

TULSA METROPOLITAN AREA PLANNING COMMISSION

Meeting No. 2763

February 7, 2018, 1:30 PM

**175 East 2nd Street, 2nd 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:

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

Review TMAPC Receipts for the month of December 2017

1. Minutes of January 17, 2018, Meeting No. 2762
2. Correct minutes of December 6, 2017 Meeting No. 2759 to correct legal description for PUD-786-A and related Z-7426

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.

3. **LC-979** (Lot-Combination) (CD 4) – Location: Southwest corner of West Archer Street and North Elwood Avenue
4. **LS-21104** (Lot-Split) (CD 3) – Location: East of the northeast corner of North Garnett Road and East Admiral Place
5. **NP 36** (CD 1) Final Plat, Location: Southwest corner of North Lewis Avenue and East 36th Street North

6. **71 Jackson Storage** (CD 2) Final Plat, Location: Southeast corner of West 71st Street South and South Jackson Avenue
7. **Eastside Market III** (CD 7) Final Plat, Location: Northeast corner of East 71st Street South and Highway 169
8. **Lewis Professional Center** (CD 9) Final Plat, Location: Northwest corner of South Lewis Avenue and Interstate 44
9. **Pecan Valley Business Center** (CD 3) Final Plat, Location: South of the southeast corner of East Pine Street North and North Garnett Road
10. **Gleneagles** (CD 7) Amendment to Deed of Dedication, Location: West of the southwest corner of East 61st Street South and South Mingo Road
11. **Guier Woods IV** (CD 2) Correction of Plat, Location: West of South Harvard Avenue at East 75th Place South
12. **Z-7140-SP-1e Bailey Miles** (CD 2) Location: Southeast corner of South Phoenix Avenue at West 85st Street South requesting a **Corridor Minor Amendment** to reduce the required side yard setback

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

PUBLIC HEARINGS:

13. **LS-21103** (Lot-Split) (CD 2) – Location: North of the northwest corner of West 78th Street South and South Xenophon Avenue
14. **Z-7403 Plat Waiver** (CD 4) Location: Southeast corner of East 17th Place South and South Lewis Avenue
15. **PUD-268-C Plat Waiver** (CD 7) Location: West of the southwest corner of East 91st Street South and South Mingo Road
16. Consider adoption of new **Subdivision and Development Regulations. (Continued from December 6, 2017)**
17. **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".
(Continued from December 6, 2017)

18. 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. **(Continued from December 6, 2017)**

OTHER BUSINESS

19. 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

email address: 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.



Tulsa Metropolitan Area
Planning Commission

Case : NP 36

Hearing Date: February 7, 2018

Case Report Prepared by:

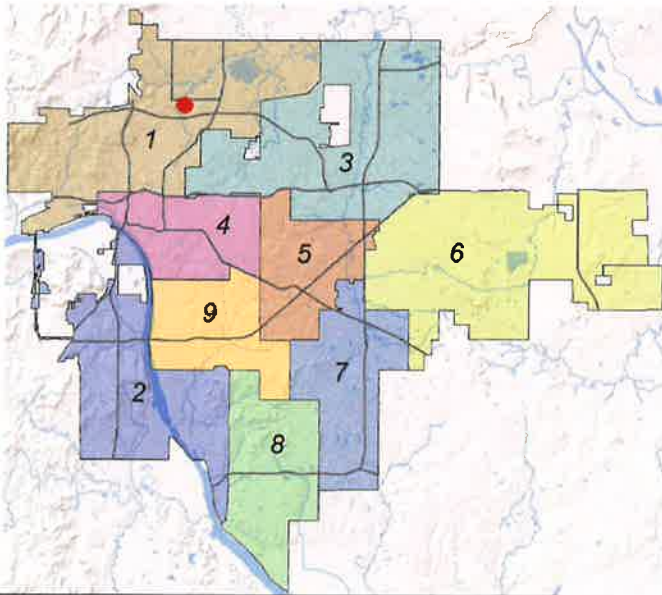
Nathan Foster

Owner and Applicant Information:

Applicant: Jason Emmett, Cedar Creek

Owner: NP36, LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Final Plat

2 lots, 1 block, 1 reserve area

138± acres

Location: Southwest corner of North Lewis Avenue and East 36th Street North

Zoning: IM (Industrial – Moderate)

Staff Recommendation:

Staff recommends **approval** of the final plat

City Council District: 1

Councilor Name: Vanessa Hall-Harper

County Commission District: 1

Commissioner Name: John Smaligo

EXHIBITS: Final Plat

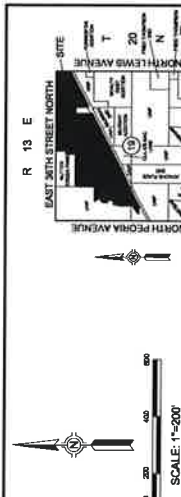
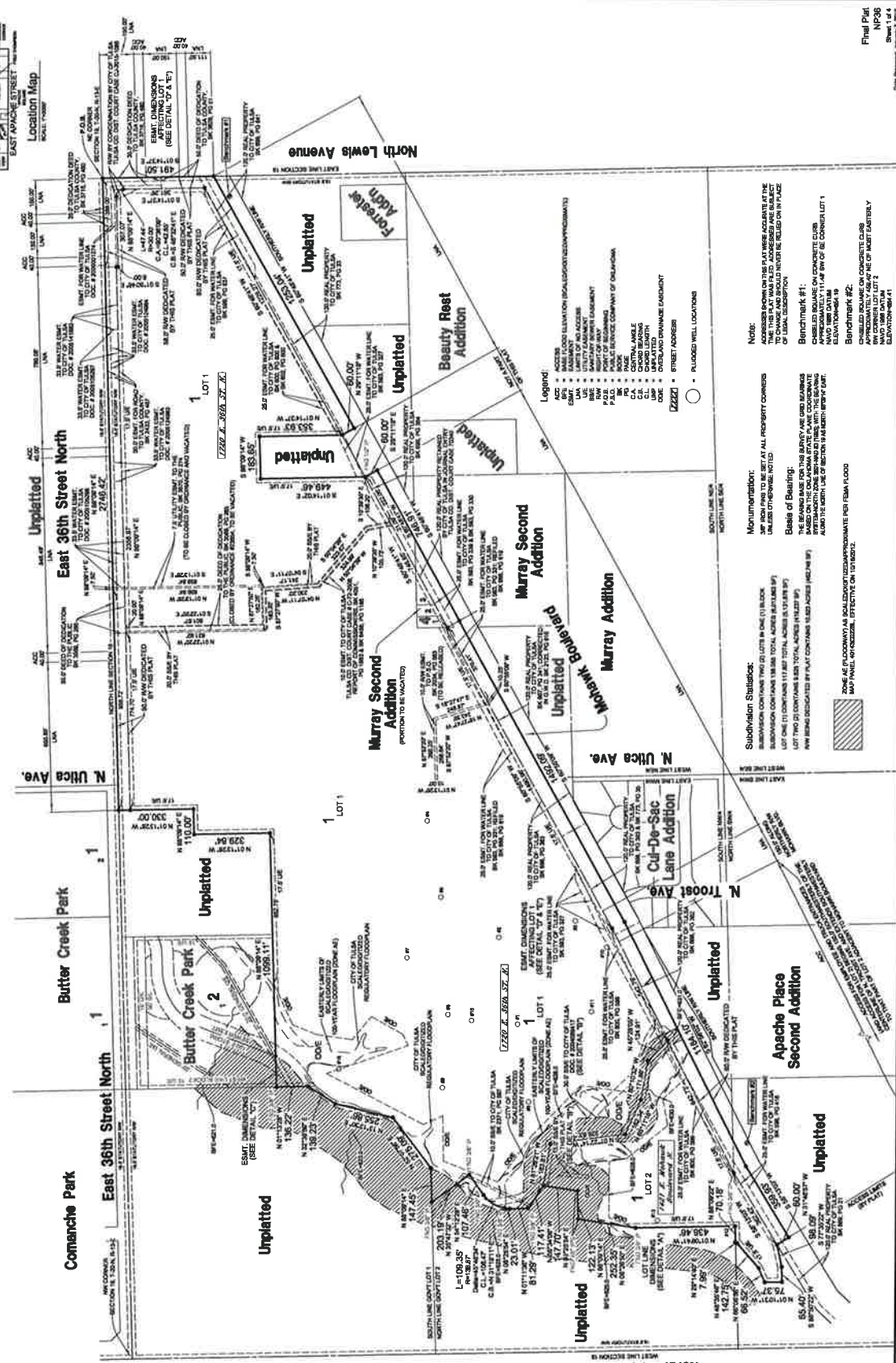
Final Plat

NP36

Optional Development Plan Z-7367

A REBUNDISON OF LOTS ONE (1), TWO (2), AND THREE (3), BLOCK FOUR (4), MURRAY 2ND ADDITION, AND ALSO PART OF LOT ONE (1), BLOCK TWO (2) OF THE VACATED PORTION OF BUTTER CREEK PARK, AND ALSO PART OF VACATED NORTH WHEELING AVENUE, AND ALSO PART OF SECTION NORTHEEN (10), TOWNSHIP TWENTY (20) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

FEMA STATEMENT
 WE HAVE EXAMINED MAPS BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAPS, AND OTHER AVAILABLE INFORMATION AND HAVE DETERMINED THAT THE PORTION OF THE PROPERTY DESCRIBED HEREON IS LOCATED WITHIN AN UNDESIGNATED FLOOD HAZARD ZONE. THE PROPERTY IS NOT SUBJECT TO A SPECIAL FLOOD HAZARD AND IS NOT SUBJECT TO A SPECIAL FLOOD HAZARD ZONE. THE PROPERTY IS NOT SUBJECT TO A SPECIAL FLOOD HAZARD AND IS NOT SUBJECT TO A SPECIAL FLOOD HAZARD ZONE. THE PROPERTY IS NOT SUBJECT TO A SPECIAL FLOOD HAZARD AND IS NOT SUBJECT TO A SPECIAL FLOOD HAZARD ZONE.



Owner:
 NP36, LLC
 An Oklahoma Limited Liability Company
 7030 South Yale Avenue, Suite 600
 Tulsa, Oklahoma 74136
 Phone: (918) 391-2426
 Contact: Jason Miller
 Email: jason@np36.org

Engineer:
 Cedar Creek Consulting, Inc.
 Certified of Authorization No. 3864 Exp. June 30, 2018
 Oklahoma City, Oklahoma 74133
 Phone: (405) 498-4622
 Email: jennifera@cscacinc.com

Surveyor:
 Sisemore Weisz & Associates, Inc.
 Certificate of Authorization No. 2471 Exp. June 30, 2019
 6111 E. 32nd Place
 Tulsa, Oklahoma 74136
 Phone: (918) 685-3600
 Email: crd@siwaw-inc.com

FINAL PLAT	ENDORSEMENT OF APPROVAL
Tulsa Metropolitan Area Planning Commission	_____ TULSA/METRO
City Engineer	_____ CITY ENGINEER
City Attorney	_____ CITY ATTORNEY

STATE OF OKLAHOMA
 COUNTY OF TULSA

Nathan Foster
 2018.01.05
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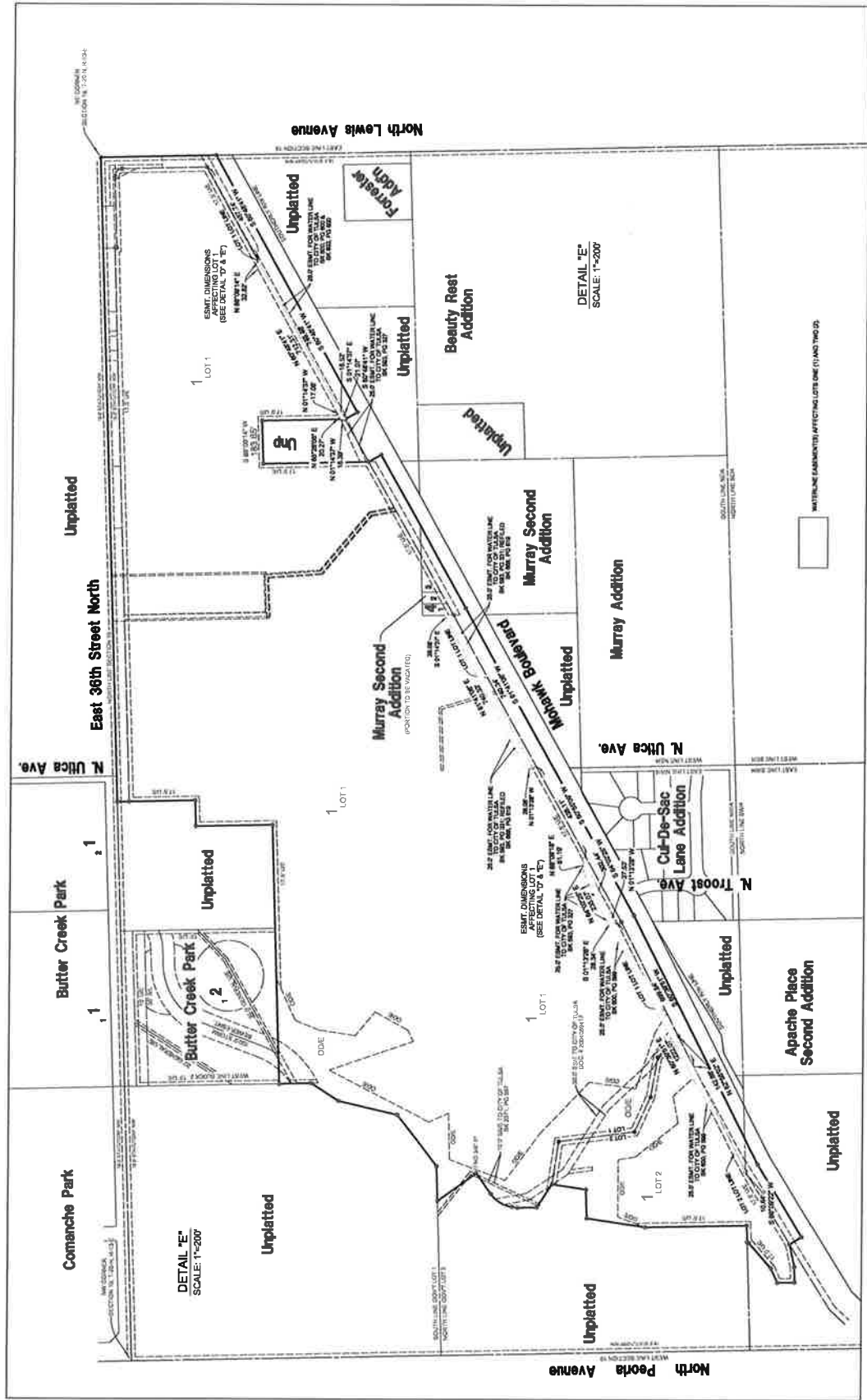
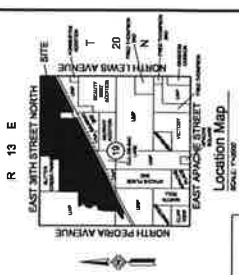
TMARC

5.2

Final Plat
NP36
Optional Development Plan Z-7367

A REVISION OF LOTS ONE (1), TWO (2), AND THREE (3) BLOCK FOUR (A) MURRAY ADDITION, AND ALSO PART OF LOT ONE (1) BLOCK TWO (B) OF THE WESTERN PORTION OF BUTTER CREEK PARK, AND ALSO PART OF VACATED NORTH WHEELING AVENUE, AND ALSO PART OF SECTION NINETEEN (19), TOWNSHIP TWENTY (20) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

- Legend:
- ACC ACCURACY AND ELEVATION (MEASUREMENTS/INSTRUMENTS)
 - ADR ADDRESS
 - EMR EMBANKMENT
 - ENTR ENTRY
 - USE USE
 - UTL UTIL FACILITY
 - SPR SPRINKLER
 - WTR WATER
 - PAV PAVED
 - P.A.D. PUBLIC ADDRESS DEVICE
 - PAV PAVED
 - RK ROAD
 - CON CONCRETE
 - C.A. CEMENT ASPHALT
 - ASPH ASPHALT
 - CLL CULVERT
 - CONR CONCRETE
 - ODR OBTAINED DRAINAGE EASEMENT



Final Plat NP36

Optional Development Plan Z-7367

A RESUBDIVISION OF LOTS ONE (1), TWO (2), AND THREE (3), BLOCK FOUR (4), MURRAY AND ADDITION, AND ALSO PART OF LOT ONE (1), BLOCK TWO (2) OF THE VACATED PORTION OF BUTTER CREEK PARK, AND ALSO PART OF SECTION NINETEEN (19), TOWNSHIP TWENTY TWO (22) NORTH, RANGE THIRTEEN (13) EAST OF THE TULSA BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

APPL, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

TRACT IN LAND BLOCK ONE (1) OF THE U.S. GOVERNMENT SURVEY THEREOF, AND ALSO PART OF LOT ONE (1), BLOCK TWO (2) OF THE VACATED PORTION OF BUTTER CREEK PARK, AND ALSO PART OF SECTION NINETEEN (19), TOWNSHIP TWENTY TWO (22) NORTH, RANGE THIRTEEN (13) EAST OF THE TULSA BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

THE ABOVE DESCRIBED TRACT OF LAND IS BEING SUBDIVIDED INTO THE FOLLOWING DESCRIBED LOTS AND ALIENS ARE BEING CREATED BY THE SUBDIVISION:

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THE DEED OF DEDICATION HAS BEEN EXECUTED AT TULSA, OKLAHOMA THIS _____ DAY OF _____ 2014.

