/adjustment applications requiring review and action by the planning commission must be processed in accordance with the type 2 lot split/adjustment procedures of 10-060.5.

**Figure 10-5: Type 1 Lot Splits/Adjustments**



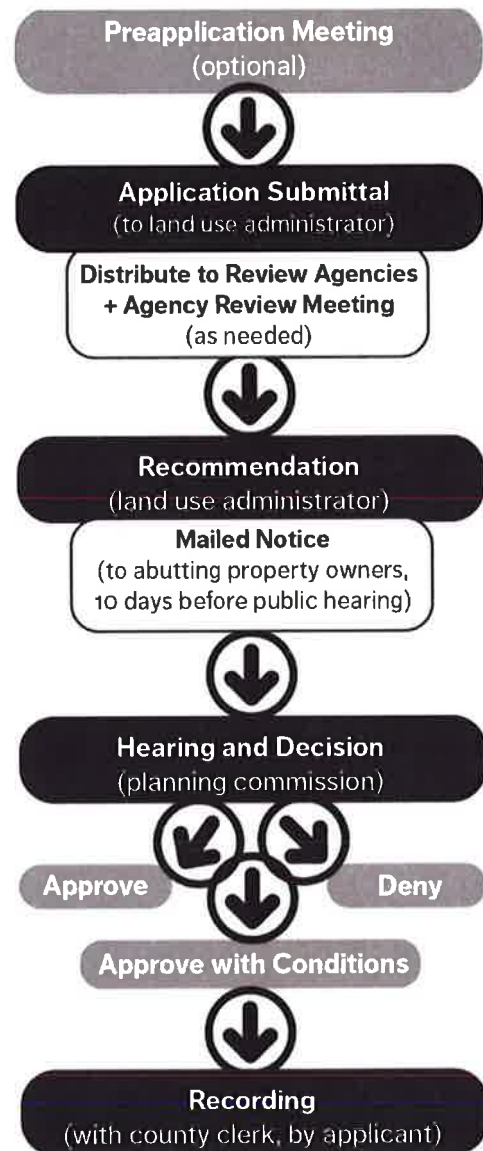
[1] Applicants may request review by planning commission or land use administrator may forward to planning commission for final decision

[2] Applicants may request review by planning commission for reversal of land use administrator's decision.

#### **10-060.5 Type 2 Lot Split/Adjustments (Planning Commission Action)**

- A.** The type 2 lot split/adjustment procedures of this section must be followed for all lot split/adjustment applications that:
- (1)** Include one or more requested modifications of these regulations; and
  - (2)** Lot split/adjustment applications that are forwarded to the planning commission in accordance with 10-060.4E.
- B.** Type 2 lot split/adjustment applications require review and action by the planning commission in a public hearing, in accordance with the procedures of this subsection (10-060.5).
- C.** Following receipt of a recommendation from the land use administrator, including any agency review comments, the planning commission must hold a public hearing on the lot split/adjustment application.

- D.** Notice of the planning commission's required public hearing on a type 2 lot split/adjustment must be mailed at least 10 days before the date of the hearing to all owners of property abutting the property that is the subject of the lot split/adjustment application (see [10-020.6](#) for additional information on mailed notices).<sup>31</sup>
- E.** Following the public hearing, the planning commission must act to approve the lot split/adjustment, approve the lot split/adjustment with conditions or deny approval of the lot split/adjustment. If approval is denied, the planning commission must state the reasons for denial, which must be included in the official minutes of the meeting.
- F.** Approval of type 2 lot split/adjustments involving modifications of these regulations requires an affirmative vote of at least two-thirds of the members of the planning commission who are present and voting. Approval of all other type 2 lot split/adjustments requires an affirmative vote of a simple majority of the members of the planning commission who are present and voting.
- G.** The planning commission's action must be based on whether the proposed lot split/adjustment complies with all applicable regulations, other than those regulations for which a modification is expressly approved by the planning commission in accordance with [10-070](#).
- H.** If a modification is approved or conditionally approved, the planning commission must state the reasons for approval of the modification and include the reasons in the official minutes of the meeting.

**Figure 10-6: Type 2 Lot Splits/Adjustments**

<sup>31</sup> This is a change; currently requires notice 10 days before hearing.

- I. If a type 2 lot split/adjustment is approved with conditions, the planning commission is authorized to require the applicant submit revised documents that demonstrate compliance with the imposed conditions.

#### **10-060.6 Review and Approval Criteria**

Review and final action on all proposed type 1 and type 2 lot split/adjustments must be based on whether the proposed lot split/adjustment complies with the following review and approval criteria, as applicable:

##### **A. Zoning**

- (1) All lots resulting from the lot split/adjustment will comply with all applicable zoning district regulations or come closer to complying with applicable zoning district regulations and create no new nonconformities; and
- (2) The lot line adjustment will not result in a single lot being included in multiple zoning districts, unless expressly approved as a modification (see 10-070)

##### **B. Access, Streets and Trails**

- (1) Lot splits/adjustments must result in all lots to be created having at least the amount of street frontage as required by zoning, or the amount of street frontage approved through applicable zoning variance procedures.
- (2) When lots proposed to be split contain areas that do not comply with the street right-of-way requirements of the *Major Street and Highway Plan*, the lot split/adjustment may not be approved, except upon a finding that one or more of the following conditions are met:
  - (a) Adequate assurances are in place to ensure that the needed right-of-way is dedicated;
  - (b) All utilities are already in place or the additional right-of-way is not required for utility placement;
  - (c) The public has, by statutory easement or suitable roadway dedication, right-of-way sufficient to allow the placement of pavement of a width necessary to meet the standards of the *Major Street and Highway Plan* for the particular street and sidewalk involved; or
  - (d) Existing structures are located within the right-of-way proposed by the *Major Street and Highway Plan*.
- (3) In accordance with 5-080, when the comprehensive plan or a trails plan identifies the need for a trail on the subject property, the decision-making body is expressly authorized to condition approval of the lot split/adjustment on the dedication of a trail easement,



**C. Water Supply and Sewage Disposal**

- (1) When a proposed lot split/adjustment abuts a public water or sanitary sewer connection, the lot split/adjustment may not create any lots that will be cut off from accessing that water or sewer connection, unless expressly approved by the land use administrator.
- (2) Lot split/adjustments must comply with the water supply and sewage disposal regulations of ~~5-130~~, except that for lots within the corporate limits of the city that are not served by sanitary sewer, an easement may be required to be dedicated to provide for the future extension of the sewer. The applicant must obtain approval of the location and size of any required easements and submit evidence of required easement dedication before the lot split/adjustment receives final approval.

**D. Flood Protection**

The regulations of ~~5-090~~ to all portions of a proposed lot split/adjustment located in a flood hazard area.

**10-060.7 Approval and Recordation**

**A. Lot Splits**

- (1) If a lot split application is approved, a certification must be affixed to the instrument of transfer, as required by state statute. The certification must include notice of the conditions stated in ~~10-060.1B~~ and be signed by the planning commission chair, another planning commission officer or the land use administrator.
- (2) The applicant is responsible for recording the certified instrument of transfer with the county clerk, as an official document that will be contained in the abstract of the subject property. The applicant must provide the land use administrator with evidence of recordation. The lot split approval lapses and is of no further effect if the conveyance is not recorded within 3 years of the date of approval of the lot split. The planning commission is authorized to approve an extension of the time frame for recording if an extension request is filed by the applicant before the approval lapses (within the 3-year timeframe).

**B. Lot Line Adjustments**

- (1) If a lot line adjustment is approved, the land use administrator must issue a certificate of compliance for lot line adjustment and affix a certification to the lot line adjustment declaration. The property description on the certificate must describe the reconfigured parcel or parcels, which will then be recognized by the city or county as legal lots. The certification must be signed by the planning commission chair, another planning commission officer or the land use administrator.
- (2) The applicant is responsible for recording the signed certificate of compliance for lot line adjustment and certified lot line adjustment

declaration with the county clerk, as an official document that will be contained in the abstract of the subject property. The applicant must provide the land use administrator with evidence of recordation. The lot line adjustment approval lapses and is of no further effect if the lot line adjustment declaration is not recorded within 3 years of the date of approval of the lot line adjustment.

#### **10-060.8 Effect of Approval of Lot Line Adjustments**

- A.** After approval and recordation of and executed lot line adjustment declaration, any combined lots will be considered a single lot for the purposes of complying with applicable zoning and subdivision regulations.
- B.** The owner of any combined lot resulting from a lot line adjustment may not sell, convey or mortgage any of the lots comprising the combined lot separate and apart from any of the other lots unless a land division is approved in accordance with these regulations.
- C.** Any attempted sale, conveyance or mortgage of lots within any combined lots separate and apart from any of the other lots within the combined lot is void.
- D.** The covenants within the lot line adjustment declaration run with the title to the subject lots and are binding on all parties having or acquiring any right, title or interest in any part thereof.
- E.** Lot line adjustments are for and inure to the benefit of the city or county, which has the right and standing to enforce the terms of the lot line adjustment declaration.