APPL, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY

BY _____ MANAGER

STATE OF OKLAHOMA)
COUNTY OF TULSA) ss. _____

THE INSTRUMENT WAS FORWARDED TO THE REGISTER OF DEEDS OF TULSA COUNTY, OKLAHOMA, FOR RECORDATION ON _____ DAY OF _____ 2014.

NOTARY PUBLIC

BY COMMISSION EXPIRES: _____

COMMISSION NUMBER: _____

CERTIFICATE OF SURVEY

RECORDED IN THE PUBLIC RECORDS OF TULSA COUNTY, OKLAHOMA, IN BOOK _____ PAGE _____

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Tulsa Metropolitan Area
Planning Commission

Case : 71 Jackson Storage

Hearing Date: February 7, 2018

Case Report Prepared by:

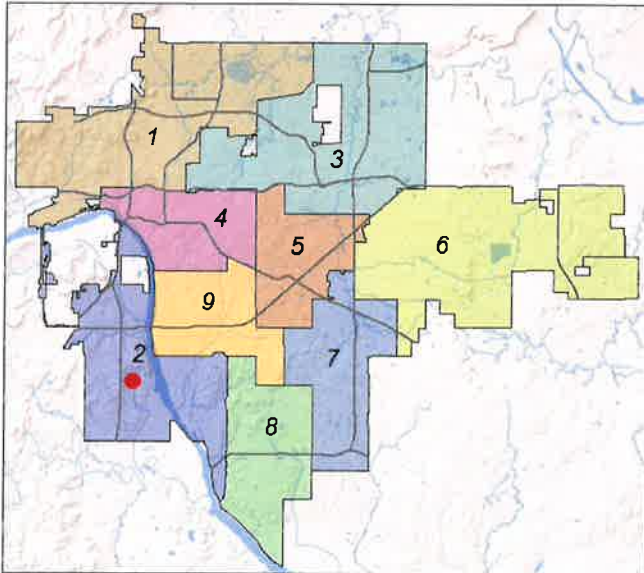
Nathan Foster

Owner and Applicant Information:

Applicant: Khoury Engineering

Owner: Attic @ Tulsa Hills, LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Final Plat

1 lot, 1 block, 3.9 ± acres

Location: Southeast corner of West 71st
Street South and South Jackson Ave

Zoning: CS (Commercial – Shopping)

Staff Recommendation:

Staff recommends **approval** of the final plat

City Council District: 2

Councilor Name: Jeannie Cue

County Commission District: 2

Commissioner Name: Karen Keith

EXHIBITS: Final Plat

6.1

DRAFT FINAL PLAT

71 JACKSON STORAGE

A tract of land in the Northeast Quarter (NE/4) of Section Eleven (11), Township Eighteen (18) North, Range Twelve (12) East, City of Tulsa, Tulsa County, State of Oklahoma.

PROPERTY OWNER
 ATTIC @ TULSA HILLS, LLC.
 1215 S. WILSON AVE., SUITE 100
 TULSA, OK 74105
 (918) 274-9881
 E-MAIL: rogers@atticonstruction.com

SURVEYOR
 BENCHMARK SURVEYING AND
 LAND SERVICES, INC.
 P.O. BOX 1078
 OKMUN, OK 74105
 (918) 274-9881
 E-MAIL: rogers@atticonstruction.com

ENGINEER
 KHOUKY ENGINEERING, INC.
 1415 S. WILSON AVE., SUITE 100
 TULSA, OKLAHOMA 74105
 (918) 274-9881
 E-MAIL: khouky@khouky.com

LOT SUMMARY
 Lot 1: 170,616 SF (3,917,40) NET

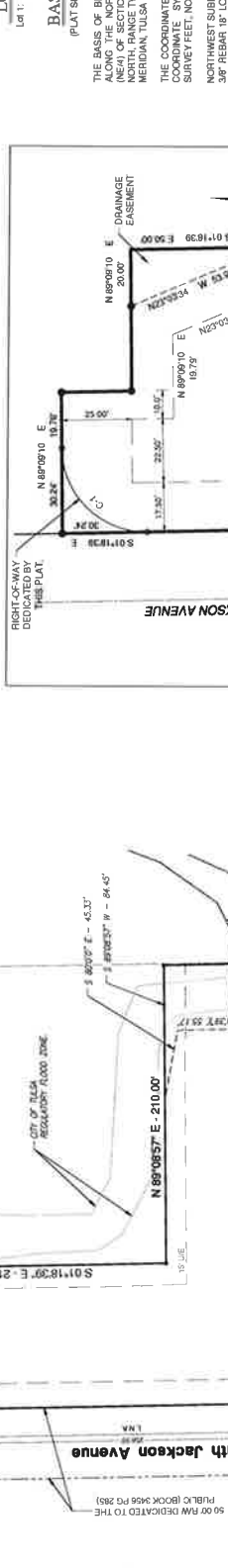
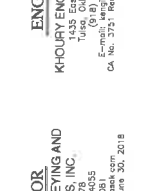
BASIS OF BEARING
 (PLAT SURVEYED IN SURVEY FEET)
 THE BASIS OF BEARING FOR THIS PLAT IS N 89°00'0" E ALONG THE NORTH LINE OF THE NORTHEAST QUARTER (NE/4) OF SECTION ELEVEN (11) OF TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST, MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA.

COORDINATE SYSTEM
 THE COORDINATE SYSTEM USED IS THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, OKLAHOMA NORTH ZONE, 3801 SURVEY FEET, NORTH AMERICAN DATUM (NAD83).

ADRESSES
 ADDRESSES SHOWN ON THIS PLAT ARE ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND THEREFORE SHOULD BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.

FLOOD NOTE
 A SMALL PORTION OF THE EASTERN PART OF THIS LOT IS LOCATED WITHIN THE FLOOD HAZARD AREA OF COMMUNITY PANEL NO. 40142C.081L AS LAST REVISION OCTOBER 16, 2012. THE REMAINDER OF THE PROPERTY LIES OUTSIDE THE FLOOD HAZARD AREA.

BENCHMARK
 37 BRASS CAP APPROXIMATELY WEST OF THE INTERSECTION OF W 7TH STREET SOUTH AND S. 3RD WEST AVENUE. ELEVATION 710.796' (NAD 1988)
 LATITUDE: 36°03'28" N, LONGITUDE: 96°01'47" W
 1/4" REBAR - 2" ALUMINUM CAP - SET IN THE CENTER MEASUREMENT OF HWY 151 SOUTH. "ODOT" GPS 1 - SET (0.25' BELOW GROUND). ELEVATION 721.688' (NAD 1988)
 1/2" REBAR - 2" ALUMINUM CAP - FULLY STAMPED "ODOT" GPS 2 - SET S.E. OF 6th STREET OVERPASS OVER HIGHWAY 75. ELEVATION 737.693' (NAD 1988)



ENLARGED DETAIL
 SCALE: 1" = 20'

RADIUS LENGTH	DELTA	CHORD BEG	CHORD END
30.00'	147.2571°	102.2743'	42.8671'

ENLARGED DETAIL
 SCALE: 1" = 40'

RADIUS LENGTH	DELTA	CHORD BEG	CHORD END
30.00'	147.2571°	102.2743'	42.8671'

ENLARGED DETAIL
 SCALE: 1" = 20'

RADIUS LENGTH	DELTA	CHORD BEG	CHORD END
30.00'	147.2571°	102.2743'	42.8671'

FINAL PLAT ENDORSEMENT OF APPROVAL
 Tulsa Metropolitan Area Planning Commission
 Approved Date: _____

APPROVED BY
 Nathan Foster
 2018.01.18
 12:50:57 -06:00

APPROVED BY
 Nathan Foster
 2018.01.18
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LEGEND

- LINE - LOT BOUNDARY
- LMA - LIMITS OF NO ACCESS
- DE - DRAINAGE EASEMENT
- SE - SEWER EASEMENT
- FE - FLOOD EASEMENT
- FM - FLOOD HAZARD AREA
- P.O.C. - POINT OF COMMENCEMENT
- ⊙ - LOT ADDRESS

APPROVED BY
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71 Jackson Storage, Tulsa County
 DRAFT FINAL PLAT - January 18, 2018
 Sheet 1 of 2

71 Jackson Storage, Tulsa County
 DRAFT FINAL PLAT - January 18, 2018
 Sheet 1 of 2

71 Jackson Storage, Tulsa County
 DRAFT FINAL PLAT - January 18, 2018
 Sheet 1 of 2

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 Sheet 1 of 2

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 Sheet 1 of 2

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 DRAFT FINAL PLAT - January 18, 2018
 Sheet 1 of 2

71 Jackson Storage, Tulsa County
 DRAFT FINAL PLAT - January 18, 2018
 Sheet 1 of 2



Tulsa Metropolitan Area
Planning Commission

Case : Eastside Market III

Hearing Date: February 7, 2018

Case Report Prepared by:

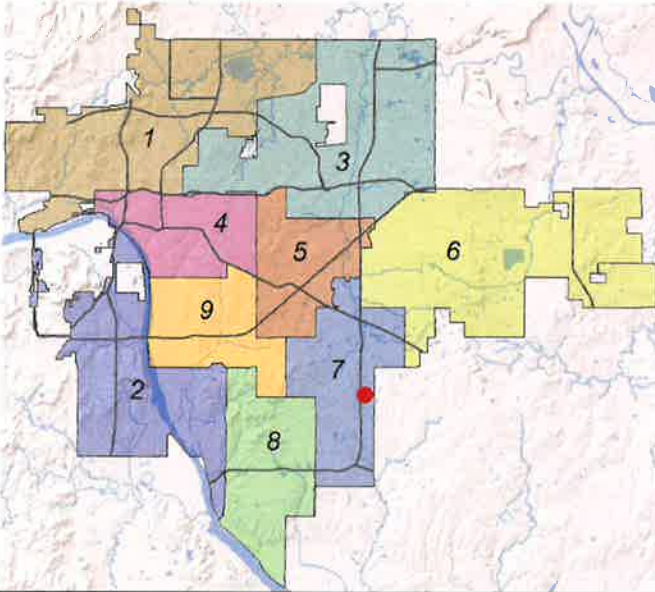
Nathan Foster

Owner and Applicant Information:

Applicant: Judd Mullinix, Kimley-Horn

Owner: Target Corporation

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Final Plat

2 lots, 1 block, 14.86± acres

Location: Northeast corner of East 71st
Street South and Highway 169

Proposed Use: Commercial

Zoning: CO (Corridor District)/PUD-601

Staff Recommendation:

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

City Council District: 7

Councilor Name: Anna America

County Commission District: 3

Commissioner Name: Ron Peters

EXHIBITS: Final Plat

7.1



Tulsa Metropolitan Area
Planning Commission

Case : Lewis Professional Center

Hearing Date: February 7, 2018

Case Report Prepared by:

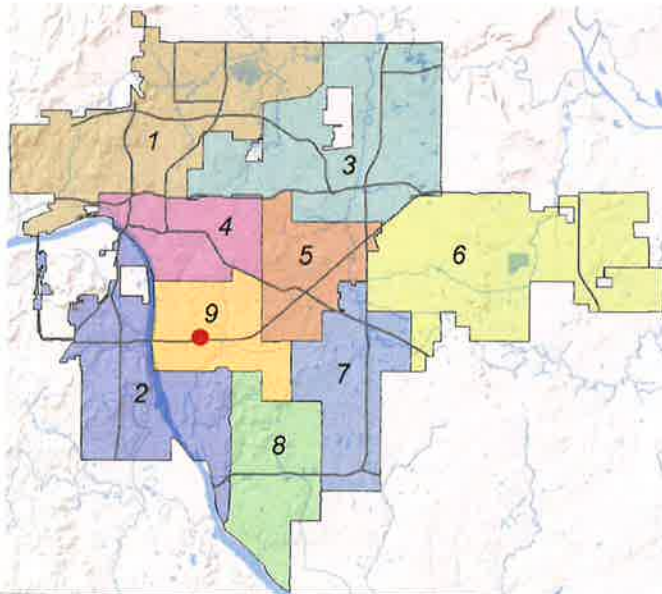
Nathan Foster

Owner and Applicant Information:

Applicant: AAB Engineering, LLC

Owner: Lewis Professional Center, LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Final Plat

4 lots, 1 block, 1.83± acres

Location: Northwest corner of South Lewis Avenue and Interstate 44

Proposed Use: Office

Zoning: OL (Office – Low)

Staff Recommendation:

Staff recommends **approval** of the final plat

City Council District: 9

Councilor Name: Ben Kimbro

County Commission District: 2

Commissioner Name: Karen Keith

EXHIBITS: Final Plat

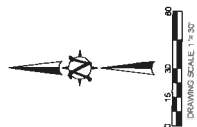
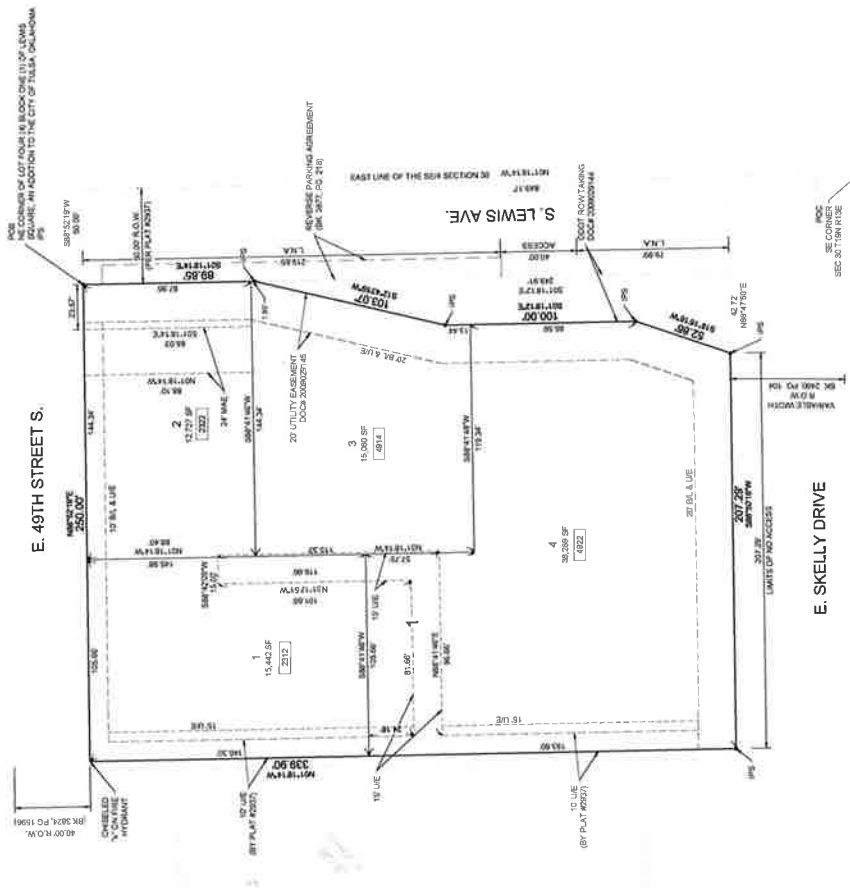
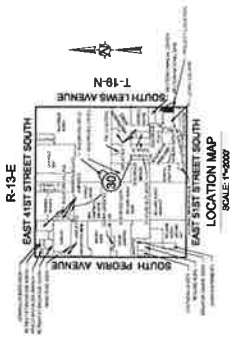
DRAFT FINAL PLAT

Lewis Professional Center

A REBUDIVISION OF LOT FOUR (4) BLOCK ONE (1), LEWIS SQUARE, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

OWNER:
LEWIS PROFESSIONAL CENTER, LLC
 1000 WEST 17TH STREET
 TULSA, OKLAHOMA 74118
 ATTN: JASON SPRIGGS

ENGINEERSURVEYOR:
AAB ENGINEERING, LLC
 CERTIFICATE OF AUTHORIZATION NO. 6318, EXP. JUNE 30, 2018
 1000 WEST 17TH STREET
 SAND SPRINGS, OKLAHOMA 74083
 PHONE: (918) 514-4283
 EMAIL: ALAN@AABERIO.COM



LEGEND

LVA LIMITS OF LOT ACCESS
 POB POINT OF BEGINNING
 ROW RIGHT OF WAY
 UE UTILITY EASEMENT
 BK BOOK NO. ACCESS EASEMENT
 IRON PIN SET W/ICP MARKED AB CASTER
 STREETS ADJACENT

FLOODPLAIN

THE ENTIRE PROPERTY IS NOT LOCATED WITHIN ANY FEDERALLY DESIGNATED FEMA FLOODPLAIN PER 15, 2012 WHICH INDICATES SOME UNDESIGNED X. THE ENTIRE PROPERTY IS NOT LOCATED WITHIN THE REGULATION FLOODPLAIN PER CITY OF TULSA REGULATORY FLOODPLAIN PLUS STRIKE 11.