#### **10-060.9 Amendment or Termination of Lot Line Adjustments**

Lot line adjustment declarations may be amended or terminated only by a written instrument executed by the subject property owner and approved by the land use administrator and duly recorded in the office of the county clerk. Any subsequent lot line adjustment involving the subject property constitutes an amendment or termination of the previously approved lot line adjustment.

<b>10-070 MODIFICATIONS</b>
-----------------------------

##### **10-070.1 Applicability**

All property owner requests for relief from strict compliance with the design and improvement regulations of ARTICLE 5 must be processed as modification requests in accordance with the provisions of this section (10-070).

##### **10-070.2 Intent**

Modifications are intended to provide for regulatory relief when requiring strict compliance with applicable regulations would cause an undue hardship or practical difficulty because of unusual topographical or other exceptional conditions that apply to the subject property.

### **10-070.3 Process**

- A.** For properties being platted or for which an application is made for a lot split/adjustment, modification requests must be processed concurrently with the preliminary subdivision plat, minor plat or lot split/adjustment application. When requesting a modification, the applicant must identify each regulation for which a modification is sought and provide a written response to each of the required approval criteria listed in 10-070.4 for each requested modification.
- B.** For properties not being platted, modifications requests require review and action by the planning commission in a public hearing, in accordance with the following procedures.
  - (1)** Modification requests must be submitted to the land use administrator.
  - (2)** Following receipt of a recommendation from the land use administrator, including any agency review comments, the planning commission must hold a public hearing on the application.
  - (3)** Notice of the planning commission's required public hearing on modification requests not associated with a plat application must be mailed at least 10 days before the date of the hearing to all owners of property abutting the property that is the subject of the modification request (see 10-020.6 for additional information on mailed notices).
  - (4)** Following the public hearing, the planning commission must act to approve the modification, approve the modification with conditions or deny approval of the modification. If the modification is approved or conditionally approved, the planning commission must state the reasons for such approval, which must be included in the official minutes of the meeting.

### **10-070.4 Approval Criteria**

- A.** The planning commission is authorized to approve modifications of these regulations when they determine that the purpose of these regulations will be served to a greater or at least the same extent by an alternative proposal.
- B.** The planning commission may not approve modifications that will:
  - (1)** Be detrimental to the public safety health, or welfare,
  - (2)** Be injurious to other property or improvements; or
  - (3)** Impair the spirit, purposes, or intent of applicable zoning regulations or comprehensive plan policies.

### **10-070.5 Decision**

Modifications may be approved by the planning commission or approved with conditions only upon an affirmative vote of at least two-thirds of the members of the planning commission who are present and voting. The planning commission must state the reasons for approval of the modification, which must be included in the official minutes of the meeting.



## **10-080 ADMINISTRATIVE MODIFICATIONS<sup>34</sup>**

### **10-080.1 Intent**

Administrative modifications are intended to provide a streamlined approval procedure for minor (de minimis) modifications of expressly identified subdivision regulations.

Administrative modifications are further intended to:

- A.** Allow development that is in keeping with the general purpose and intent of these regulations; and
- B.** Provide flexibility for new development when such flexibility is in keeping with the general purpose and intent of these regulations and will not adversely affect nearby properties or the public interest.

### **10-080.2 Authorized Administrative Modifications**

- A.** Administrative modifications may be granted only as expressly identified in this section.
  - (1)** The land use administrator is authorized to grant an administrative modification to permit a flag lot as part of a type 1 lot split/adjustment or other application for which the land use administrator has final decision-making authority under these regulations.
- B.** The administrative modification procedures may not be used to vary, modify or otherwise override a condition of approval or requirement imposed by the planning commission or to approve a modification involving a land division or other application under these regulations that requires review and final action by the planning commission.

### **10-080.3 Authority to File**

Administrative modification applications may be filed by the owner of the subject property or by the property owner's authorized agent.

### **10-080.4 Application Filing**

Complete applications for administrative modifications must be filed with the land use administrator.

### **10-080.5 Notice of Filing/Intent to Approve**

The applicant is responsible for delivering written notice of application filing to all owners of property abutting the subject (proposed) lot. The written notice must describe the nature of the requested administrative modification. It must also indicate the date on which the land use administrator will take action on the application and that the application will be available for review and comment until that date. Any interested party may submit written comments concerning the application to the land use administrator.

---

<sup>34</sup> New section/procedure, as discussed at November 1, 2017 work session.

**10-080.6 Action by Land Use Administrator**

- A. The land use administrator must review each application for an administrative modification and act to approve the application, approve the application with conditions, deny the application or refer the application to the planning commission for consideration as a modification.
- B. The land use administrator may not take final action to approve or deny an administrative modification application until at least 5 days after the required notices have been deposited in the mail or otherwise delivered to abutting property owners.
- C. The land use administrator's decision to approve or deny an administrative modification must be based on the approval criteria and standards of 10-080.7 and accompanied by written findings of fact.
- D. At least once per calendar year, the land use administrator must provide the planning commission with a list of all administrative modification decisions.

**10-080.7 Standards and Review Criteria**

- A. The land use administrator is authorized to approve administrative modifications when the land use administrator determines that the purpose of these regulations will be served to a greater or at least the same extent by an alternative proposal.
- B. The land use administrator may not approve administrative modifications that will:
  - (1) Be detrimental to the public safety health, or welfare,
  - (2) Be injurious to other property or improvements; or
  - (3) Impair the spirit, purposes, or intent of applicable subdivision and development regulations or comprehensive plan policies.

**10-080.8 Conditions of Approval**

In granting an administrative modification, the land use administrator is authorized to impose conditions upon the subject property that are necessary to reduce or minimize any potentially adverse impacts on other property in the surrounding area, and to carry out the stated purpose and intent of these regulations.

**10-080.9 Decision**

The land use administrator's decision must be in writing and state the reasons for approval or denial of the administrative modification.

**10-080.10 Appeals**

If the land use administrator denies an administrative modification request, the applicant may request approval of a modification from the planning commission, in accordance with 10-070.

## **10-090 CHANGE OF ACCESS<sup>35</sup>**

### **10-090.1 Applicability**

The change of access procedures of this section must be followed whenever the owner of property seeks to remove or otherwise change recorded limits of access that apply to the subject property.

### **10-090.2 Pre-application Meeting**

A pre-application meeting is required to be held before or concurrently with the submittal of a change of access application. (See [10-020.3](#) for additional information on pre-application meetings).

### **10-090.3 Application Submittal**

Complete change of access applications must be submitted to the land use administrator.

### **10-090.4 Staff and Agency Review**

- A.** Upon receipt of a complete application, the land use administrator and the city traffic engineer or county engineer must review the application for compliance with these and other applicable regulations.
- B.** The land use administrator is authorized to distribute relevant application documents to review agencies and specify a date by which review agency comments must be received if they are to be considered in the action on the change of access application.
- C.** The land use administrator must notify the applicant, via email, of all review agencies on the review agency distribution list.
- D.** The land use administrator is authorized to call an agency review meeting to allow applicants the opportunity to discuss review comments and recommendations with representatives from reviewing agencies. The land use administrator must work with review agencies to integrate all review comments into a single comprehensive written summary. The written summary must be submitted to the applicant at least 24 hours before any agency review meeting at which the matter will be discussed.

### **10-090.5 Review and Decision-making**

- A.** Unless the applicant files a written request for a final decision by the planning commission, the land use administrator is authorized to review and take final action to approve or deny change of access requests, after consulting with the city or county engineer.
- B.** Change of access requests forwarded to the planning commission, upon request of the applicant, must be reviewed and acted upon by the planning commission in a public meeting.

---

<sup>35</sup> Revised to allow staff approval.



- C. In reviewing and acting on change of access requests, review and decision-making bodies must consider whether the request will comply with applicable access management and driveway design regulations and all other applicable access-related regulations in effect at the time of approval, including zoning requirements.

**10-090.6 Approval and Recordation**

- A. If a change of access application is approved, a change of access instrument acknowledging the approved change must be signed by the city traffic engineer or county engineer (as applicable) and the land use administrator.
- B. The applicant is responsible for recording the official, signed change of access instrument with the county clerk, as an official document that will be contained in the abstract of the subject property. The applicant must provide the land use administrator with evidence of recordation.
- C. Once the approved change of access instrument is filed of record, previously existing limits of access that were approved for removal are expressly held to be vacated, and any new limits of access become binding.