FINAL PLAT	
ENDORSEMENT OF APPROVAL	
Track Metropolitan Area Planning Commission	
Approved Date:	TMPAC/2024
CITY ENGINEER	
CITY ATTORNEY	
Council of the City of Tulsa, Oklahoma	
Approve Date:	
CHALLENGE	
MAP/CR	
ATTNEY CITY CLERK	

SITE DATA

BENCHMARK
 CHELSEA BOX ON CURB
 ELEVATION = 679.22 (NAD 1983)

BASIS OF BEARINGS
 ALL BEARINGS ARE TRUE BEARINGS COORDINATE SYSTEM - NORTH ZONE 3000 U.S. SURVEY FEET ANGLE 90 WITH A BEARING OF 186°32'19\"/>

SUBDIVISION STATISTICS

SUBDIVISION CONTAINS FOUR (4) LOTS IN ONE (1) BLOCK
 BLOCK AREA = 10,458.00 (SQ. FT. 0.18 AC)

CONTACTS

MUNICIPAL AUTHORITY
 CITY OF TULSA
 175 EAST 1ST STREET
 TULSA, OK 74103

UTILITY CONTRACTS
 PUBLIC SERVICE COMPANY
 OF OKLAHOMA
 212 E. 8TH ST
 TULSA, OK 74107
 918-584-8807

COX COMMUNICATIONS
 1191 E. EAST 1ST STREET
 TULSA, OK 74103
 918-536-5422

TMAPC

Nathan Foster
 2018.01.30
 13:48:24
 -06'00"

Lewis Professional Center
 Sheet 1 of 2
 Date Plotted: January 15, 2024

8.2



Tulsa Metropolitan Area
Planning Commission

Case : Pecan Valley Business Center

Hearing Date: February 7, 2018

Case Report Prepared by:

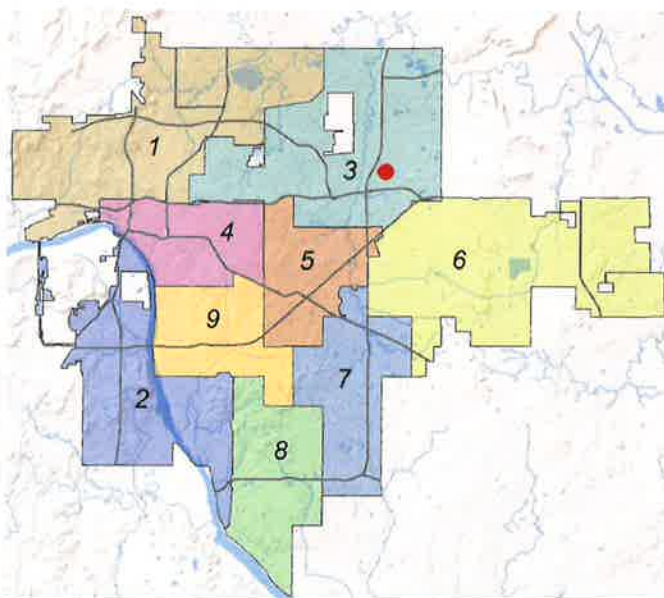
Nathan Foster

Owner and Applicant Information:

Applicant: AAB Engineering, LLC

Owner: RLH Holdings, LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Final Plat

3 lots, 1 block, 9.55± acres

Location: South of the southeast corner of East Pine Street North and North Garnett Road

Proposed Use: Industrial

Zoning: IL (Industrial – Low)

Staff Recommendation:

Staff recommends **approval** of the final plat

City Council District: 3

Councilor Name: David Patrick

County Commission District: 1

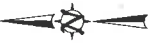
Commissioner Name: John Smaligo

EXHIBITS: Final Plat

9.1



Nathan Foster
2018.01.26
09:47:22 -06'00'



Pecan Valley Business Center

A SUBDIVISION OF A PART OF THE NORTHWEST QUARTER 6W4 NW4 OF SECTION 32, TOWNSHIP 20 NORTH, RANGE 14 EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

OWNER
RLH HOLDINGS, LLC
1218 S. ASPEN AVE
TULSA, OK 74112
PHONE 918 514 4288

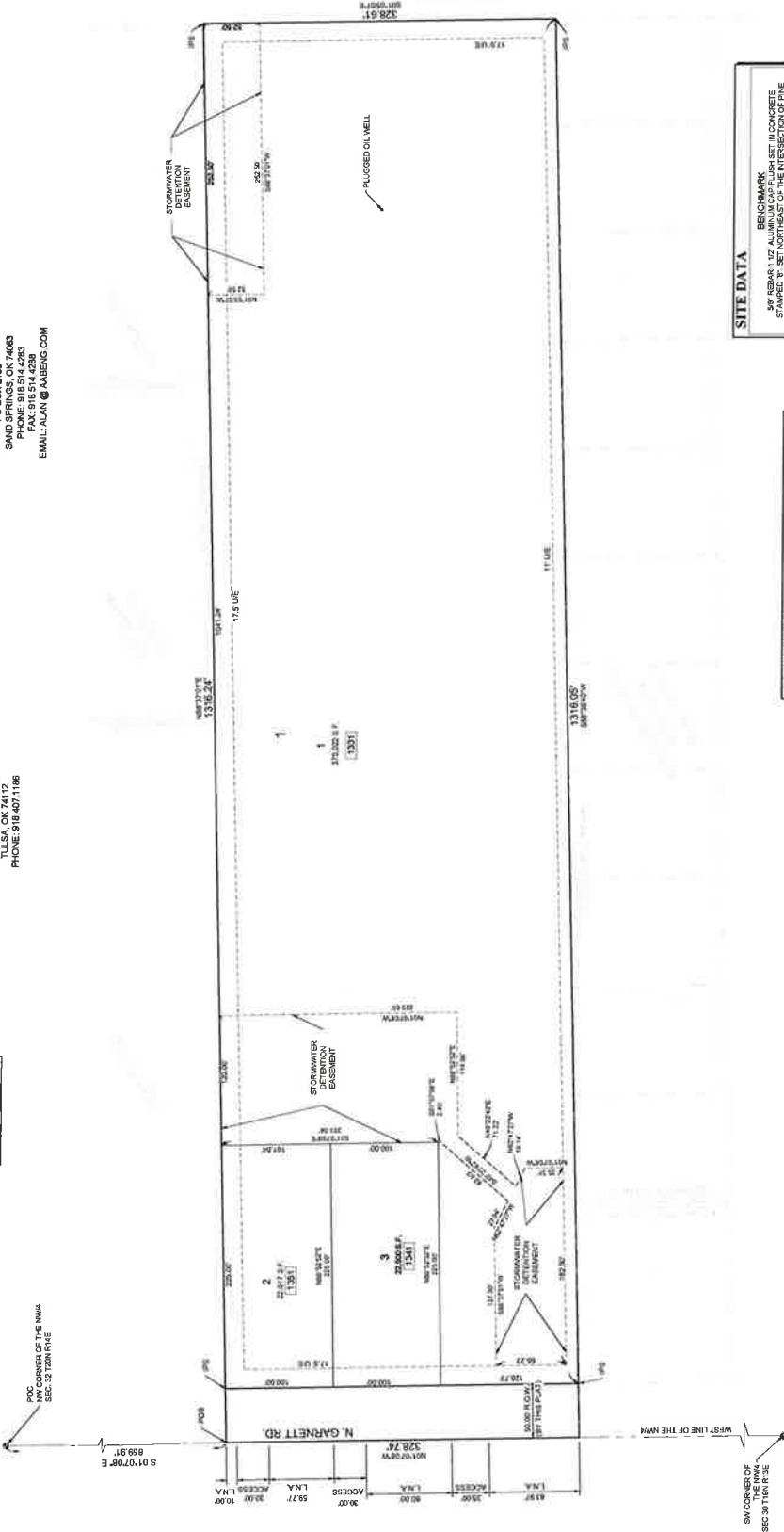
ENGINEERSURVEYOR
AAB ENGINEERING LLC
CERTIFICATE OF AUTHORIZATION NO. 8716, EXP. JUNE 30, 2018
SAND SPRINGS, OK 74083
PHONE 918 514 4283
FAX 918 514 4288
EMAIL: ALAN@AABENG.COM

DRAFT FINAL PLAT
FOR

Pecan Valley Business Center



SW CORNER OF THE NW4
SEC. 32 T20N14E



SUBDIVISION STATISTICS
SUBDIVISION CONTAINS THREE (3) LOTS IN ONE (1) BLOCK
BLOCK 1 AREA 3.167893 ACRES

FLOODPLAIN
THE MAJORITY OF THE PROPERTY (S) COVERED IN FEMA ZONE 1 (UNSHADED) AREAS DETERMINED TO BE UNFLOODABLE. THE UNFLOODABLE AREAS ARE SHOWN WITH THE EXCEPTION OF THE EXPOSED USE CORNER WHICH IS CONTAINED IN FEMA ZONE X (SHADED) WHICH IS CONTAINED IN FEMA ZONE X (SHADED) OF THE BASE FLOOD AND THE 0.2% ANNUAL CHANCE FLOOD. THIS INFORMATION IS BASED ON FIRM PANEL 40145D0201L DATED OCTOBER 18, 2015.

LEGEND

BL	BUILDING LINE
LVA	LINE OF VACUITY
POB	POINT OF BEGINNING
ROW	RIGHT OF WAY
UE	UTILITY EASEMENT
BC	BOOK
PK	PAGE
RF	RECORD FILE
SH	SECTION
ST	STREET ADDRESS

FINAL PLAT
ENDORSEMENT OF APPROVAL
Tulsa Metropolitan Area Planning Commission
Approval Date: _____
TAMCINGOOS
CITY ENGINEER
Council of the City of Tulsa, Oklahoma
Approval Date: _____
CHAIRMAN
MAYOR
ATTEST CITY CLERK
CITY ATTORNEY
The approval of this Final Plat will expire one year from the date of City Council approval if not filed in the Office of the County Clerk within three (3) months.

SITE DATA
BENCHMARK
3PP REBAR 1/2" ALUMINUM CAP FLUSH SET IN CONCRETE
STAMPED "S" SET IN CONCRETE SECTION OF PINE
ST AND 14TH E AVE
ELEVATION = 717.75 (NAD 83)
BASE OF BEARINGS
OKLAHOMA NORTH 2014 IS 2015 U.S. SURVEY FEET (NAD 83)
BEARINGS BASED ON THE WEST LINE OF THE NORTHWEST
QUARTER OF SECTION 32 BEING SOUTH 01° 07' 00" WEST
LAND AREA
432,271.062 (74) ACRES
MONUMENTATION
ALL CORNERS WERE REBAR WITH A YELLOW
PLASTIC CAP STAMPED "AAB CA 511" UNLESS OTHERWISE
NOTED
ADDRESSES
ADDRESS CORNERS AT THE
TIME THIS PLAT WAS FILED. ADDRESSES ARE SUBJECT TO
CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF LEGAL
DESCRIPTION

CONTACTS
MUNICIPAL AUTHORITY
CITY OF TULSA
175 EAST 72ND STREET, SUITE 600
TULSA, OKLAHOMA
74118-4400
918-584-8000
UTILITY CONTACTS
OKLAHOMA NATURAL GAS COMPANY
3115 W. DENVER ST
TULSA, OKLAHOMA
74118-4400
918-584-8000
PUBLIC SERVICE COMPANY
OF OKLAHOMA
1100 W. DENVER ST
TULSA, OKLAHOMA
74118-4400
918-584-8000
COMMUNICATIONS
1100 W. DENVER ST
TULSA, OKLAHOMA
74118-4400
918-584-8000

2.9



Tulsa Metropolitan Area
Planning Commission

Case : Gleneagles, Blocks 4, 5, & 6

Hearing Date: February 7, 2018

Case Report Prepared by:

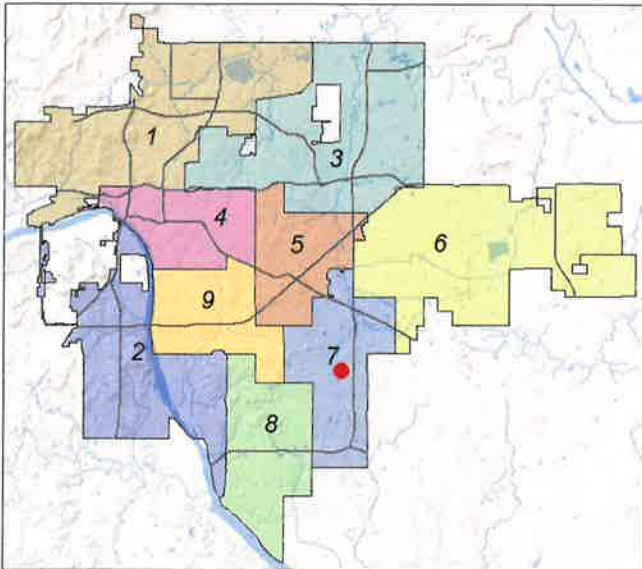
Nathan Foster

Owner and Applicant Information:

Applicant: Eller & Detrich, Nathalie Cornett

Owner: Country Club of Woodland Hills &
Independent School District No. 9 of Tulsa
County

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Amendment to Deed of Dedication

Location: West of the southwest corner of
East 61st Street South and South Mingo
Road

Summary: Amending previously filed deed
of dedication to align with PUD
amendments and approved development
standards

Zoning: RS-3, RM-1, PUD-281

Staff Recommendation:

Staff recommends **approval** of the
amendment

City Council District: 7

Councilor Name: Anna America

County Commission District: 3

Commissioner Name: Ron Peters

EXHIBITS: Amendment Text

10.1

SECOND AMENDMENT

TO

THE DEED OF DEDICATION OF GLENEAGLES, BLOCKS 4, 5 & 6

a Re-Subdivision of part of Glen Haugen,
a Subdivision of part of the NE/4 of Section 1, T18N, R13E,
City of Tulsa, Tulsa County, Oklahoma.

THIS SECOND AMENDMENT TO THE DEED OF DEDICATION (this "Amendment") is entered into to be effective as of the _____ day of _____, 2018.

RECITALS:

A. On August 25, 1983, the Plat and Deed of Dedication of Gleneagles, Blocks 4, 5 & 6, was recorded as Plat No. 4383 (the "Plat of Gleneagles"). Previous to the filing of the Plat of Gleneagles, Gleneagles, Blocks 4, 5 & 6 was processed as Planned Unit Development No. 281 ("PUD 281") pursuant to Sections 1100 through 1170 of Title 42, Tulsa Revised Ordinances of the City of Tulsa as the same existed on April 7, 1982, was approved by the Tulsa Metropolitan Area Planning Commission on April 7, 1982, and the Board of Commissioners of the City of Tulsa on June 1, 1982, by Ordinance No. 15405.

B. On May 5, 1984, the Plat and Deed of Dedication of Blocks 1, 2, 3 & 4 of Kingsridge Estates, a resubdivision of Block 5, Gleneagles, Blocks 4, 5 & 6, was recorded as Plat No. 4492 (the "Plat of Blocks 1, 2, 3 & 4 of Kingsridge Estates"). The Plat of Blocks 1, 2, 3 & 4 of Kingsridge Estates replatted Block 5 of Gleneagles, Blocks 4, 5 & 6. On December 6, 1984, the Plat and Deed of Dedication of Blocks 5 and 6 of Kingsridge Estates, a resubdivision of Block 4 of Gleneagles, Blocks 4, 5 & 6, was recorded as Plat No. 4548 (the "Plat of Blocks 5 and 6 of Kingsridge Estates"). The Plat of Blocks 5 and 6 of Kingsridge Estates replatted Block 4 of Gleneagles, Blocks 4, 5 & 6.

C. On May 21, 1984, the owners of all of the property within Gleneagles, Blocks 4, 5 & 6 by virtue of an Amendment to Deed of Dedication of Gleneagles, Blocks 4, 5 & 6, that was recorded in Book 4802 at Page 844, amended the Plat of Gleneagles and released and deleted Block 4 and Block 5 of Gleneagles, Blocks 4, 5 & 6, from the covenants and restrictions imposed on Block 4 and Block 5 of Gleneagles, Blocks 4, 5 & 6, and as a result of such Amendment, the covenants and restrictions imposed by the Plat of Gleneagles, as amended, only remained in effect with respect to Block 6, Gleneagles, Blocks 4, 5 & 6. Additionally, the Plat of Gleneagles, as amended, provided that such covenants and restrictions may be amended or modified at any time by a vote of the owners of a majority of the land within Block 6, Gleneagles, Blocks 4, 5 & 6, with the approval of the City of Tulsa, Oklahoma.

10.2

D. PUD 281 has been amended several times and the covenants and restrictions imposed upon Lot 1, Block 6, Gleneagles, Blocks 4, 5 & 6, by PUD 281, as amended, are not consistent with the covenants and restrictions that are filed of record against Lot 1, Block 6. The most recent amendment of PUD 281 (PUD 281-12, approved by the Tulsa Metropolitan Area Planning Commission on December 6, 2017) clarified the development standards pertaining to Lot^o1, Block 6.

E. Country Club of Woodland Hills, Limited Partnership, an Oklahoma limited partnership, is the owner of Lot 1, Block 6, Gleneagles, Blocks 4, 5 & 6, a resubdivision of part of Glen Haugen, a subdivision of part of the Northeast Quarter of Section 1, Township 18 North, Range 13 East, City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat No. 4383 ("Lot 1, Block 6").

F. Independent School District No. 9, of Tulsa County, Oklahoma, is the owner of Lot 2, Block 6, Gleneagles, Blocks 4, 5 & 6, a resubdivision of part of Glen Haugen, a subdivision of part of the Northeast Quarter of Section 1, Township 18 North, Range 13 East, City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat No. 4383 ("Lot 2, Block 6").

G. Lot 1, Block 6, and Lot 2, Block 6, comprise all of Block 6, Gleneagles, Blocks 4, 5 & 6, a resubdivision of part of Glen Haugen, a subdivision of part of the Northeast Quarter of Section 1, Township 18 North, Range 13 East, City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat No. 4383.

H. The undersigned, as the owners of all of Block 6, Gleneagles, Blocks 4, 5 & 6, a re-subdivision of part of Glen Haugen, a subdivision of part of the Northeast Quarter of Section 1, Township 18 North, Range 13 East, of the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof, do hereby amend Section II, Planned Unit Development Restrictions, of the Plat of Gleneagles, as amended, with respect to Lot 1, Block 6 in order to conform such covenants and restrictions to PUD 281, as amended, all as set forth hereinbelow.

AMENDMENTS:

NOW, THEREFORE, the undersigned, INDEPENDENT SCHOOL DISTRICT NO. 9, of Tulsa County, Oklahoma, and COUNTRY CLUB OF WOODLAND HILLS, LIMITED PARTNERSHIP, an Oklahoma limited partnership, being the owners of all of Block 6, Gleneagles, Blocks 4, 5 & 6, do hereby amend Section 2.3 of Section II, Planned Unit Development Restrictions, of the Plat of Gleneagles, as amended, as follows:

1. Section 2.3 of the Plat of Gleneagles is hereby deleted in its entirety and replaced with the following:

2.3. Within Lot 1, Block 6, Gleneagles, Blocks 4, 5 & 6, the following development restrictions shall apply:

2.3.1. 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.

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

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

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

From the centerline of South 91 st	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

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

2.3.6. 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.

2.3.7.

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.

Except as amended hereby, all of the other terms, conditions and provisions set forth in the Plat of Gleneagles pertaining to Lot 1, Block 6 are hereby ratified, confirmed and adopted.

10.4

THIS AMENDMENT is entered into to be effective as of the day and year set forth above.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]
[SIGNATURE PAGES TO FOLLOW]

**SIGNATURE PAGE TO
SECOND AMENDMENT
TO
THE DEED OF DEDICATION OF GLENEAGLES, BLOCKS 4, 5 & 6
a Re-Subdivision of part of Glen Haugen,
a Subdivision of part of the NE/4 of Section 1, T18N, R13E,
City of Tulsa, Tulsa County, Oklahoma.**

**INDEPENDENT SCHOOL DISTRICT NO. 9,
of Tulsa County, Oklahoma**

By: _____
Name: Stacey Roemerman
Its: President of the Board of Education

Dated: _____, 2018

STATE OF OKLAHOMA)
)
COUNTY OF TULSA)

The foregoing instrument was acknowledged before me this _____ day of _____, 2018, by Stacey Roemerman, as President of the Board of Education of Independent School District No. 9, of Tulsa County, Oklahoma.

My Commission No. _____ expires _____ 20 _____

NOTARY PUBLIC

10.6

**SIGNATURE PAGE TO
SECOND AMENDMENT
TO
THE DEED OF DEDICATION OF GLENEAGLES, BLOCKS 4, 5 & 6
a Re-Subdivision of part of Glen Haugen,
a Subdivision of part of the NE/4 of Section 1, T18N, R13E,
City of Tulsa, Tulsa County, Oklahoma.**

**COUNTRY CLUB OF WOODLAND HILLS,
LIMITED PARTNERSHIP
an Oklahoma limited partnership**

By: CCWH GP, LLC,
an Oklahoma limited liability company,
its general partner

By: _____
Name: Blake N. Vail
Its: Manager

Dated: _____, 2018

STATE OF OKLAHOMA)
)
COUNTY OF TULSA)

The foregoing instrument was acknowledged before me this ____ day of _____, 2018, by Blake N. Vail, as Manager of CCWH GP, LLC, an Oklahoma limited liability company, as general partner of Country Club of Woodland Hills, Limited Partnership, an Oklahoma limited partnership.

My Commission No. _____ expires _____ 20 _____

NOTARY PUBLIC

10.7

**SIGNATURE PAGE TO
SECOND AMENDMENT
TO
THE DEED OF DEDICATION OF GLENEAGLES, BLOCKS 4, 5 & 6
a Re-Subdivision of part of Glen Haugen,
a Subdivision of part of the NE/4 of Section 1, T18N, R13E,
City of Tulsa, Tulsa County, Oklahoma.**

This Second Amendment to the Deed of Dedication of Gleneagles, Blocks 4, 5 & 6, a re-subdivision of part of Glen Haugen, a subdivision of part of the Northeast Quarter of Section 1, Township 18 North, Range 13 East, of the City of Tulsa, Tulsa County, State of Oklahoma, is hereby approved this _____ day of _____, 2018.

CITY OF TULSA, OKLAHOMA

By: _____
Chair of the City Council

Date: _____

By: _____
G.T. Bynum
Mayor

Date: _____

ATTEST:

City Clerk

Approved as to form:

City Attorney



Tulsa Metropolitan Area
Planning Commission

Case : Guier Woods IV

Hearing Date: February 7, 2018

Case Report Prepared by:

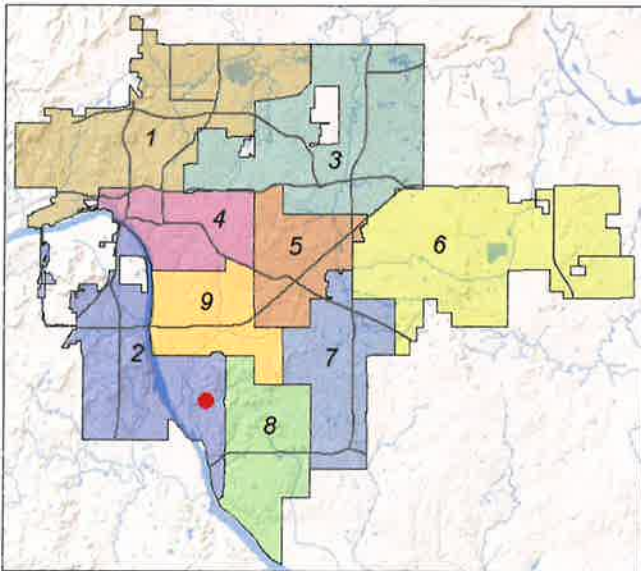
Nathan Foster

Owner and Applicant Information:

Applicant: City of Tulsa

Owner: City of Tulsa

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Correction of Plat

Location: West of South Harvard Avenue
at East 75th Place South

Summary: Correction of previously filed
plat to assign a lot number to Lot 21, Block
1 Guier Woods IV

Zoning: RS-2

Staff Recommendation:

Staff recommends **approval** of the
correction

City Council District: 2

Councilor Name: Jeannie Cue

County Commission District: 3

Commissioner Name: Ron Peters

EXHIBITS: Certificate of Correction

RE: FINAL PLAT OF "GUIER WOODS IV" (Recorded Plat #3825)


I, Peter Alan Killian, a Registered Professional Land Surveyor in the State of Oklahoma, state that:

1. I am an employee and the Land Surveyor in Charge at the City of Tulsa, State of Oklahoma.
2. Whereas the signing surveyor (Cline L. Mansur) of the above referenced plat "Guier Woods IV" is deceased and the engineering firm (Mansur-Daubert-Williams, Inc.) of said referenced plat is inactive.
3. This certificate is necessary because a tract of land within the subject subdivision was not assigned a lot number.
4. Under Oklahoma Statutes, Title 11, Section 41-115 and by this Certificate hereby make the following correction to the hereon referenced Plat:
The subject Tract of land shown on said Plat is bounded on the North by Lot 20, Block 1 and bounded on the West by Lot 22, Block 1. The subject Tract shall now be identified and known as **Lot 21**, Block 1, Guier Woods IV, an addition to the City of Tulsa, Tulsa County, State of Oklahoma.

Signed and sealed this 17th day of January 2018.

Surveyor's Seal



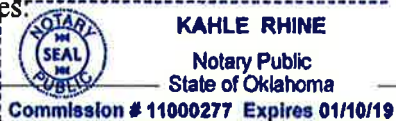

 Peter Alan Killian
 Oklahoma Professional Land Surveyor
 License No. 1495

NOTARY CERTIFICATE

Before me, the undersigned, a Notary Public in and for said County and State on this 17 day of January, 2018, personally appeared Peter Alan Killian, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth. Given under my hand and seal the day and year last above written.

My Commission Expires:

01/10/19




 Notary Public

APPROVED:
Tulsa Metropolitan Area Planning
Commission

City Council of the City of Tulsa,
Oklahoma

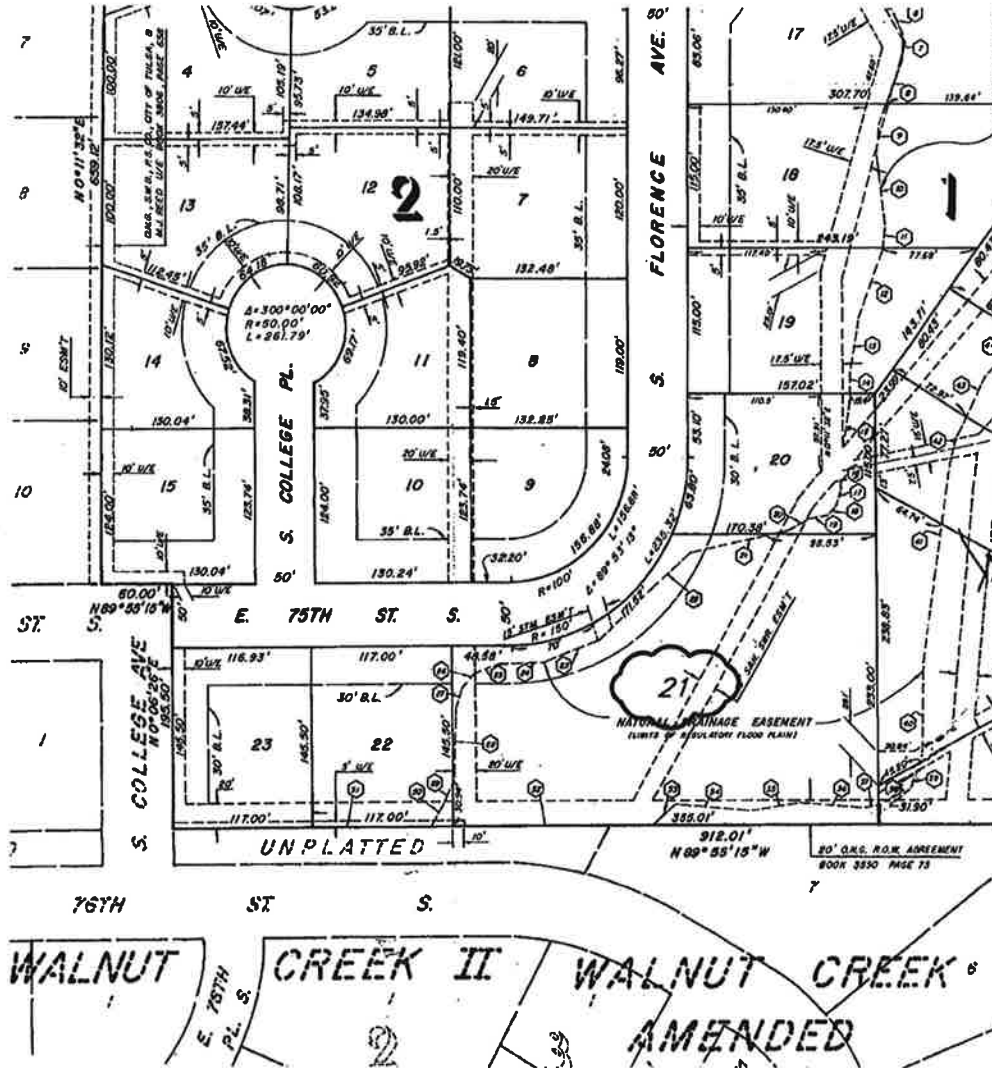
By: _____
Chair

By: _____
Chair

Date: _____

Date: _____

EXHIBIT "A"
 (SURVEYOR'S CERTIFICATE OF CORRECTION)
 "GUIER WOODS IV"





Case Number: Z-7140-SP-1e
Minor Amendment

Hearing Date: February 7, 2017

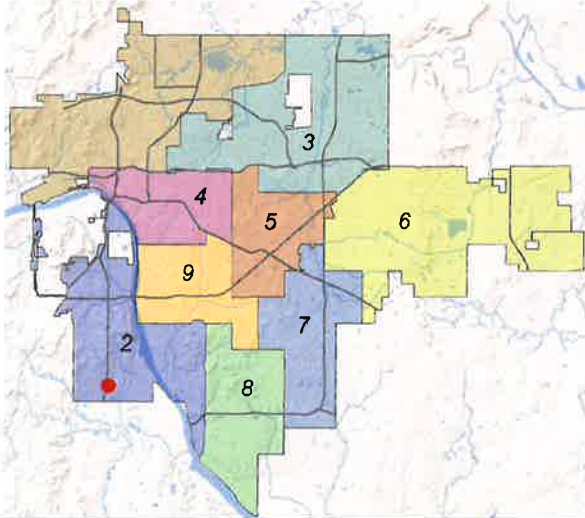
Case Report Prepared by:
 Jay Hoyt

Owner and Applicant Information:

Applicant: Bailey Mills

Property Owner: Dwight Pierce

Location Map:
 (shown with City Council Districts)



Applicant Proposal:

Concept summary: Corridor Minor amendment to reduce required side yard setback.