<b>10-100 PLAT VACATIONS</b>
------------------------------

Plats may be vacated in accordance with Oklahoma Statutes.

## ARTICLE 15. DEFINITIONS

15-010	GENERAL .....	15-1
15-020	TERMS BEGINNING WITH "A-C" .....	15-1
15-030	TERMS BEGINNING WITH "D-F" .....	15-2
15-040	TERMS BEGINNING WITH "G-I" .....	15-3
15-050	TERMS BEGINNING WITH "J-L" .....	15-4
15-060	TERMS BEGINNING WITH "M-O" .....	15-5
15-070	TERMS BEGINNING WITH "P-R" .....	15-5
15-080	TERMS BEGINNING WITH "S-U" .....	15-6
15-090	TERMS BEGINNING WITH "V-Z" .....	15-7

### 15-010 GENERAL

Words and terms expressly defined in these regulations have the specific meanings assigned unless the context clearly indicates another meaning. Words and terms that are not expressly defined in these regulations have the meaning given in the latest edition of *Merriam-Webster's Unabridged Dictionary*.

### 15-020 TERMS BEGINNING WITH "A-C"

#### **Abut or Abutting**

To touch or share a contiguous boundary or border, except that in the context of public meeting or hearing notice requirements, "abutting" includes properties that are contiguous or separated therefrom only by a minor street, alley or railroad right-of-way.

#### **Adjacent**

Lying near or in the immediate vicinity.

#### **Agent**

A person duly authorized to act on behalf of the owner of the subject property owner.

#### **Alley**

A public right-of-way that affords a secondary means of access to abutting property and that is not intended for general traffic circulation.

#### **Applicant**

The owner of the subject property or an agent authorized by the subject property owner to submit an application on the owner's behalf.

#### **Bioretention**

The use of soil and plants to remove pollutants from stormwater runoff.

#### **Block**

A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad right-of-way, shoreline of waterways, or boundary lines of municipalities.

**City**

The City of Tulsa, Oklahoma.

**Comprehensive Plan**

The official comprehensive plan of the city or county, as adopted and approved pursuant to the master plan provisions of §19-863.7 of the Oklahoma Statutes.

**County**

The County of Tulsa, Oklahoma.

**Covenant (Restrictive)**

Written covenants, running with the land that restrict or regulate the use of the property or the kind, character, and location of buildings or other structures that may be located on the subject property.

**Cul-De-Sac**

A local street that is permanently terminated at one end by a vehicle turnaround.

<b>15-030</b>	<b>TERMS BEGINNING WITH "D-F"</b>
---------------	-----------------------------------

**Dedication**

The deliberate appropriation of land by an owner for general and public use reserving to the landowner no rights that are incompatible with the full exercise and enjoyment of the public use to which the property has been devoted.

**Developer**

The property owner or a party who with consent of the property owner is dividing property or applying for one or more forms of approval required under the review and approval procedures of [ARTICLE 10](#).

**Development, Land**

Any human-made change to improved or unimproved real estate, including the construction or placement of buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.

**Development Plan, Mandatory**

As defined in Sec. 70-040 of the Tulsa Zoning Code.

**Drainage**

A general term applied to the removal of surface or subsurface water from a given area either by gravity or by pumping.

**Driveway**

A private accessway providing a connection from a lot to a street or highway and providing for vehicular circulation on the lot.

**Easement**

A grant by a property owner for the use property by a public authority or private entity for a specific purpose.



**Emergency Vehicle (or Emergency Service Vehicle)**

Vehicles such as ambulances, police cars, or firefighting equipment used to respond to emergency situations.

**Erosion**

The process by which the soil and rock components of the earth's crust are worn away and removed from one place to another by natural forces such as water, wind, ice and gravity.

**Flood Hazard Area**

For all buildings or structures located inside the corporate limits of the City of Tulsa, the flood hazard area is as designated on the adopted City of Tulsa Regulatory Floodplain Map Atlas and the most recent Flood Insurance Rate Maps (FIRM), as established in [Title 11-A](#) of Tulsa Revised Ordinances. For all buildings or structures located outside the corporate limits of the City of Tulsa within unincorporated Tulsa County, the flood hazard area is as designated on the Flood Insurance Rate Maps (FIRM).

**Floodplain**

The area adjoining the channel of a river, creek, stream or watercourse, or lake or any other body of standing water which may from time to time be covered by floodwater. The floodplain areas shall be those as described and delineated on maps contained within the offices of the city and county engineer.

**Floodway**

The channel of a river or other watercourse and the adjacent land areas that must be reserved to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

**Frontage**

That side of a lot abutting on a street to which access is available from said lot.

**Frontage Road**

A public or private marginal access roadway generally paralleling and contiguous to a street or highway and designed to promote safety by eliminating unlimited ingress and egress to such street or highway providing points of ingress and egress at more-or-less uniformly spaced intervals.

<b>15-040</b>	<b>TERMS BEGINNING WITH "G-I"</b>
---------------	-----------------------------------

**Governing Body**

The Tulsa City Council or the Tulsa County Commission.

**Hazard**

Any natural or human-created condition that presents danger to the public health, safety, or welfare.

**Impervious Surface**

Any surface that prevents or impedes the natural infiltration of surface and storm water runoff into the soil.

**Improvements, Private**

Private improvements are the same types of improvements as defined under public improvements, except that ownership and/or maintenance and repair is the responsibility of a private entity.

**Improvements, Public**

Any structure or facility constructed to serve the residents of a subdivision or the public, such as parks; streets or roads; sidewalks, curbs and gutters; street lighting; utilities; and systems for water supply, sewage disposal, and drainage.

**Infrastructure Plan**

The maps or drawings prepared by a registered engineer accompanying a subdivision plat and showing the specific location and design of improvements to be installed in the subdivision in accordance with all applicable requirements of the city or county and the planning commission as a condition of the approval of the plat.

<b>15-050</b>	<b>TERMS BEGINNING WITH "J-L"</b>
---------------	-----------------------------------

**Land Division**

The partitioning or splitting of a parcel of land into 2 or more lots or parcels or a change in boundaries between 2 or more lots or parcels or the consolidation of multiple lots or parcels into a fewer number of lots or parcels.

**Lot**

A tract, plot or portion of a subdivision or other parcel of land intended as a unit for the purpose, whether immediate or future, of transfer of ownership or for building development.

**Lot, Flag**

A lot with two distinct parts: (1) The "flag," which is located behind another lot; and (2) the "flag pole," which connects the flag to the street and is at any point less than the minimum lot width required by zoning or other regulations.

**Low-Impact Development (LID)**

A site design strategy with the goal of maintaining or replicating the pre-development hydrologic regime using design techniques to create a functionally equivalent hydrologic site design. The use of LID techniques, hydrologic functions of storage, infiltration and ground water recharge, as well as the volume and frequency of discharges are maintained using integrated and distributed micro-scale stormwater retention and detention areas, reduction of impervious surfaces, and the lengthening of runoff flow paths and flow time. Other strategies include the preservation/protection of environmentally sensitive site features such as riparian resource areas, wetlands, steep slopes, mature woodlands, floodplains, and highly permeable soils.

**Lot Split**

The subdivision of tracts of land of less than 5 acres where not shown of record in the office of the County Clerk as separately owned per effective date of appropriate State Statute.

**15-060 TERMS BEGINNING WITH "M-O"**

**Maintenance Guarantee**

A financial guarantee posted by the developer and approved by the city or county, guaranteeing the satisfactory condition of required infrastructure and improvements required to be installed pursuant to these regulations.

**Major Street and Highway Plan**

The *Tulsa Metropolitan Area Major Street and Highway Plan*, which is adopted as a functional element of the comprehensive plan.

**Minor Subdivision**

A land division eligible for processing in accordance with the procedures of 10-050.

**Monument (Permanent Monument)**

A structure placed in the ground that is exclusively identifiable as a monument to a survey point expressly placed for surveying reference.

**Non-Motorized Transportation Facilities**

Improvements designed and intended primarily for the use, safety and comfort of pedestrians, cyclists, and other users of nonmotorized means of travel. Examples include sidewalks, trails, bike lanes, equestrian trails and related appurtenances, such as signs, signals and wheelchair ramps.

**15-070 TERMS BEGINNING WITH "P-R"**

**Parent Tract**

The parcel of land from which a new lot or tract of land is being taken from.

**Performance Guarantee**

A financial guarantee posted by the developer and approved by the city or county, guaranteeing that all improvements, facilities, or work required by these regulations will be completed in compliance with these regulations and the approved plans and specifications of a development.