Gross Land Area: 0.22 acres

Location: Southeast corner of S. Phoenix Ave at West 85th Street South

8501 South Phoenix Ave.

Lot 3, Block 7 Hyde Park at Tulsa Hills

Zoning:

Existing Zoning: CO
 Proposed Zoning: No Change

Comprehensive Plan:

Land Use Map: Existing Neighborhood
 Growth and Stability Map: Stability

Staff Recommendation:

Staff recommends **approval**

Staff Data:

TRS: 8214

CZM: 51

Atlas: 1584

City Council District: 2

Councilor Name: Jeannie Cue

County Commission District: 2

Commissioner Name: Karen Keith

12.1

SECTION I: Z-7140-SP-1e Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Modify the Corridor Plan to reduce the required side yard setback.

Currently, the required side yard setback (abutting a private street) is 15 feet. The applicant is requesting to reduce the setback in order for the proposed residence to extend approximately 2 ½ feet into the side yard setback.

The requested reduction of side yard setback would not be incompatible with the character of the neighborhood, however the reduction should be limited to a 3 foot reduction (12 ft side yard setback) and within the western 50 ft of the lot. This would allow the proposed encroachment without the effect of having the setback for the entire length of the W. 85th St frontage reduced as well.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 25.040D.3.b(5) of the Corridor District Provisions of the City of Tulsa Zoning Code.*

“Minor amendments to an approved corridor 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 long as substantial compliance is maintained with the approved development plan. “

Staff has reviewed the request and determined:

- 1) The request should be limited to a 12 ft setback, within the western 50 ft of the subject lot.
- 2) The requested amendment does not represent a significant departure from the approved development standards in the Corridor Development Plan.
- 3) All remaining development standards defined in Z-7140-SP-1 and subsequent minor amendments shall remain in effect.

Exhibits included with staff recommendation:

INCOG zoning case map

INCOG aerial photo

INCOG aerial photo (enlarged)

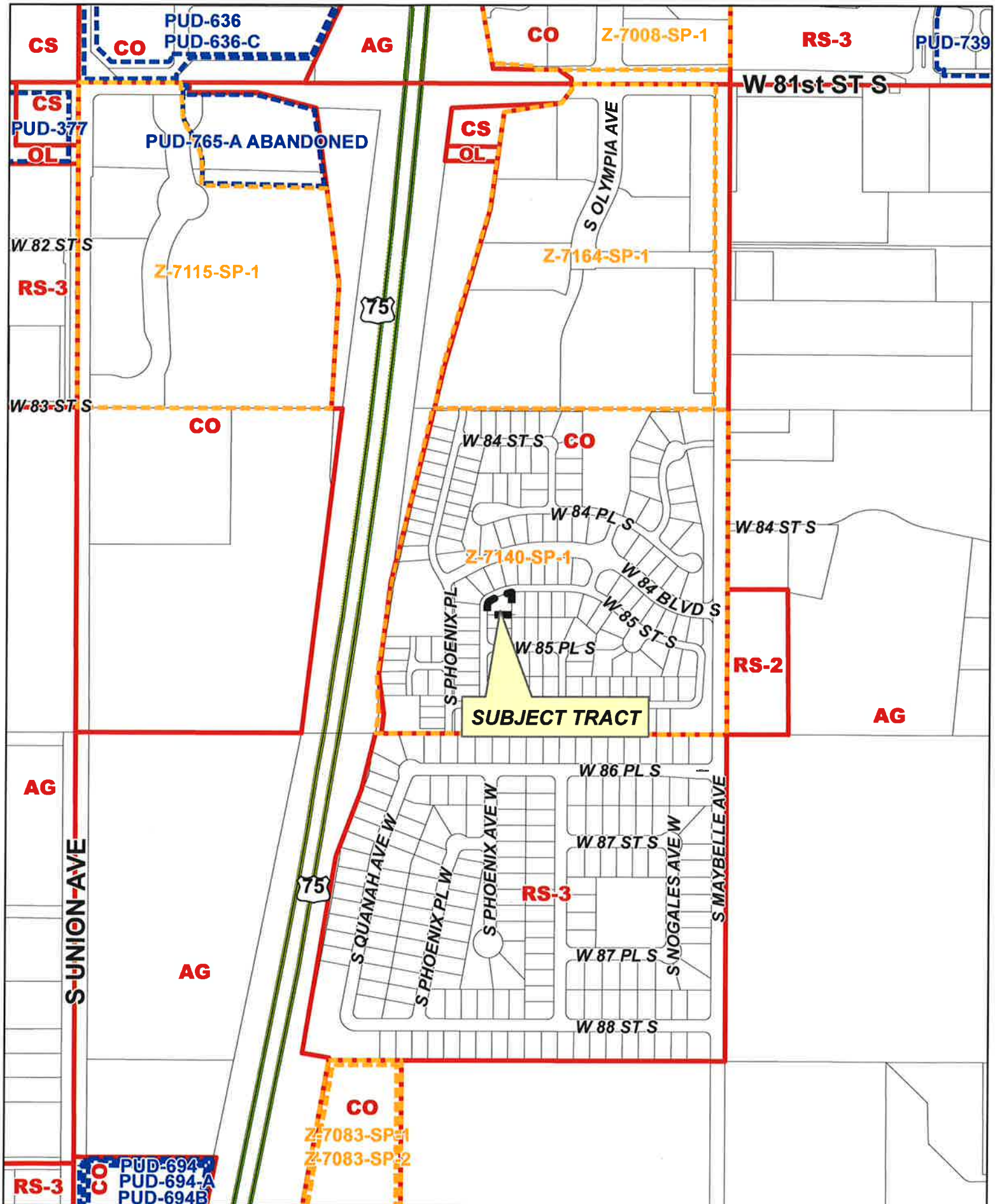
Applicant Exhibits:

Site Plan

Floor Plan (1st & 2nd Floors)

Elevations

With considerations listed above, staff recommends **approval** of the minor amendment request to reduce the required side yard setback.



Z-7140-SP-1e



18-12 14





W 81st ST S

W 82 ST S

75

W 83 ST S

W 84 ST S

W 84 PL S

W 84 ST S

W 84 BLVD S

S PHOENIX PL

W 85 ST S

W 85 PL S

W 86 ST S

W 86 PL S

S UNION AVE

75

S QUANAH AVE W

S PHOENIX PL W

S PHOENIX AVE W

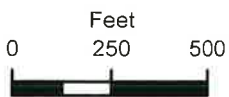
W 87 ST S

W 87 PL S

S NOGALES AVE W

S MAYBELLE AVE

W 88 ST S



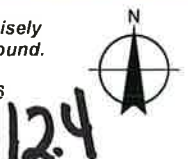
Subject Tract

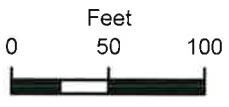
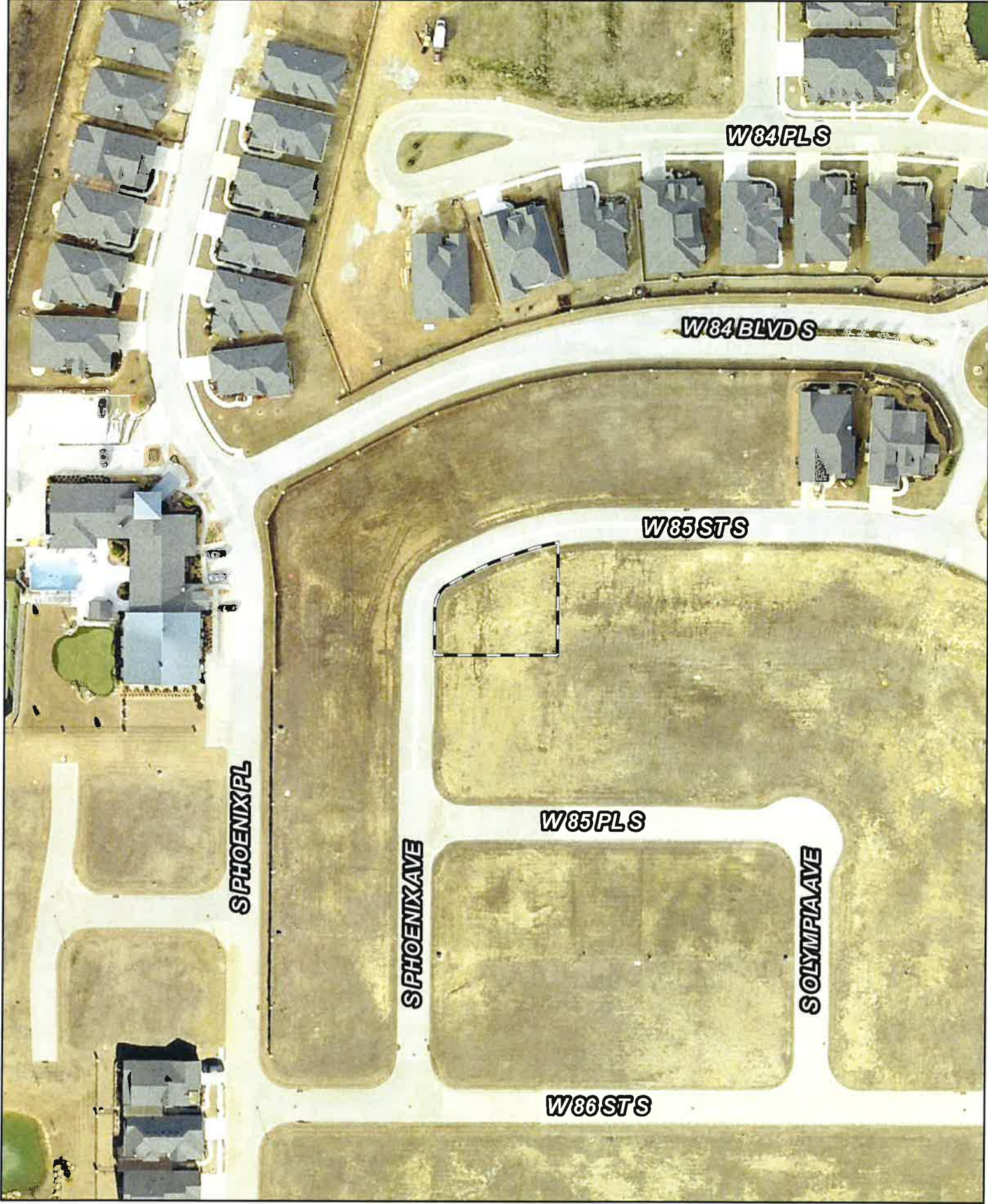
Z-7140-SP-1e

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

18-12 14

Aerial Photo Date: February 2016





Subject Tract

Z-7140-SP-1e

18-12 14

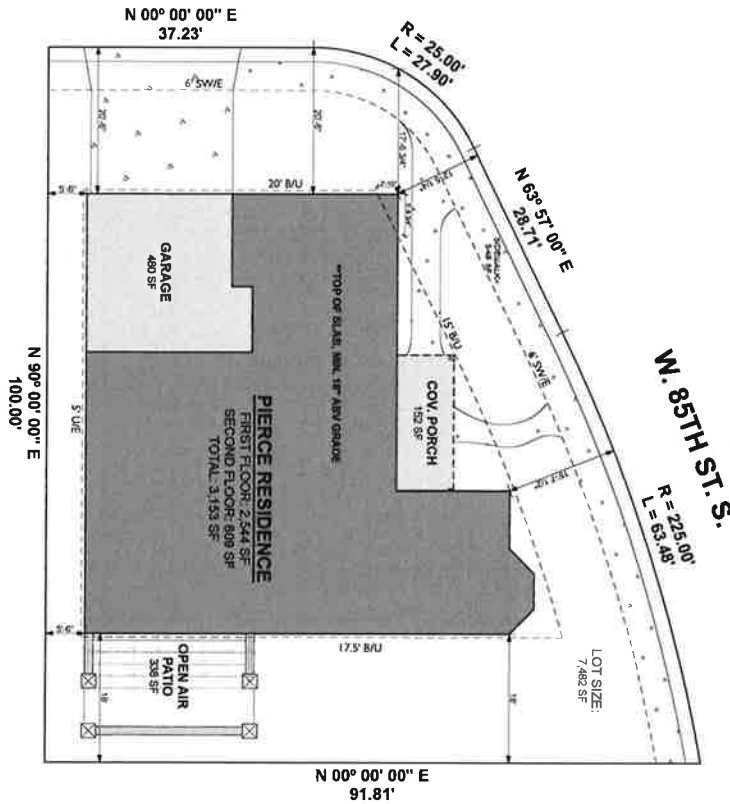
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016



125

(8501)
S. PHOENIX AVE. W.



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<p>NEIGHBORHOOD</p> <p>Hyde Park at Tulsa Hills City Made Better</p>	<p>PLAN DESIGNER</p> <p>ZONA DESIGNS</p>	<p>PROJECT/ADDRESS</p> <p>PIERCE RESIDENCE HYDE PARK AT TULSA HILLS • LOT 3 BLOCK 7 8501 S PHOENIX AVE W • TULSA OK 74132</p>	<p>SQUARE FOOTAGE</p> <p>FIRST FLOOR: 2,544* SF SECOND FLOOR: 609* SF TOTAL: 3,153* SF</p> <table border="1"> <thead> <tr> <th colspan="2">OVER FRAME</th> </tr> </thead> <tbody> <tr> <td>GARAGE</td> <td>480 SF</td> </tr> <tr> <td>DRIVENBY</td> <td>406 SF</td> </tr> <tr> <td>COV PATIO</td> <td>152 SF</td> </tr> <tr> <td>OPEN AIR PATIO</td> <td>308 SF</td> </tr> </tbody> </table>	OVER FRAME		GARAGE	480 SF	DRIVENBY	406 SF	COV PATIO	152 SF	OPEN AIR PATIO	308 SF	<p>DATE</p> <p>11/22/17</p> <p>SCALE</p> <p>1/8" = 1'-0"</p> <p>SHEET</p> <p>A1</p>
OVER FRAME														
GARAGE	480 SF													
DRIVENBY	406 SF													
COV PATIO	152 SF													
OPEN AIR PATIO	308 SF													

12.6

CONSTRUCTION SET

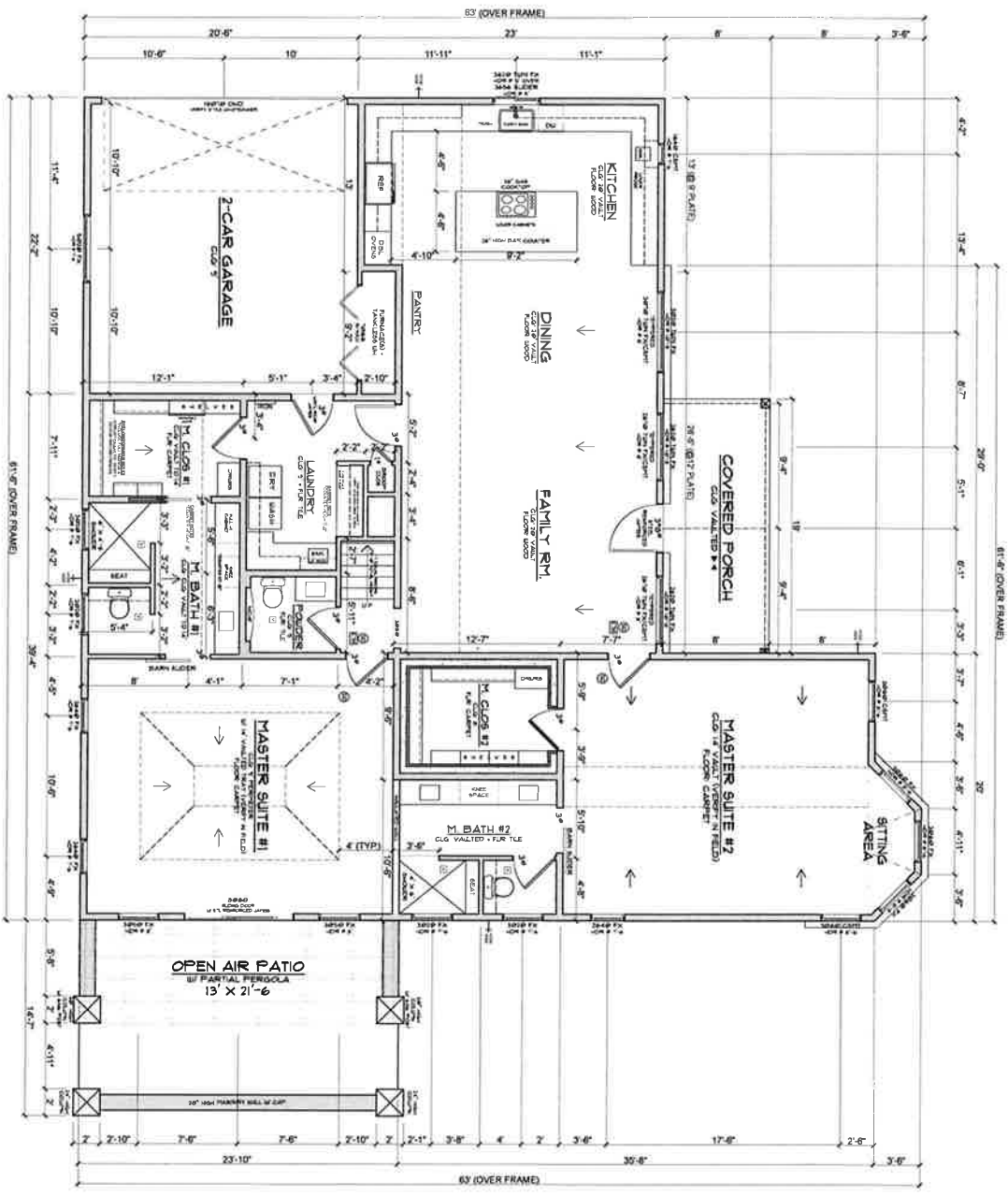
- FRAMING NOTES**
- ALL INTERIOR WALLS OVER 10 FEET IN HEIGHT ARE 2X6; ALL OTHER INTERIOR WALLS ARE 2X4, U.N.O.
 - PLATE HEIGHT VARIES, REFER TO ELEVATIONS
 - 1'-0" ROOF OVERHANG, U.N.O.
 - FRAME ALL WINDOWS & DOORS 1/2" OVER SQUIN 9/2ES
 - ASSUME ALL UNDIMENSIONED DOORS ARE EITHER 4' OR 6' WIDE
 - ASSUME ALL UNDIMENSIONED WALL OR CENTERED BETWEEN TWO CLOSEST WALLS
 - TUNN 2X12 HEADERS ABOVE ALL WINDOWS & DOORS
 - 16" GULLLET @ EACH GARAGE DOOR
 - 3X4 LINTEL OVER ALL EXTERIOR WINDOWS & DOORS
 - 2X4 NAYE BRICK OR STONE

- PLUMBING & HEAT /AIR NOTE**
- PLACE ALL VENT STACKS ON BACK OR SIDES OF ROOF
 - VENT ALL EXHAUST FANS TO EXTERIOR

- LEGEND**
- VENT/VENT LIGHT
 - SMOKE DETECTOR
 - CARBON MONOXIDE DETECTOR

AWAITING KITCHEN REDESIGN

FIRST FLOOR



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<p>NEIGHBORHOOD</p> <p>Hyde Park at Tulsa Hills S/N Made Better</p>	<p>PLAN DESIGNER</p> <p>ZONA DESIGNS</p>	<p>PROJECT ADDRESS</p> <p>PIERCE RESIDENCE HYDE PARK AT TULSA HILLS • LOT 3 BLOCK 7 8501 S PHOENIX AVE W • TULSA OK 74132</p>	<p>SQUARE FOOTAGE</p> <p>FIRST FLOOR: 2,544* SF SECOND FLOOR: 609* SF TOTAL: 3,153* SF</p> <table border="1"> <thead> <tr> <th colspan="2">OVER FRAME</th> </tr> </thead> <tbody> <tr> <td>GARAGE</td> <td>430 SF</td> </tr> <tr> <td>DRIVEWAY</td> <td>406 SF</td> </tr> <tr> <td>COV PATIO</td> <td>152 SF</td> </tr> <tr> <td>OPEN AIR PATIO</td> <td>358 SF</td> </tr> <tr> <td>SCREENING TO SCREEN</td> <td>173 SF</td> </tr> <tr> <td>SCREENING TO YARD</td> <td>523 SF</td> </tr> </tbody> </table>	OVER FRAME		GARAGE	430 SF	DRIVEWAY	406 SF	COV PATIO	152 SF	OPEN AIR PATIO	358 SF	SCREENING TO SCREEN	173 SF	SCREENING TO YARD	523 SF	<p>DATE</p> <p>12/10/17</p> <p>SCALE</p> <p>1/4" = 1'-0"</p> <p>SHEET</p> <p>A3</p>
OVER FRAME																		
GARAGE	430 SF																	
DRIVEWAY	406 SF																	
COV PATIO	152 SF																	
OPEN AIR PATIO	358 SF																	
SCREENING TO SCREEN	173 SF																	
SCREENING TO YARD	523 SF																	

12.7

CONSTRUCTION SET

FRAMING NOTES

- ALL EXTERIOR WALLS ARE 2X6, AS SHOWN.
- ALL INTERIOR WALLS OVER 10 FEET IN HEIGHT ARE 2X6. ALL OTHER INTERIOR WALLS ARE 2X4, U.N.O.
- FLOOR HEIGHT VARIES, REFER TO ELEVATIONS
- 10' ROOF OVERHANG, U.N.O.
- 12' HEADROOM OVER DOORS, 11' OVER SLIDING GLASS DOORS.
- ASSURE ALL UNOBSTRUCTED DOORS ARE EITHER 4" OFF NEAREST ADJACENT WALL OR CENTERED BETWEEN TWO CLOSEST WALLS.
- 1/2" MIN 2X7 HEADERS ABOVE ALL WINDOWS & DOORS
- 2" DUNNAPART OVER ALL EXTERIOR DOORS
- 2" DUNNAPART OVER ALL EXTERIOR WINDOWS & DOORS THAT HAVE BRICK OR STONE

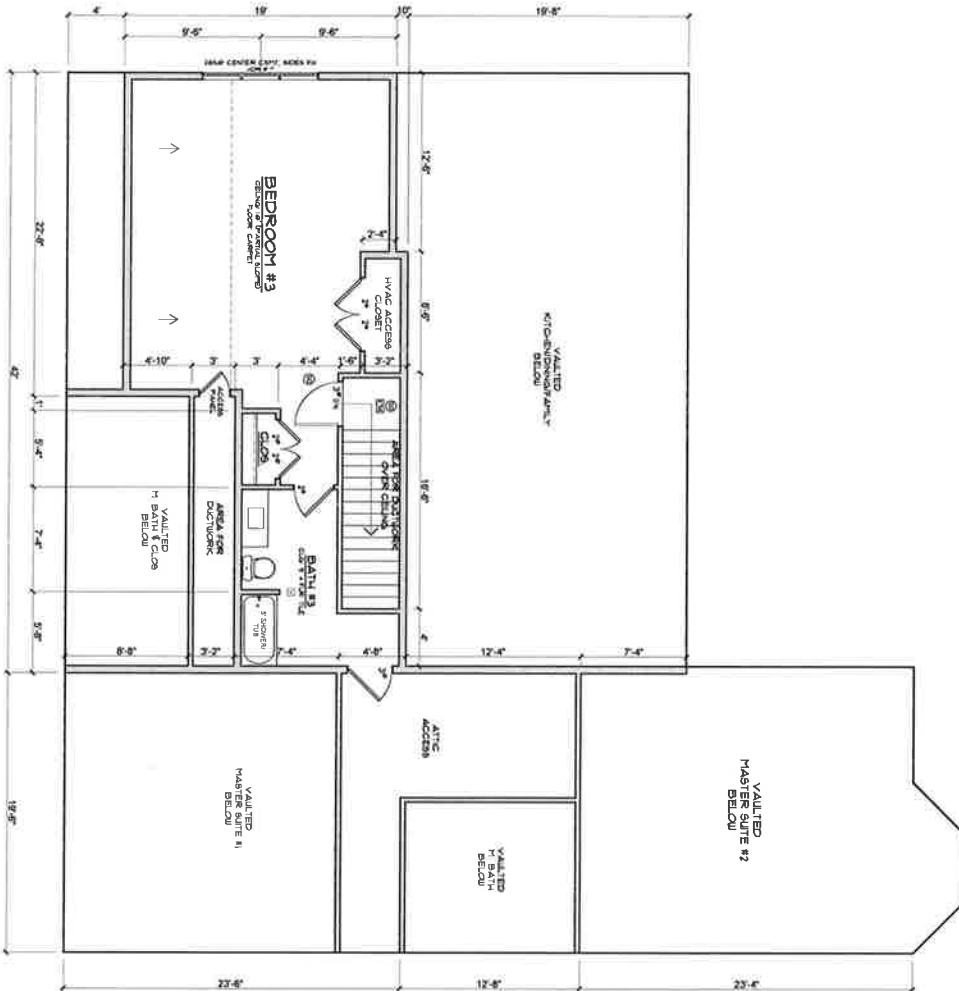
PUMPING & HEAT /AIR NOTE

- PLACE ALL VENT STACKS ON BACK OR SIDES OF ROOF
- VENT ALL EXHAUST FANS TO EXTERIOR

LEGEND

- ⊕ VENT/ VENT LIGHT
- ⊙ SMOKE DETECTOR
- ⊠ CARBON MONOXIDE DETECTOR

SECOND FLOOR



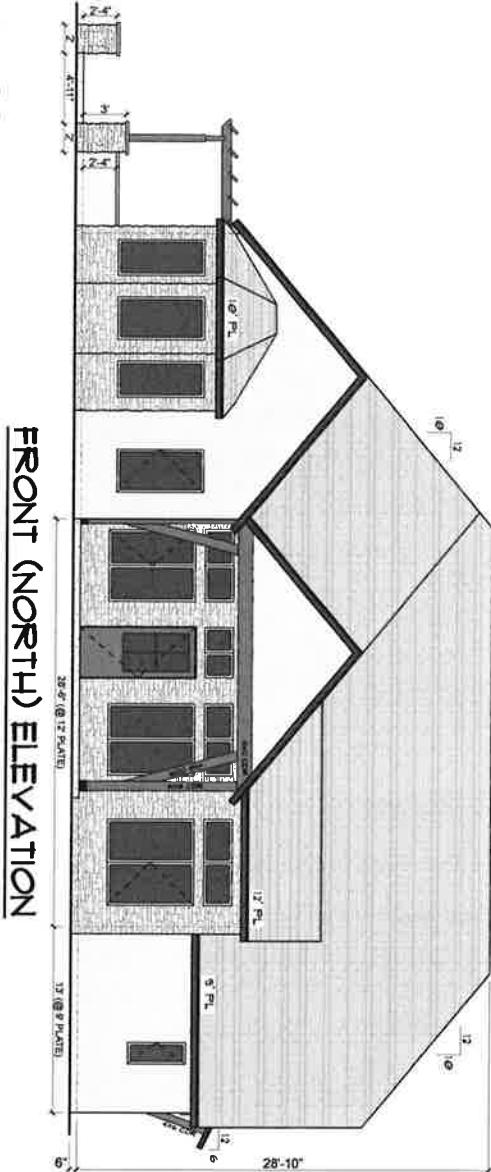
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NEIGHBORHOOD Hyde Park 4175 Ledge Hill 1/2 Mi. Hyde Park	PLAN DESIGNER ZONA DESIGNS	PROJECT/ADDRESS PIERCE RESIDENCE HYDE PARK AT TULSA HILLS • LOT 3 BLOCK 7 8501 S PHOENIX AVE W • TULSA OK 74132	SQUARE FOOTAGE FIRST FLOOR: 2,544* SF SECOND FLOOR: 609* SF TOTAL: 3,153* SF	DATE 12/10/17 SCALE 1/4" = 1'-0" SHEET A4
		OVER FRAME		
		GARAGE 450 SF		DRIVEWAY 406 SF
		COV PATIO 132 SF		SCREENED PATIO 173 SF
		OPEN AIR PATIO 338 SF		SCREENED PATIO 523 SF