**Phasing Plan**

A detailed plan for final platting and development of a subdivision in 2 or more phases.

**Preliminary Subdivision plat**

The preliminary drawing or drawings, described in these regulations, indicating the proposed manner or layout of the subdivision.

**Plat**

A graphical representation of a subdivision showing the division of land into lots, blocks, streets, alleys, or other divisions and dedications.

**Required Improvement**

Improvement required by the planning commission as condition to approval of the plat.



**Review Agencies**

Local, state and federal agencies; utilities; and other agencies who have regulatory responsibility or directly related interests in proposed land divisions, as determined by the land use administrator based on the location and nature of the subject application.

**Rights-of-Way**

Land dedicated or acquired for use as a public way.

**Runoff**

That part of precipitation that flows off the land without filtering into the soil or being absorbed by plant material.

**15-080 TERMS BEGINNING WITH "S-U"****Sedimentation**

The process of depositing materials from a liquid, especially in bodies of water.

**Setback**

The distance between a building and the street line nearest thereto.

**Street**

The portion of a public or private right-of-way, other than an alley, that affords a primary means of vehicular access to abutting properties.

**Street, Collector**

A street intended to move traffic from local streets to major streets.

**Street, Minor**

All classifications of streets not defined as major streets.

**Street, Major**

All classifications of streets shown on and defined by the major street and highway plan, except residential collector streets. Major streets include freeways and freeway service roads.

**Street, Stub**

A street that is temporarily terminated, but that is planned for future continuation.

**Subdivision**

Any division of land resulting in the creation of 5 or more lots, parcels, tracts, or areas, or any division of land involving the right-of-way or alignment of an existing or proposed street or highway.<sup>38</sup>

**Traffic Calming Features**

Design features and strategies intended to reduce vehicle traffic speeds on a particular street, thereby encouraging safer, more responsible driving.

<sup>38</sup> This is the definition of subdivision from §19-863.9 of the Oklahoma Statutes.

**15-090 TERMS BEGINNING WITH "V-Z"**

**Wetlands**

Areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

## **TMAPC Staff Report**

**December 6, 2017**

### **ZCA-5, City of Tulsa Zoning Code amendments**

**(related to Subdivision and Development Regulations)**

---

**Item: ZCA-5** - Various amendments (related to new Tulsa Metropolitan Area Subdivision and Development Regulations) to the **City of Tulsa Zoning Code** in the following sections: Section 25.040 CO, Corridor District; Section 25.070 MPD, Master Planned Development District; Section 30.010 PUD, Planned Unit Development (Legacy) District; Section 40.110 Cottage House Developments; Section 40.290; Patio Houses; Section 40.390 Townhouses; Section 70.040 Development Plans; Section 70.050 Site Plans; Section 70.045 Transportation Impact Analysis(new); Section 70.080 Zoning Clearance and Platting Requirements; Section 90.080 Open Space per Unit; Section 95.150 Terms beginning with "L".

#### **A. Background**

The proposed amendments to the City of Tulsa Zoning Code are necessary to reflect the change in platting requirements that are proposed as part of the new Subdivision and Development Regulations.

The current Subdivision Regulations for the Tulsa Metropolitan Area were adopted in 1978 and last amended in 2005. The existing Subdivision Regulations do not provide adequate tools to deal with modern development scenarios or implement the vision as expressed in the 2010 Comprehensive Plan update – PLANiTULSA. Also, new Subdivision and Development Regulations will serve as a more appropriate companion to the City of Tulsa Zoning Code, which came into effect in January 2016.

The City of Tulsa engaged a project working group consisting of industry professionals and subject matter experts led by Duncan Associates to complete an update to the existing Subdivision Regulations, now called the Subdivision and Development Regulations. The proposed Subdivision and Development Regulations address the quality of the physical development guided by the City's comprehensive plan (PLANiTULSA). These regulations ensure transportation circulation and connectivity, public access, and the availability of public services to each lot created within the City of Tulsa and unincorporated parts of Tulsa County.

The process to update the Subdivision Regulations began in May 2016. The technical and working groups have meet individually and jointly on multiple occasions, reviewing drafts and providing input. The TMAPC has held three work sessions (April 19, 2017, August 2, 2017 and November 11, 2017) to discuss key issues that were identified. As a final step before the Planning Commission public hearing, TMAPC staff reviewed the draft for consistency with the City of Tulsa's Comprehensive Plan and found that the



new Subdivision and Development Regulations will help to implement goals and policies contained in the plan.

**B. Description of City of Tulsa Zoning Code amendments**

The proposed amendments align the City of Tulsa Zoning Code with the newly proposed Subdivision and Development Regulations. The amendments accomplish the objective of removing platting requirements associated with zoning changes and certain special exceptions. The proposed changes will codify alternative processes by which property owners can verify conformance with the Subdivision and Development Regulations without being subjected to a full platting or re-platting process. The City will retain the requirement that any development standards approved by TMAPC through the development plan process must be filed as restrictive covenants with the county clerk's office making the City of Tulsa beneficiary to the covenants. This requirement will ensure enforceability of the required development standards moving forward and can be completed by plat or a separate recorded document.

One substantive item introduced in the City of Tulsa Zoning Code amendments is Section 70.045 Transportation Impact Analysis (TIA). This was moved from a previous draft of the Subdivision and Development Regulations. There are several goals and policies in the Tulsa Comprehensive Plan that support information gained through a TIA:

*Transportation Goal 3:* The city's transportation system is cost-effective and adequate to meet the needs of the current and projected population.

Policy 3.2: Use a mixture of quantitative and qualitative measures to prioritize transportation infrastructure projects and monitor the system for operational and maintenance issues.

*Transportation Goal 4:* Tulsa has high performance operations for all modes of travel; this is achieved by preserving and optimizing the current transportation system using the latest technology.

Policy 4.3: Conduct traffic and transit modeling to compare capacity additions to system optimization measures and prioritize projects accordingly, relying less on engineering judgment and programmatic prioritization methods.

The specific amendments proposed to the City of Tulsa Zoning Code are in **Attachment I** shown in ~~strike through~~/underline.

- C. **Staff recommends APPROVAL** of proposed amendments to the City of Tulsa Zoning Code as shown in Attachment I.

## Attachment I

### Proposed Amendments to Tulsa Zoning Code

Section 25.040	CO, Corridor District .....	1
Section 25.070	MPD, Master Planned Development District .....	3
Section 30.010	PUD, Planned Unit Development (Legacy) District .....	4
Section 40.110	Cottage House Developments.....	6
Section 40.290	Patio Houses .....	6
Section 40.390	Townhouses.....	7
Section 70.040	Development Plans .....	7
Section 70.050	Site Plans .....	7
Section 70.045	Transportation Impact Analyses.....	7
Section 70.080	Zoning Clearance Permits .....	10
Section 90.080	Open Space per Unit.....	12
Section 95.150	Terms beginning with "L" .....	12

#### Section 25.040 CO, Corridor District

##### 25.040-E Special Procedures Applicable to Corridor (CO) District Rezoning and Developments

###### 1. Overview of Required Approval Process

- a. A property owner request for rezoning to the CO zoning district requires review and approval of a zoning map amendment (see Section 70.030) and a development plan (see Section 70.040) for the subject property.
- b. The planning commission is authorized to recommend and the city council is authorized to approve modifications and adjustments to otherwise applicable parking, sign, landscaping, screening and outdoor lighting regulations concurrently with development plan approval.
- c. After approval of the zoning map amendment and development plan, site plan review and approval is required in accordance with the procedures of Section 70.050.
- d. No building permit may be issued and no building or development may occur in a CO zoning district until a zoning clearance permit has been issued in accordance with Section 70.080 ~~subdivision plat incorporating the provisions of the approved development plan has been approved and filed of record in the county clerk's office of the county in which the property is located.~~

**3. Restrictive Covenants~~Subdivision Plats~~**

~~a. — A corridor district subdivision plat must be filed with the planning commission and processed in accordance with the subdivision regulations.~~

~~b. — In addition to the information and submittals required pursuant to the subdivision regulations, a corridor district subdivision plat must include:~~

~~(1) — Details regarding the approved location of uses and street arrangements;~~

~~(2) — Provisions for the ownership and maintenance of any common open space as will reasonably ensure its continuity, conservation and maintenance. Open space may be dedicated to a private association or to the public, provided that a dedication to the public may not be accepted without the express approval of the city council; and~~

~~(3) — No building permit may be issued, and no building or development may occur in a CO zoning district until All covenants necessary to reasonably ensure continued compliance with the approved development plan are recorded in the county clerk's office. Such covenants may be established in a subdivision plat or in a separately recorded legal instrument.~~ In order that the public interest may be protected, the City of Tulsa must be made beneficiary of the covenants pertaining to such matters as location of uses, height of structures, setbacks, screening, and access. Such covenants must provide that the City of Tulsa may enforce compliance of the covenants, and further provide that amendment of the covenants requires planning commission approval and the filing of record of a written amendment to covenants, endorsed by the planning commission.