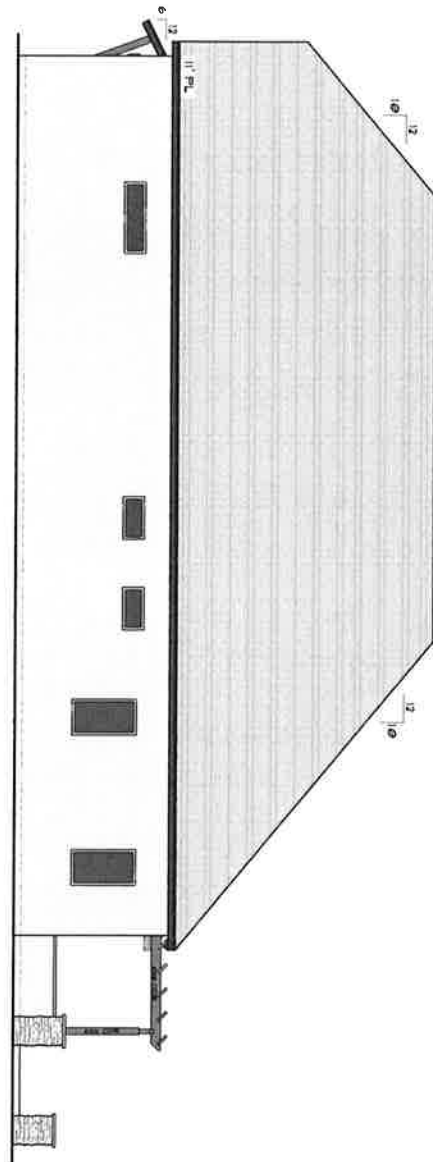
12.8

CONSTRUCTION SET

ELEVATIONS





FRONT (NORTH) ELEVATION



BACK (SOUTH) ELEVATION

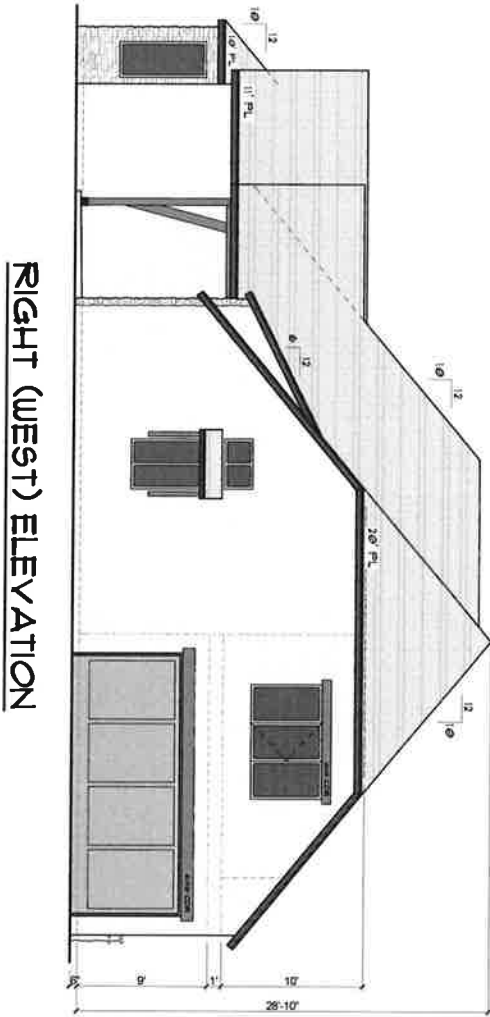
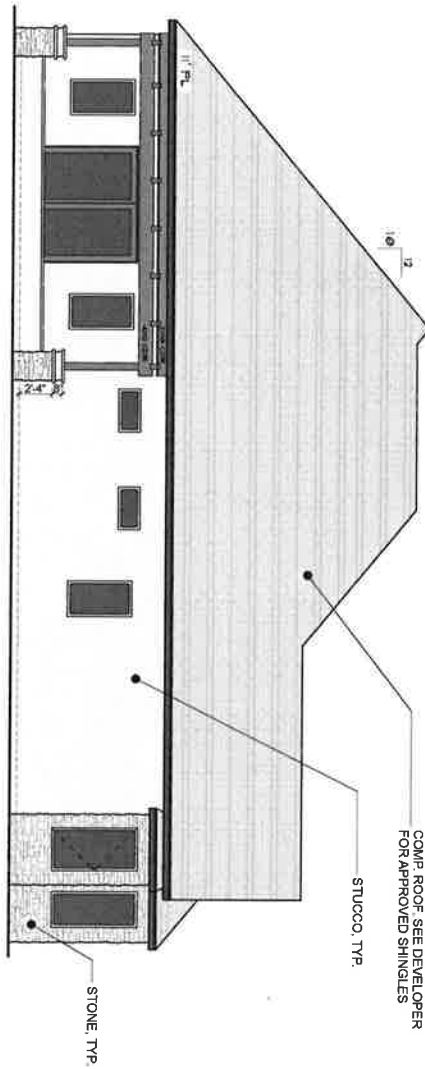
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<p>NEIGHBORHOOD</p>  <p>Hyde Park at Tulsa Hills <i>Life Made Better</i></p>	<p>PLAN DESIGNER</p>  <p>ZONA DESIGNS</p>	<p>PROJECT/ADDRESS</p> <p>PIERCE RESIDENCE HYDE PARK AT TULSA HILLS • LOT 3 BLOCK 7 8501 S PHOENIX AVE W • TULSA OK 74132</p>	<p>SQUARE FOOTAGE</p> <p>FIRST FLOOR: 2,544* SF SECOND FLOOR: 609* SF TOTAL: 3,153* SF</p> <table border="1"> <thead> <tr> <th colspan="2">OVER FRAME</th> </tr> </thead> <tbody> <tr> <td>GARAGE</td> <td>480 SF</td> </tr> <tr> <td>DRIVEWAY</td> <td>406 SF</td> </tr> <tr> <td>COVER PATIO</td> <td>152 SF</td> </tr> <tr> <td>SCREENED PATIO</td> <td>338 SF</td> </tr> <tr> <td>SCREENED PATIO</td> <td>173 SF</td> </tr> <tr> <td>SCREENED PATIO</td> <td>523 SF</td> </tr> </tbody> </table>	OVER FRAME		GARAGE	480 SF	DRIVEWAY	406 SF	COVER PATIO	152 SF	SCREENED PATIO	338 SF	SCREENED PATIO	173 SF	SCREENED PATIO	523 SF	<p>DATE</p> <p>12/10/17</p> <p>SCALE</p> <p>1/4" = 1'-0"</p> <p>SHEET</p> <p>A5</p>
OVER FRAME																		
GARAGE	480 SF																	
DRIVEWAY	406 SF																	
COVER PATIO	152 SF																	
SCREENED PATIO	338 SF																	
SCREENED PATIO	173 SF																	
SCREENED PATIO	523 SF																	



12.9

CONSTRUCTION SET

ELEVATIONS



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<p>NEIGHBORHOOD</p> 	<p>PLAN DESIGNER</p> 	<p>PROJECT ADDRESS</p> <p>PIERCE RESIDENCE HYDE PARK AT TULSA HILLS • LOT 3 BLOCK 7 8501 S PHOENIX AVE W • TULSA OK 74132</p>	<p>SQUARE FOOTAGE</p> <p>FIRST FLOOR: 2,544* SF SECOND FLOOR: 609* SF TOTAL: 3,153* SF</p> <table border="1"> <thead> <tr> <th colspan="2">COVER FRAME</th> </tr> </thead> <tbody> <tr> <td>GARAGE</td> <td>480 SF</td> </tr> <tr> <td>DRIVEWAY</td> <td>408 SF</td> </tr> <tr> <td>COV PATIO</td> <td>152 SF</td> </tr> <tr> <td>ADJACENT TO STAIR</td> <td>173 SF</td> </tr> <tr> <td>OPEN AIR PATIO</td> <td>338 SF</td> </tr> <tr> <td>BUILDING AREA</td> <td>523 SF</td> </tr> </tbody> </table>	COVER FRAME		GARAGE	480 SF	DRIVEWAY	408 SF	COV PATIO	152 SF	ADJACENT TO STAIR	173 SF	OPEN AIR PATIO	338 SF	BUILDING AREA	523 SF	<p>DATE</p> <p>12/10/17</p> <p>SCALE</p> <p>1/4" = 1'-0"</p> <p>SHEET</p> <p>A6</p>
COVER FRAME																		
GARAGE	480 SF																	
DRIVEWAY	408 SF																	
COV PATIO	152 SF																	
ADJACENT TO STAIR	173 SF																	
OPEN AIR PATIO	338 SF																	
BUILDING AREA	523 SF																	

12.10



Tulsa Metropolitan Area
Planning Commission

Case Number: LS-21103
Lot-Split

Hearing Date: February 7, 2018

Case Report Prepared by:

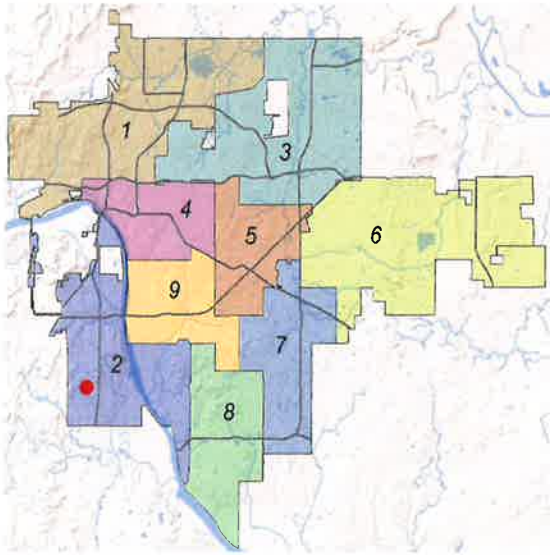
Amy Ulmer

Owner and Applicant Information:

Applicant: Timothy Wallace

Property Owners: same

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Proposal to split an existing RS-3 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 A Size: .50 ± acres

Tract B Size: .57 ± acres

Location: North of the northwest corner of 78th Street South and South Xenophon Avenue

Comprehensive Plan:

Land Use Map:
Existing Neighborhood

Stability and Growth Map:
Area of Stability

Zoning:

Existing Zoning: RS3

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.

City Council District: 2

City Councilor Name: Jeannie Cue

Lot-Split and Waiver of Subdivision Regulations

February 7, 2018

LS-21103

Timothy Wallace, (8210) (RS-3) (CD-2)

North of the northwest corner of West 78th Street South and South Xenophon Avenue

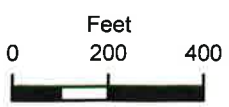
The Lot-split proposal is to split an existing RS-3 (Residential Single-family) tract into two tracts. The minimum lot area and lot area per dwelling unit for an RS-3 zoned lot is 6,900 SF. The lot-split survey shows that Tract A will be $\pm 21,780$ SF and Tract B will be $\pm 24,732.5$ SF. Both tracts will exceed the Bulk and Area requirements of the current RS-3 zoning district.

The Technical Advisory Committee met on January 18, 2018 and had the following comment. Development Services has stated that a sanitary sewer main extension will be required unless a septic system is installed per DEQ standards. This parcel is not within the City of Tulsa Regulatory floodplain.

The proposed lot-split lies within the boundaries of the West Highlands/Tulsa Hills Small Area Plan. The small area plan designates this lot as an *Existing Neighborhood* and *Area of Stability*. During the implementation process, stakeholders expressed concern about the effects of building density and maintaining the rural residential character of the planning area. As a result, the finalized small area plan contains the recommendations outlined below;

- **3.7** Zoning west of Union Avenue, in areas with Existing Neighborhood land use, should strongly support residential, single-family uses. Support changes to new "rural-residential" zoning use (see measure 4.6), to address configuration issues related to lot splits.
- **4.6** Revise zoning code to include a "rural-residential" district which allows a limited number of livestock and horses as a use by right, and has larger minimum lot sizes. This can be done by either amending an existing district, or creating a new one.

The planning area could benefit from a more in-depth analysis of the current zoning designations. An amendment to the zoning code to create a "rural-residential" district would support the goals of the small area plan. In this situation, both newly created tracts would far exceed the current RS-3 zoned districts minimum lot size requirements. The proposed Lot-split would not have an adverse effect 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.



Subject
Tract

LS-21103

18-12 10

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

Aerial Photo Date: February 2016



13.3

Ulmer, Amy

LS-21103

From: Tyler Black <growtulsa@gmail.com>
Sent: Thursday, January 25, 2018 7:30 PM
To: Ulmer, Amy
Subject: Making a case against Lot-Split

Hi Amy,

My name is Tyler Black, and a man, Tim Wallace, moved in next door a few years back, sharing his intent to build a big house and enjoy our beautiful neighborhood.

He quickly became a nuisance, as I found more than one dead puppy next to the garbage cans, the result of his puppy mill operation. It became increasingly clear what he is about.

He purchased a lot down the street, where he again, to those direct neighbors, proclaimed his desire to build his big house and enjoy the neighborhood.

He split that lot, and in doing so, broke the neighborhood covenant, and now he is attempting this again, but on a flood zone, where all the water of the hills surrounding flows.

He is only here to make money and leave the neighborhood in his wake. I don't care if you want to make money, but where has neighbor communication gone, and otherwise just plain decency?

I will attend the hearing on February 7th, 2018 @ 1:30pm, and before that date I hope to gain the support of our other immediate neighbors.

My question to you:

What can I do to push against this? What can I do to help make this NOT happen?

Thank you Amy,
Tyler Black
7710 S Xenophon Ave
Tulsa, OK 74132
918-527-6200



Tulsa Metropolitan Area
Planning Commission

Case : Z-7403 Plat Waiver

Hearing Date: February 7, 2018

Case Report Prepared by:

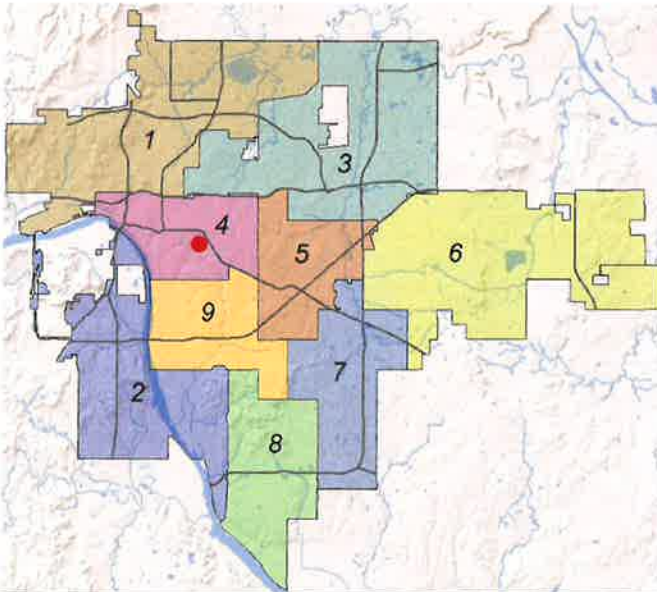
Nathan Foster

Owner and Applicant Information:

Applicant: Lacey Wilson

Owner: J&S Smith Properties, LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Plat Waiver

Location: Southeast corner of East 17th
Place South and South Lewis Avenue

Zoning:

OL (Office – Low) with an optional
development plan

Staff Recommendation:

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

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-7403 – (CD 4)

Southeast corner of East 17th Place South and South Lewis Avenue

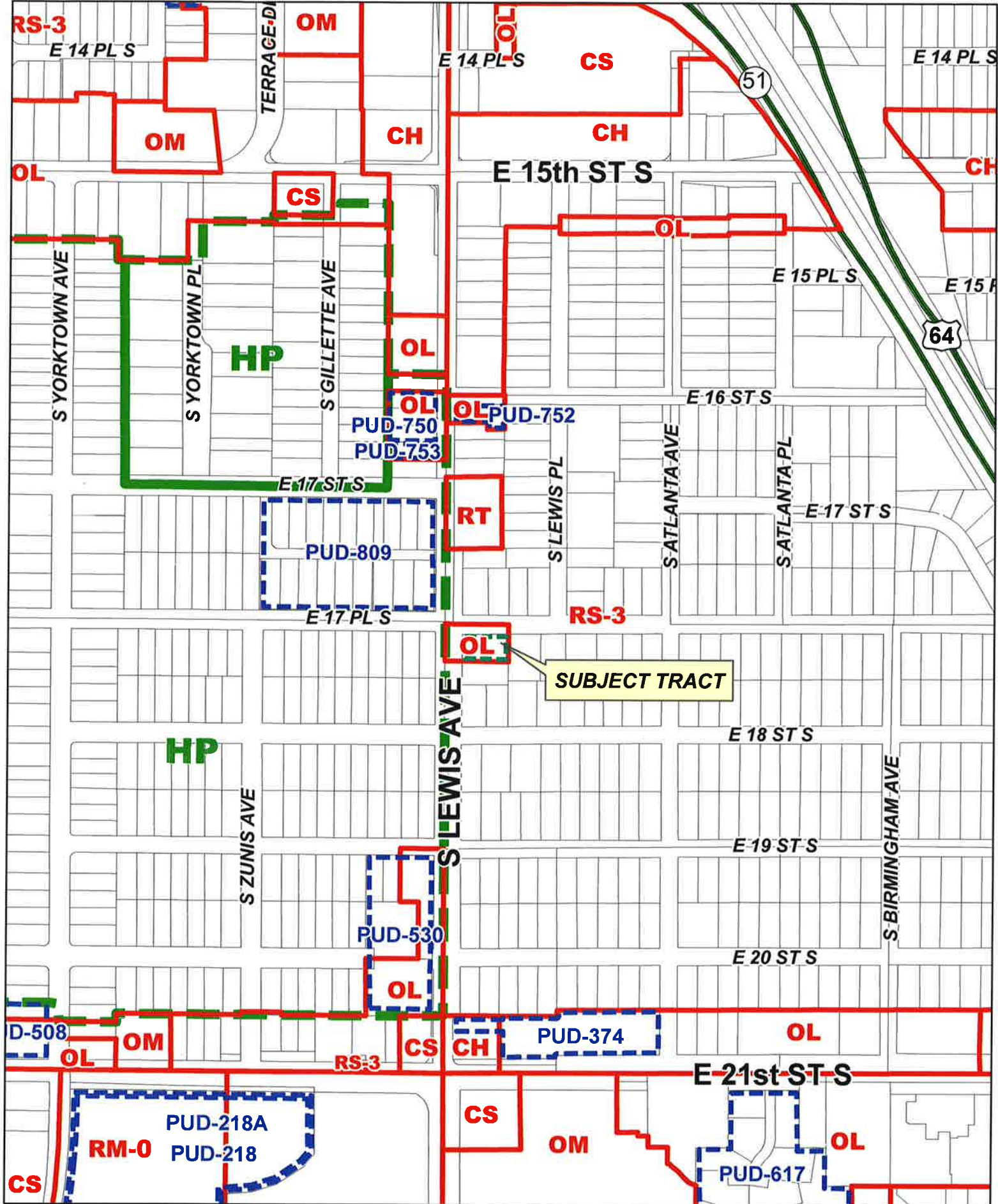
The platting requirement for this property is being triggered by a rezoning request (Z-7403) with an optional development plan. The rezoning request was to take the property from RS-3 to OL with an optional development plan to permit an office use within an existing structure on the site. The rezoning application was recommended for approval by TMAPC on August 16, 2017 and was given a final approval by the Tulsa City Council on October 25, 2017.