**4. Issuance of Building Permits**

Building permits may be issued only after ~~the a zoning clearance permit has been issued in accordance with Section 70.080 and covenants have been recorded in accordance with Section. 25.040-E.3.~~ required subdivision plat is approved and filed of record in the county clerk's office of the county in which the property is located. Any permits issued must be in accordance with the ~~approved plat incorporating the provisions of the~~ approved development plan.

**5. Amendments**

~~The planning commission is authorized to approve M~~ minor amendments to an approved development plan may be authorized by the planning commission, which may direct the processing of an amended development plan and subdivision plat, incorporating such changes, so as long as substantial compliance is maintained with the approved development plan. Major amendments must be processed as new development plans. See §70.040-I.

**6. Abandonment of Approved Plans**

Abandonment of an approved development plan requires review and recommendation by the planning commission and approval by the city council. Upon final action by the city council authorizing abandonment of the development plan, no building permits may be issued until a subsequent development plan ~~and a subdivision plat~~ has been approved ~~and a zoning clearance permit has been issued and filed of record in the county clerk's~~



~~office of the county in which the property is located~~ or until the property has been rezoned to another zoning district and permits sought in accordance with the regulations applicable to the subject district.

<b>Section 25.070    MPD, Master Planned Development District</b>
---

**25.070-D    MPD Approval Procedures**

**1.    Overview of Required Approval Process**

a. A property owner request for rezoning to the MPD zoning district requires review and approval of a zoning map amendment (see Section 70.030), which is processed concurrently with a development plan (see Section 70.040).

b. After approval of the zoning map amendment and development plan, site plan review and approval is required in accordance with the procedures of Section 70.050.

c. No building permit may be issued and no building or development may occur in a MPD zoning district until a zoning clearance permit has been issued in accordance with Section 70.080, a subdivision plat incorporating the provisions of the approved development plan has been approved and filed of record in the county clerk's office of the county in which the property is located.

**3.    ~~Subdivision Plats~~Restrictive Covenants**

~~a. The subdivision plat must be filed with the planning commission and processed in accordance with the subdivision regulations.~~

~~b. In addition to the information and submittals required pursuant to the subdivision regulations, No building permit may be issued, and no building or development may occur in~~ an MPD district subdivision plat must include all until covenants necessary to reasonably ensure continued compliance with the approved development plan are recorded in the county clerk's office. Such covenants may be established in a subdivision plat or in a separately recorded legal instrument. In order that the public interest may be protected, the City of Tulsa must be made beneficiary of the covenants pertaining to such matters as location of uses, height of structure, setbacks, screening, and access. Such covenants must provide that the City of Tulsa may enforce compliance of the covenants, and further provide that amendment of the covenants requires planning commission approval and the filing of record of a written amendment to covenants, endorsed by the planning commission.

**4.    Issuance of Building Permits**

Building permits may be issued only after a zoning clearance permit has been issued in accordance with Section 70.080 and covenants have been recorded in accordance with Section. 25.070-D.3, the required subdivision plat is approved and filed of record in the county clerk's office of the county in which the property is located. Any permits issued must be in accordance with the ~~approved plat incorporating the provisions of the~~ approved development plan.

City of Tulsa Zoning Code Amendments

Section 30.010 PUD, Planned Unit Development (Legacy) District

**25.070-G Other Development Standards**

Unless otherwise expressly provided in the approved development plan, properties within the MPD district are subject to all other applicable provisions of this zoning code and the subdivision and development regulations. The MPD district is expressly intended to accommodate the use of alternative standards for streets and other public improvements based on the approved development plans. The development plan must specify the deviations proposed from otherwise applicable public improvement standards if deviations from otherwise applicable standards are proposed.

**Section 30.010 PUD, Planned Unit Development (Legacy) District**

**30.010-B General**

1. Except as may be expressly approved as part of a PUD overlay district, the regulations of the underlying base zoning district apply within a planned unit development.
2. The city council in approving or amending a PUD and the planning commission in approving a minor amendment, may impose restrictions as conditions of approval in addition to those imposed by the underlying base zoning and the PUD regulations.
3. ~~No building permit may be issued, and no building or development may occur in a PUD zoning district until a zoning clearance permit has been issued in accordance with Section 70.080. No modification of use or bulk and area requirements of the underlying base district is permitted unless a subdivision plat incorporating the provisions and requirements of this section is submitted to and approved by the planning commission and the city council and filed of record in the county clerk's office of the county in which the property is located. The planning commission is authorized to waive the platting requirements if the property is already platted and if the PUD conditions for approval are included in the form of restrictive covenants and filed of record with the county clerk making the City of Tulsa beneficiary to the covenants.~~

**30.010-E Bulk and Area Regulations**

**3. Open Space**

Open space for a residential development area must be provided in an aggregate amount of not less than the amount of open space required by the underlying base zoning district for conventional development of a comparable number of dwelling units. Required open space must be provided on the lot containing the dwelling unit or units on which computed, or in common areas. Common open space must be designed and located so as to be accessible to the dwelling units it is intended to serve. Provisions for the ownership and maintenance of common open space as will ensure its continuity, conservation and maintenance must be incorporated in the subdivision plat or in covenants recorded in the county clerk's office.

**4. Building Height and Setbacks**

The building height limitations and building setback requirements must be prescribed and incorporated within the subdivision plat or in a separately recorded legal instrument. Every structure must be set back from the centerline of an abutting public street designated on the major street and

highway plan a horizontal distance of not less than 50% of the right-of-way width designated on the major street and highway plan.

**30.010-F Perimeter Requirements**

Perimeter requirements for screening, landscaping, and setbacks, as are necessary to ensure compatibility with adjoining and proximate properties, must be prescribed and be incorporated within the subdivision plat or in a separately recorded legal instrument.

**30.010-G Off-Street Parking and Loading**

No modification of applicable off-street parking and loading requirements is permitted, unless a subdivision plat incorporating the provisions and requirements is submitted to and approved by the planning commission and the city council and ~~filed of record~~ in the county clerk's office or restrictive covenants are established in a separately recorded legal instrument of the county in which the property is located, except that §55.070-B and §55.080-C do not apply. Required spaces may be provided on the lot containing the uses for which it is intended to serve or in common areas. Common parking areas must be designed and located so as to be accessible to the uses it is intended to serve. Provisions for the ownership and maintenance of common parking space must be incorporated in the subdivision plat or in the separately recorded legal instrument.

**30.010-I Amendments to Approved Plans**

**2. Minor Amendments**

a. ~~The planning commission is authorized to approve M~~minor changes and amendments to an approved PUD development plan ~~may be authorized by the planning commission so long as~~ long as a substantial compliance is maintained with the approved PUD development plan. ~~In considering a minor amendment, the planning commission is authorized to direct the processing of an amended PUD subdivision plat, incorporating such changes.~~

c. The following may be processed as minor amendments:

- (10) Lot splits that ~~modify a recorded plat and that~~ have been reviewed and approved in accordance with, as required by the subdivision and development regulations;

**30.010-J ~~PUD Subdivision Plats~~ Restrictive Covenants**

No building permit may be issued, and no building or development may occur in a PUD zoning district until ~~a subdivision plat incorporating the provisions of the approved PUD development plan have been approved and filed of record in the county clerk's office.~~

~~1. A PUD subdivision plat must be filed with the planning commission and processed in accordance with the subdivision regulations.~~

~~2. In addition to the information and submittals required pursuant to the subdivision regulations, a PUD subdivision plat application must include:~~

~~a. Details regarding the approved location of uses and street arrangements;~~

~~b. Provisions for the ownership and maintenance of any common open space as will reasonably ensure its continuity, conservation and maintenance. Open space may be dedicated to a private association or to the public, provided that a dedication to the public may not be accepted without the express approval of the city council; and~~



~~c. All~~ covenants necessary to reasonably ensure continued compliance with the approved ~~PUD~~ development plan are recorded in the county clerk's office. Such covenants may be established in a subdivision plat or in a separately recorded legal instrument. In order that the public interest may be protected, the City of Tulsa must be made beneficiary of the covenants pertaining to such matters as ~~the requirement of approval of detail plans prior to the issuance of any permits,~~ location of uses, height of structures, building setbacks, screening, ~~open space,~~ signage and access. Such covenants must provide that the City of Tulsa may enforce compliance of the covenants, and further provide that amendment of the covenants requires planning commission approval and the filing of record of a written amendment to covenants, endorsed by the planning commission.

**30.010-K Issuance of Building Permits**

Building permits may be issued only after a zoning clearance permit has been issued in accordance with Section 70.080 and covenants have been recorded in accordance with Section. 30.010-J. ~~PUD subdivision plat is approved and filed of record in the county clerk's office.~~ Any permits issued must be in accordance with the ~~approved PUD subdivision plat incorporating the provisions of the~~ approved PUD development plan.

<b>Section 40.110 Cottage House Developments</b>
--

**40.110-H ~~Platting~~ Restrictive Covenants**

A cottage house development is permitted only if a subdivision plat or other recorded legal instrument incorporating the provisions and requirements of this section (Section 40.110) is approved in accordance with the subdivision and regulations and filed of record in the county clerk's office. ~~of the county clerk of the county in which the property is located.~~

<b>Section 40.290 Patio Houses</b>
------------------------------------

**40.290-C** When the patio house's exterior wall or eaves are within 2 feet of the abutting property line, a perpetual maintenance easement at least 5 feet in width must be provided on the lot abutting the zero patio property line, which, with the exception of walls and/or fences, must be kept clear of structures. The easement must be depicted on and established in the a recorded plat or a separate legal instrument recorded in the county clerk's office ~~and established in the deed of dedication accompanying the plat.~~ This provision is intended to ensure the ability to conduct maintenance on the patio house. Eaves on the side of a patio house with a zero or reduced setback may project over the side property line only if shown on the easement required under this paragraph.

**40.290-E** A patio house development is permitted only if a subdivision plat or other recorded legal instrument incorporating the provisions and requirements of this section (Section 40.290) is approved in accordance with the subdivision regulations and filed of record in the county clerk's office. ~~of the county clerk of the county in which the property is located.~~

## City of Tulsa Zoning Code Amendments

### Section 40.390 Townhouses

#### Section 40.390 Townhouses

##### 40.390-D Open Space

Required open space per dwelling unit for a townhouse project may be provided either on each townhouse lot or in common areas within the overall townhouse project, as designated on a recorded subdivision plat or in a separately recorded legal instrument.

#### Section 70.040 Development Plans

##### 70.040-B Applicability

###### 2. Optional

Property owners may elect to submit a development plan with any zoning map amendment application. The optional development plan process is also used to process proposals to provide access to lots via a private street. In acting on optional development plans, the planning commission is authorized to recommend and the city council is authorized to approve use and development limitations that are at least as restrictive or are more restrictive than the base zoning regulations. Optional development plans may not be used to obtain relief from otherwise applicable zoning code regulations.

##### 70.040-I Amendments to Approved Development Plans

###### 1. Minor Amendments

a. The planning commission is authorized to approve amendments to approved development plans as minor amendments if the planning commission determines that substantial compliance is maintained with the approved development plan. The following is a non-exhaustive list of changes that may be considered as minor amendments:

- (6) Lot splits that ~~modify a recorded plat and that~~ have been reviewed and approved in accordance with ,as required by the subdivision and development regulations;

#### Section 70.050 Site Plans

##### 70.050-D Effect of Approval

Approval of a site plan must occur before any building permits are issued. Site plan approval, in and of itself, does not constitute effective dedication of rights-of-way or any other public improvements. See also the zoning clearance permit provisions of Section 70.080., nor will the site plan be the equivalent of or an acceptable alternative to the final platting of land prior to the issuance of building permits.

#### Section 70.045 Transportation Impact Analyses

##### 70.045-A Purpose

Transportation impact analysis (TIA) requirements are intended to provide a mechanism for objective evaluation of the impacts that proposed developments will have on traffic conditions, transit users, pedestrians and bicyclists.



**70.045-B      When Required**

1. A transportation impact analysis is required with zoning map amendment applications, optional development plan applications and mandatory development plan applications if the proposed development will include more than 100 dwelling units or nonresidential uses that will generate average daily traffic counts of 2,500 or more vehicles per day (ADT) or 250 or more vehicle trips during peak traffic hours (PHT), based on trip generation rates from the latest edition of the Institute of Transportation Engineers (ITE) *Trip Generation Manual*.
  - a. In calculating the number of vehicle trips expected to be generated, only "new" vehicle trips are to be counted; pass-by and internal trip capture rates are not used in calculating new or added vehicle trips.
  - b. A TIA is not required if all the following conditions are met: (1) the subject property has been the subject of a TIA within the previous 3 years; (2) the projected trip generation of the newly proposed development is equal to or less than the previous TIA and (3) the trip distribution has not significantly changed.
  - c. Unless the allowed density or intensity of development allowed on the subject property is limited by a development plan or other mechanism enforceable by the city, all TIA calculations must be based on reasonable estimates of the maximum residential and nonresidential development that could be placed on the subject property, as determined by the land use administrator.
2. In addition to the TIA thresholds established in §70.045-B.1, the planning commission and city council are authorized to require a traffic impact analysis regardless of the size or type based on consideration of:
  - a. The presence of an existing or potential safety issue; or
  - b. The presence of a roadway segment or intersection that is at or near capacity and that is likely to be affected by the proposed development.

**70.045-C      Level of Service and Safety Assessment**

1. TIAs must include a assessment of existing and build-out-year, peak-hour levels of service on all major street and intersections.
2. The TIA must also include an assessment of the proposed development's impacts on the safety of pedestrians, cyclists and other forms of non-motorized travel.

**70.045-D      Study Area**

The transportation impact analysis must address the proposed development's impact on at least:

1. Roads, sidewalks, bicycle routes, transit facilities and intersections within the development site;
2. Road segments, sidewalks, bicycle routes, transit facilities and intersections abutting the proposed development site; and



3. Off-site road segments and intersections when traffic from the proposed development is expected to account for at least 10% of the road's or intersection approach leg's average daily traffic.

**70.045-E      Preparation**

Any TIA, whether required or voluntarily provided, must be prepared by a registered engineer. Before preparing the TIA, the developer's engineer must hold a scoping meeting with the land use administrator and city engineer to identify the study area and any specific issues that must be addressed.

**70.045-F      Contents of Analysis**

Transportation impact analyses must include charts, graphics, and narrative presenting at least the following information unless the land use administrator and city engineer determine that such information is not necessary to conduct a competent review of anticipated transportation impacts:

1. A description of existing land uses and development intensities in the study area, the location and characteristics of streets, sidewalks, bicycle routes, transit facilities and intersections in the study area, and the existing traffic volumes and conditions (including levels of service) of those facilities;
2. A description of the location and traffic-related characteristics (land use, intensity, expected date of full build-out and occupancy, vehicular access points, pedestrian connections, bicycle routes and transit facilities and characteristics, etc.) of the proposed development and other developments in the study area that are under construction or approved, as well as streets and other transportation facilities and improvements in the study area that are under construction or programmed and funded;
3. Projections of future background traffic (existing vehicular, pedestrian, bicycle and transit volumes forecasted to build-out year levels based on traffic growth rates agreed upon in the TIA scoping meeting) plus traffic generated by other developments in the study area that are under construction or approved;
4. Future background and site traffic projections must be made for the peak hours of the adjacent street segments and intersections and for the development's expected full build-out and occupancy date, and must include trip generation, trip distribution (using distributions agreed upon in the TIA scoping meeting), and traffic assignment estimates;
5. Studies of the proposed development's incremental impacts on:
  - a. Street capacity during peak hours at all site access points and at street segments and intersections in the study area (including determination of the level of service for the street segments and intersections, queuing vs. existing/proposed storage);
  - b. The need for signalization of intersections in the study area; and
  - c. Pedestrian, bicycle and transit-user safety and convenience.
5. A description of the location, nature, and extent of site access and transportation improvements and other measures recommended to

mitigate any failure to meet traffic operation standards due to the proposed development's transportation impacts;

6. Identification of all assumptions and data sources used in analyses, projections and recommendations.

<b>Section 70.080   Zoning Clearance <del>and Platting Requirements</del>Permits</b>
--

**70.080-A      Applicability**

Property owners or their authorized agent must obtain a zoning clearance permit from the development administrator before constructing, moving, or structurally altering any building or structure or establishing or changing the use of any building or lot.

**70.080-B      ~~Platting Requirement and Exceptions~~Compliance with Development Regulations**

**1.      ~~Requirement~~Purpose**

~~The requirements of this section are intended in order to help ensure that rights-of-way, streets, sidewalks and other public improvements are in place and adequate to serve proposed developments in accordance with applicable regulations, a proper arrangement of streets and the adequacy of open spaces for traffic, utilities and emergency vehicle access, commensurate with the intensification of land use customarily incident to a zoning map amendment, a platting requirement is established.~~

**2.      Rezoning, Special Exceptions and Residential Uses**

~~Except as expressly stated in §70.080-B2, nNo building permit or zoning clearance permit may be issued until that portion of the subject lot or parcel for which the permit is sought has been determined to be in compliance with all applicable design and improvement requirements of the Tulsa Metropolitan Area Subdivision and Development Regulations, as evidenced by submittal of included within a recorded subdivision plat or replat, submitted to and approved by the planning commission, and that is filed of record in the county clerk's office of the county in which the property is located or ALTA/ACSM survey and separately recorded legal instruments.~~ This ~~platting~~ requirement applies to any property for which:

- a.      A property owner-initiated zoning map amendment or development plan was approved after July 1, 1970; ~~or~~
- b.      A special exception was approved for any of the following:
  - (1)      Group living use;
  - (2)      Public, civic or institutional use;
  - (3)      Outdoor assembly and entertainment use;
  - (4)      Apartment/condo use/buildingHousehold living involving 3 or more households on a single lot;
  - ~~(5)      Bed & breakfast;~~
  - ~~(56)~~      Marina;
  - ~~(67)~~      Gun club;
  - ~~(78)~~      Crematory; or



(89) Mausoleum; Or

c. A building permit is requested for any of the following residential uses:

(1) Cottage house development;

(2) Patio house; or

(3) Townhouse.

**3. Sidewalks**

For properties that are not subject to §70.080-B.2, no certificate of occupancy may be issued until the subject lot or parcel for which the permit is sought has been determined to be in compliance with the sidewalk regulations of section 5-070 of the subdivision and development regulations.

**24. Exceptions**

The planning commission, pursuant to its exclusive jurisdiction over subdivision plats, is authorized to:

a. Waive the platting requirement of §70.080-B1 upon a determination that the purposes have been achieved by previous platting, have or will be achieved by other actions, including any conditions prescribed by the planning commission, or could not be achieved by plat or replat;

b. Allow the processing of a minor subdivision plat, upon a determination that no new streets will be built and that minimal public improvements will be required;

c. Allow ~~authorize~~ the accelerated release of a building permit in accordance with the accelerated release of building permit procedures in the Subdivision and Development Regulations, upon approval of a proposed preliminary plat, thereby enabling building permits to be issued prior to the filing of the final plat. All required street right-of-way dedications must occur before issuance of a building permit. Prior to allowing accelerated release of a building permit, the planning commission must determine that extraordinary or exceptional circumstances warrant the release and that compliance with the filing of the final plat is reasonably assured. In exercising its discretion to allow accelerated release of a building permit, the planning commission may:

(1) Waive the requirement for street dedication as a condition of approval of a building permit being released prior to the filing of a final plat. Such waiver may only occur upon a determination that circumstances related to the particular project reasonably preclude the future use or improvement of the area for which dedication would be required;

(2) Require that no final inspection of buildings or structures occur, that no certificate of occupancy be issued and that no building be occupied until the platting requirement is fully complied with; and

(3) Prescribe other conditions determined to be necessary to ensure the filing of the final plat.



<b>Section 90.080   Open Space per Unit</b>
---

**90.080-C**    Required open space within a townhouse development may be provided on each townhouse lot or may be provided in outdoor common areas within the townhouse development, as designated on the recorded subdivision plat or a in separately recorded legal instrument.

<b>Section 95.150   Terms beginning with "L"</b>
--

**Lot of Record**

A lot that is part of a subdivision, the plat of which is recorded in the county clerk's office; a parcel of land, the conveyance of which is lawfully recorded in the county clerk's office; or the balance of a parcel of land where the conveyance of another portion of that parcel is lawfully recorded in the county clerk's office.

**TMAPC Staff Report**  
**December 6, 2017**  
**Tulsa County Zoning Code amendments**  
(related to Subdivision and Development Regulations)

---

**Item:** Various amendments (related to new Tulsa Metropolitan Area Subdivision and Development Regulations) to the **Tulsa County Zoning Code** in the following sections: Section 260. Platting Requirement; Section 850. Site Plan Review; Section 1120. General Provisions; Section 1140. Bulk and Area Requirements; Section 1150. Perimeter Requirements; Section 1160. Off-Street Parking and Loading; Section 1170. Administration of Planned Unit Development.

**A. Background**

The proposed amendments to the Tulsa County Zoning Code are necessary to reflect the change in platting requirements and process that are proposed as part of the new Subdivision and Development Regulations.

The current Subdivision Regulations for the Tulsa Metropolitan Area were adopted in 1978 and last amended in 2005. The existing Subdivision Regulations do not provide adequate tools to deal with modern development scenarios or implement the vision as expressed in the 2010 Comprehensive Plan update – PLANiTULSA. Also, new Subdivision and Development Regulations will serve as a more appropriate companion to the City of Tulsa Zoning Code, which came into effect in January 2016.

The City of Tulsa engaged a project working group consisting of industry professionals and subject matter experts led by Duncan Associates to complete an update to the existing Subdivision Regulations, now called the Subdivision and Development Regulations. The proposed Subdivision and Development Regulations address the quality of the physical development guided by the City's comprehensive plan (PLANiTULSA). These regulations ensure transportation circulation and connectivity, public access, and the availability of public services to each lot created within the City of Tulsa and unincorporated parts of Tulsa County.

The process to update the Subdivision Regulations began in May 2016. The technical and working groups have met individually and jointly on multiple occasions, reviewing drafts and providing input. The TMAPC has held three work sessions (April 19, 2017, August 2, 2017 and November 11, 2017) to discuss key issues that were identified. As a final step before the Planning Commission public hearing, TMAPC staff reviewed the draft for consistency with policies in Tulsa County plans and found that the new Subdivision and Development Regulations will help to implement concepts contained in the plans.

**B. Description of Tulsa County Zoning Code amendments**

The proposed amendments align the Tulsa County Zoning Code with the newly proposed Subdivision and Development Regulations. The amendments accomplish the objective of removing platting requirements associated with zoning changes and certain special exceptions. The proposed changes will codify alternative processes by which property owners can verify conformance with the Subdivision and Development Regulations without being subjected to a full platting or re-platting process. The County will retain the requirement that any development standards approved by TMAPC through the development plan process must be filed as restrictive covenants with the county clerk's office making the Board of County Commissioners beneficiary to the covenants. This requirement will ensure enforceability of the required development standards moving forward and can be completed by plat or a separate recorded document. The specific amendments proposed to the Tulsa County Zoning Code are in **Attachment I** shown in ~~strike-through~~/underline.

**C. Staff recommends APPROVAL of proposed amendments to the Tulsa County Zoning Code as shown in Attachment I.**



## Attachment I

### Tulsa County Zoning Code amendments (related to Subdivision and Development Regulations)

#### SECTION 260. ZONING CLEARANCE

~~For the purposes of providing a proper arrangement of streets and assuring the adequacy of open spaces for traffic, utilities, and access of emergency vehicles, commensurate with the intensification of land use customarily incident to a change of zoning, a platting requirement is established as follows:~~

The requirements of this section are intended to help ensure that rights-of-way, streets, sidewalks and other public improvements are in place and adequate to serve proposed developments in accordance with applicable regulations.

For any land which has been rezoned upon application of a private party or for any land which has been granted a special exception by the Board of Adjustment as enumerated within Use Units 2, 4, 5, 8, and 20, no building permit or zoning clearance permit shall be issued until ~~that portion of the tract on which the permit is sought~~ the subject lot or parcel for which the permit is sought has been ~~included within a subdivision plat or replat, as the case may be, submitted to and approved by the Planning Commission, and filed of record in the office of the County Clerk where the property is situated. Provided that the Planning Commission, pursuant to their exclusive jurisdiction of subdivision plats, may remove the platting requirement upon a determination that the above stated purposes have been achieved by previous platting or could not be achieved by a plat or replat.~~ determined to be in compliance with all applicable design and improvement requirements of the Tulsa Metropolitan Area Subdivision and Development Regulations, as evidenced by submittal of a recorded subdivision plat or ALTA/ACSM survey and separate recorded legal instruments.

#### SECTION 850. SITE PLAN REVIEW

##### 850.1 Purposes

By reason of potential adverse effects on public services or to neighboring land uses, site plan review and approval is required for any development within a Corridor District for the purposes of assuring proper accessibility, circulation, functional relationships of uses, and compatibility with adjoining and nearby development. ~~No building permit shall be issued nor use commenced within a Corridor District except~~



~~in accordance with a subdivision plat incorporating the provisions of the site plan, submitted to and approved by the Planning Commission, and filed of record in the Office of the County Clerk of the county in which the property is located. A CO (Corridor District) zoning classification is required to file and process a corridor site plan.~~

#### **850.4 County Commission Action on Site Plan Review**

Upon receipt of the county application, site plan, and Planning Commission recommendation, the Board of County Commissioners shall hold a hearing, review the site plan, approve, disapprove, modify, or return the site plan to the Planning Commission for further consideration. ~~Approval by the County Commission shall be authorization for the processing of a subdivision plat incorporating the provisions of the site plan.~~

#### **850.5 Restrictive Covenants ~~Subdivision Plat~~**

No building permit may be issued, and no building or development may occur in a CO zoning district until covenants necessary to reasonably ensure continued compliance with the approved development plan are recorded in the county clerk's office. Such covenants may be established in a subdivision plat or in a separately recorded legal instrument. In order that the public interest may be protected, the Board of County Commissioners must be made beneficiary of the covenants pertaining to such matters as location of uses, height of structures, setbacks, screening, and access. Such covenants must provide that the Board of County Commissioners may enforce compliance of the covenants, and further provide that amendment of the covenants requires planning commission approval and the filing of record of a written amendment to covenants, endorsed by the planning commission.

~~A corridor subdivision plat shall be filed with the Planning Commission and shall be processed in accordance with the Subdivision Regulations, and in addition, to the requirements of the Subdivision Regulations, shall include:~~

- ~~A. Details as to the location of uses and street arrangements.~~
- ~~B. Provisions for the ownership and maintenance of the common open space as will reasonably insure its continuity and conservation. Open space may be dedicated to a private association or to the public, provided that a dedication to the public shall not be accepted without the approval of the Board of County Commissioners.~~
- ~~C. Such covenants as will reasonably insure the continued compliance with the approved site plan. In order that the public interest may be protected, the County Commissioners shall be made beneficiary of the covenants pertaining to such matters as location of uses, height of structure, setbacks, screening, and access. Such covenants shall provide that the Board of County Commissioners may enforce compliance therewith, and shall further provide that amendment of the covenants shall require the approval of the Planning Commission and the filing of record of a written~~



~~amendment to covenants, endorsed by the Planning Commission.~~

### **850.6 Issuance of Building Permits**

Building permits may be issued only after a zoning compliance permit has been issued in accordance with Section 260. Any permits issued must be in accordance with the approved CO development plan.

~~After the filing of any approved corridor subdivision plat, and notice thereof to the County Building Inspector, building permits shall be issued in accordance with the approved plat incorporating the provisions of the site plan.~~

## **SECTION 1120. GENERAL PROVISIONS**

A Planned Unit Development is permitted on tracts having the supplemental zoning district designation PUD. In every instance, the PUD is to be reviewed as to the proposed location and character of the uses and the unified treatment of the development of the tract. The regulations of the general zoning district or districts remain applicable except as specifically modified pursuant to the provisions of this Chapter. ~~No modification of use or bulk and area requirements of the applicable general use district or districts shall be permitted unless a subdivision plat incorporating the provisions and requirements of this chapter is submitted to and approved by the Planning Commission and the Board of City Commissioners and filed of record in the office of the County Clerk of Tulsa County.~~

### **1140.3 Livability Space**

Within a PUD, livability space shall be provided in an aggregate amount of not less than the amount of livability space required by the applicable use district (Section 430.1) for conventional development of a comparable number of dwelling units. Required livability space shall be provided on the lot containing the dwelling unit or units on which computed, or in common areas. Common livability space shall be designed and located so as to be accessible to the dwelling units it is intended to serve. Provisions for the ownership and maintenance of common livability space as will insure its continuity and conservation shall be incorporated in the subdivision plat or, if platting is not required, in covenants recorded in the county clerk's office. ~~in compliance with the provisions of Section 1170.5.~~

### **1140.4 Building Height and Yards**

Within a PUD, the Planning Commission shall prescribe building height limitations and minimum yards, which shall be incorporated within the subdivision plat or, if platting is not required, in covenants recorded in the county clerk's office. ~~in compliance with the provisions of Section 1170.5.~~



## SECTION 1150. PERIMETER REQUIREMENTS

The Planning Commission shall prescribe perimeter requirements for screening, landscaping, and setbacks, as are necessary to assure compatibility with adjoining and proximate properties, which shall be incorporated within the subdivision plat or, if platting is not required, in covenants recorded in the county clerk's office. ~~in compliance with the provisions of Section 1170.5.~~

## SECTION 1160. OFF-STREET PARKING AND LOADING

Off-street parking and loading spaces shall be provided as specified in the applicable use units and in conformance with the requirements of Chapter 13, Off-Street Parking and Loading. Required spaces may be provided on the lot containing the uses for which it is intended to serve or in common areas. Common parking area shall be designed and located so as to be accessible to the uses it is intended to serve. Provisions for the ownership and maintenance of common parking space must be incorporated in the subdivision plat or, if platting is not required, in the form of recorded restrictive covenants making the Board of County Commissioners beneficiary to the covenants. ~~in compliance with the provisions of Section 1170.5.~~

### 1170.5 Restrictive Covenants ~~Planned Unit Development Subdivision Plat~~

No building permit may be issued, and no building or development may occur in a PUD zoning district until covenants necessary to reasonably ensure continued compliance with the approved development plan are recorded in the county clerk's office. Such covenants may be established in a subdivision plat or in a separately recorded legal instrument. In order that the public interest may be protected, the Board of County Commissioners must be made beneficiary of the covenants pertaining to such matters as location of uses, height of structures, setbacks, screening, and access. Such covenants must provide that the Board of County Commissioners may enforce compliance of the covenants, and further provide that amendment of the covenants requires planning commission approval and the filing of record of a written amendment to covenants, endorsed by the planning commission.

~~A Planned Unit Development subdivision plat shall be filed with the Planning Commission and shall be processed in accordance with the Subdivision Regulations, and, in addition to the requirements of the Subdivision Regulations, shall include:~~

- ~~A. Details as to the location of uses and street arrangement.~~
- ~~B. Provisions for the ownership and maintenance of the common open space as will reasonably insure its continuity and conservation. Open space may be dedicated to a private association or to the public, provided that a dedication to the public shall not be accepted without the approval of the Board of County~~

**Commissioners:**

- ~~C. Such covenants as will reasonably insure the continued compliance with the approved outline development plan. The Planning Commission may require covenants which provide for detailed site plan review and approval by said Commission prior to the issuance of any building permits within the PUD. In order that the public interest may be protected, the County of Tulsa shall be made beneficiary of covenants pertaining to such matters as location of uses, height of structures, setbacks, screening, and access. Such covenants shall provide that the County of Tulsa may enforce compliance therewith, and shall further provide that amendment of such covenants shall require the approval of the Planning Commission and the filing of record of a written amendment to the covenants, endorsed by the Planning Commission.~~

**1170.6 Issuance of Building Permits**

Building permits may be issued only after a zoning compliance permit has been issued in accordance with Section 260. Any permits issued must be in accordance with the approved PUD development plan.

~~After the filing of an approved PUD subdivision plat and notice thereof to the Building Inspector, no building permits shall be issued on lands within the PUD except in accordance with the approved plat. A building permit for a freestanding or separate commercial structure within a PUD containing no commercial zoning shall not be issued until building permits have been issued for at least one half of the number of dwelling units on which the authorization of the commercial use is based.~~

**1170.7 Amendments**

Minor changes in the PUD may be authorized by the Planning Commission, ~~which may direct the processing of an amended subdivision plat, incorporating such changes,~~ so long as a substantial compliance is maintained with the outline development plan and the purposes and standards of the PUD provisions hereof. Changes which would represent a significant departure from the outline development plan shall require compliance with the notice and procedural requirements of an original Planned Unit Development.





## REQUEST FOR REFUND

**Case No.** PUD-199-9

The applicant, Eddis R Fraire, 12108 E 30<sup>th</sup> Place, Tulsa, OK 74129 made application to TMAPC, asked for a refund of fees paid for an application for Minor Amendment

Minor Amendment		
From TMAPC ( X )		
	<b>Fees Paid</b>	<b>Fees Used</b>
Base Request	250.00	100.00
Additional Requests	00.00	00.00
Newspaper Publication	00.00	00.00
Sign (Special Exception Uses in COT only)	130.00	00.00
300' Property Owners Mailing and Postage	84.00	00.00
<b>Application Subtotal:</b>	<b>464.00</b>	<b>00.00</b>
Notice Subtotal:	00.00	00.00
<b>Total Fees Paid:</b>	<b>464.00</b>	<b>00.00</b>

**Recommended Refund:**

**\$364.00**

The application was withdrawn: yes ( X ) no ( )

**Application withdrawn by applicant.**

The staff recommends the refund listed above.