The Technical Advisory Committee met on January 18, 2018 and the following items were determined:

1. The property was previously platted as part of the Lewiston Gardens subdivision.
2. All required right-of-way has been dedicated and is in place.
3. Necessary easements and utilities are all in place and no additional easements will be needed at this time.
4. No further subdivision of the lots is proposed at this time.

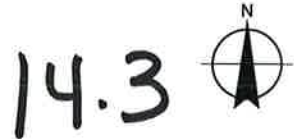
Staff recommends **approval** of the plat waiver with the following condition:

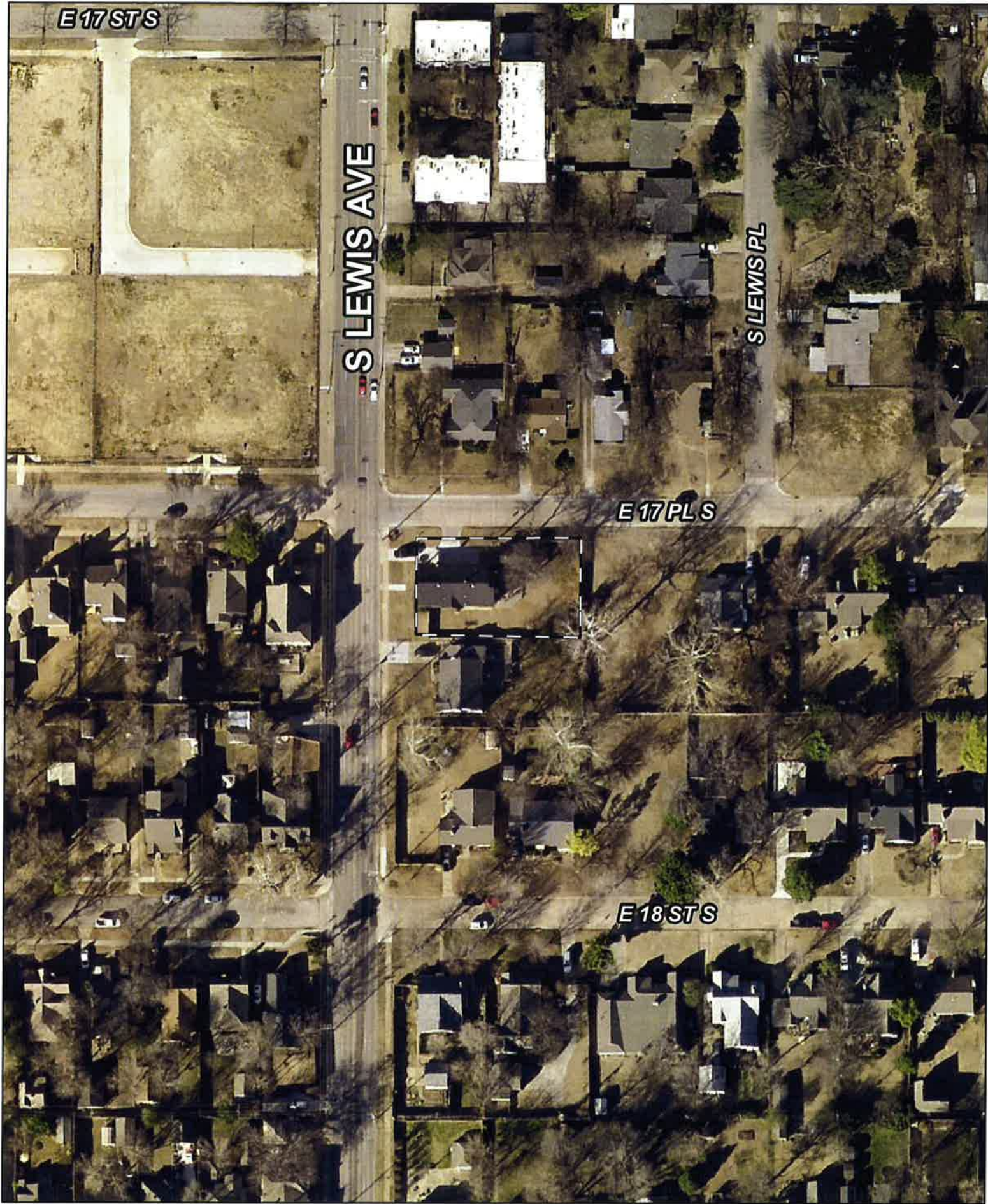
- o Applicant must record approved development standards for Z-7403 Optional Development Plan with the Tulsa County Clerk's office.



19-13 08

Z-7403
*with Optional
 Development Plan*





E 17 STS

S LEWIS AVE

S LEWIS PL

E 17 PL S

E 18 STS



Subject Tract

19-13 08

Z-7403
with Optional
Development Plan

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

Aerial Photo Date: February 2016



On **MOTION** of **DIX**, TMAPC voted **4-5-0** (Adams, Millikin, Reeds, Walker "aye"; Covey, Doctor, Fretz, Shivel, Dix, "nays"; none "abstaining"; Carnes, Krug, "absent") to **CONTINUE** CZ-461 rezoning from **AG** to **CG** to allow the applicant to speak with neighbors about their concerns and submit a PUD to be heard October 4, 2017.

The motion for continuance failed. A motion to deny the rezoning was made.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted **7-2-0** (Adams, Covey, Dix, Doctor, Fretz, Shivel, Walker "aye"; Millikin, Reeds, "nays"; none "abstaining"; Carnes, Krug, "absent") to **DENY** CZ-461 rezoning from **AG** to **CG**.

FILE COPY

12. Z-7403 Alisha Bennett (CD 4) Location: Southeast corner of South Lewis Avenue and East 17th Place South requesting rezoning from **RS-3** to **OL with optional development plan**

STAFF RECOMMENDATION:
SECTION I: Z-7403

DEVELOPMENT CONCEPT:

SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS

Z-7403 with the optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in an OL zoning district and its supplemental regulations except as further refined below.

A. Permitted Uses:

- a. Residential Use Category limited to the subcategories and specific uses defined below and uses that are customarily accessory to the permitted uses.
 - i. Single household
- b. Office
 - i. Business or professional office
 - ii. Medical, dental or health practitioner

B. Hours of Operation: Offices may not be open for business except as follows:

- a. Monday through Friday 7:30am to 6:00pm
- b. Saturday 7:30am through 1:00pm

C. Building and lot Preservation:

- a. Demolition and/or reconstruction of the existing buildings is prohibited except as permitted through the amendment process defined in the Tulsa Zoning Code for Development Plans. Demolition and or Reconstruction of the existing building for any reason will require approval through the Minor Amendment process defined in Section 70.040.1 of the Tulsa Zoning Code.
- b. Sidewalk, or vehicular driveway / parking rehabilitation, bicycle parking areas and landscaping, would not be considered demolition or construction for the purposes of this Development Plan. Cosmetic improvements are allowed including but not limited to general maintenance items such as painting, window and door repair or replacement and roofing replacement.
- c. Prior to occupancy for any office use the driveway access to South Lewis shall be removed. The sidewalk and curb shall be repaired as required.
- d. The detached garage must be used for car, motorcycle or bicycle parking, conversion for business or residential occupancy is prohibited.
- e.

D. Signage:

- a. One monument style ground sign with a maximum display surface area of 16 square feet and a maximum height of 5 feet may be placed in the street yard abutting South Lewis Avenue.
- b. Two wall signs will be allowed on the existing structure. One sign is allowed facing west and one wall sign facing north. Each sign is limited to a maximum display surface area of 6 square feet.
- c. No banners or temporary signage related to the property's business shall be permitted.
- d. Internally illuminated signs and digital signage of any kind shall be prohibited.

E. Lighting:

- a. Pole lights are prohibited.
- b. All lighting shall be pointed down. The light emitting element shall be shielded from view from any abutting property or street right of way.

F. Trash Disposal

- a. Dumpsters will not be allowed. Residential style trash bins as provided by the City of Tulsa shall used and, except on the day of

trash pickup, the bins shall be stored so they are not visible from a public street.

DETAILED STAFF RECOMMENDATION:

Z-7403 requesting OL zoning with the Optional Development Plan standards identified in Section II is consistent with the Lewis Study approved in 2007 and,

Z-7403 is consistent with the Mixed Use Corridor land use designation in the Tulsa Comprehensive Plan and,

OL zoning with the optional development plan is found to be non-injurious to the abutting property and,

The optional development plan standards are consistent with the provisions for Development Plans in the Tulsa Zoning Code therefore,

Staff recommends Approval of Z-7403 with the optional development plan as outlined in Section II above.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The subject lot is located within the Mixed-Use Corridor designation as well as an Area of Growth.

Land Use Vision:

Land Use Plan map designation: Mixed-Use Corridor

Mixed-Use Corridors are Tulsa's modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. 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. Mixed-Use Corridors 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.

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: South Lewis Avenue is designated as an Urban Arterial/Multi-Modal Corridor. East 17th Place South is designated as a Residential Collector.

Trail System Master Plan Considerations: None

Small Area Plan: The subject lot was included in the Lewis Study, approved in 2007. The study states that light office uses shall be permitted on lots fronting Lewis, such as the subject lot. The study also states that existing residential structures shall be utilized.

Special District Considerations: Lewis Study

The Lewis Study recommended OL zoning only when accompanied by a PUD or when appropriate special zoning district – the preferred method – is adopted. The Lewis Study supported the conversion of existing homes to office uses as long as the existing structures remain relatively untouched to retain the residential character of the neighborhood.

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site currently contains a single-family residence with a detached garage.

See street view image below from northwest corner of lot looking southeast:



Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP RW</u>	<u>Exist. # Lanes</u>
South Lewis Avenue	Urban Arterial	70 feet	4
East 17 th Place South	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-3	Mixed-Use Corridor	Growth	Single-Family
South	RS-3	Mixed-Use Corridor	Growth	Single-Family

08:16:17:2752(23)

14.9

East	RS-3	Existing Neighborhood	Stability	Single-Family
West	RS-3	Existing Neighborhood	Stability	Single-Family

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11815 dated June 26, 1970, established zoning for the subject property.

Subject Property:

Z-6934 February 2004: An application to rezone a lot located on the southeast corner of East 17th Place and South Lewis from RS-3 to OL was withdrawn by the applicant prior to TMAPC hearing.

Surrounding Property:

Z-7095/ PUD-752 June 2008: All concurred in approval of a request for rezoning on a .2± acre tract of land from RS-3 to OL, and a proposed Planned Unit Development for office use, were the existing structures will be utilized for office and residential uses, on property located southeast corner E.16th St. and S. Lewis Ave. and north of subject property.

Z-6985 January 2008: All concurred in denial of a request for rezoning a .19± acre tract of land from RS-3 to OL on property located on the southeast corner of East 16th Street and South Lewis Avenue. Case is to be resubmitted with accompanying PUD, per TMAPC recommendation.

Z-5509 May 1981: All concurred in approval of a request for rezoning a tract of land from RS-3 to RT, for a townhouse development, on property located north of the northeast corner of S. Lewis Ave. and E. 17th Pl.

Z-4357 April 1973: All concurred in denial of a request for rezoning a 1.5± acre tract of land from RS-3 to OL for office use, on property located east of S. Lewis Ave., between E. 17th Pl. and E. 16th St.

Mr. Covey asked staff to explain The Lewis Study.

Staff stated the neighborhood actively participated in The Lewis Study and helped establish zoning review guidelines. The Lewis Study was approved in 2008 and is a fairly current study. The study identified specific sites as office use. These sites were mostly the houses that faced Lewis Avenue. Staff stated it was very clear what the neighborhood expectations were for these residential lots along Lewis Avenue. Staff stated this study was signed by the City Council.

Mr. Covey asked staff if this was like a Small Area Plan.

Staff answered, it was not a Small Area Plan but was similar. There was a resolution that was approved by City Council in August 2007, but it was a resolution supporting the study.

Mr. Covey asked why the study was for certain properties along Lewis Avenue, was this because these were properties that fronted Lewis Avenue.

Staff answered "yes". Staff stated the character of Lewis has changed over time with the burning of Bernard Elementary School on the west side of Lewis Avenue. A new subdivision was built on that site.

Mr. Covey stated in The Comprehensive Plan the subject property is Mixed Use Corridor and is being used as residential right now as well as the property to the south of the subject property. Mr. Covey stated in a Mixed Use Corridor OL is appropriate with an optional development plan.

Staff answered "correct".

Patrick Fox 624 South Boston, Tulsa, OK 74119

Mr. Fox stated he represents the applicant to discuss issues related to the subject property. Mr. Fox stated he was a staff planner for the Preservation Commission in the City of Tulsa planning department in 2007 when the corridor study was done and Mr. Fox stated he could possibly answer questions about the study. Mr. Fox stated the applicant is in agreement with staff recommendation for the most part. Mr. Fox stated there would be chiropractors in the office. Mr. Fox stated he has read the concerns of the neighbors about parking and increased traffic flow in the neighborhood and would take under advisement any recommendations to mitigate those issues. Mr. Fox stated the Lewis Study references the subject property by address, 1733 South Lewis, the intention was to limit rezoning from Residential to Office Light so the neighborhood it not encounter another heavy commercial use encroaching into the neighborhood. Mr. Fox stated the conclusion of the corridor study was that OL is appropriate but nothing more intense than that.

Mr. Covey asked Mr. Fox if he met with the neighborhood.

Mr. Fox replied the applicant met with some of the neighbors but there was not an organized meeting.

Ms Adams stated she travels Lewis Avenue everyday to go to work and if one of the complaints is added traffic it is too late for that complaint because there is already a lot of traffic on that street so Ms. Adams does not see that as a problem.

Mr. Fox stated a parking surface plan will have to be created but the number of spaces has not yet been determined. Mr. Fox stated the only recommendation from staff that he was concerned about was to block access from Lewis Avenue. Mr. Fox stated he would prefer to maintain that access. Mr. Fox stated the applicant could have a monument sign but they would like to limit the sign to the front of the house.

INTERESTED PARTIES:

Jack Bryant 2520 East 18th Street, Tulsa, OK 74104

Mr. Bryant stated he is here to oppose this application. Mr. Bryant stated there are a number of reasons but Mr. Bryant is focusing on the parking. Mr. Bryant stated he believes the Zoning Code requires 6.8 minimum parking spaces for 2000 square feet. Mr. Bryant stated if you count on your fingers 2 chiropractors, 2 current patients and 2 waiting and 1 staff person that gets you to 7 spaces, maybe 8 or 9 for additional staff. Mr. Bryant stated currently there is a driveway that goes into a 2 car garage and Mr. Bryant stated he believes they will need an ADA compliant ramp which will eliminate a large portion of the driveway space. Mr. Bryant stated realistically the most cars that could park in the driveway now would be 4 or 3 with a handicap space. Mr. Bryant stated the current proposal is to close off the existing curb cut to Lewis Avenue and that would put all the traffic on to the residential street where there are kids playing. Mr. Bryant stated about 30 years ago some properties further north along Lewis a few single family residences were rezoned for a condominium project and the advice of an engineer was ignored and as a result the City of Tulsa has spent several 100,000 dollars to buy 3 lots to alleviate run off problems in the neighborhood. If the applicant tries to concrete the front yard for parking area Mr. Bryant believes that would cause flooding and the City would have to buy additional property to alleviate that problem again.

Mr. Covey asked how long Mr. Bryant has lived in the neighborhood.

Mr. Bryant replied since 2001 he has lived in the house full time but the house has been in his wife's family and she grew up there.

Susan Connor 1741 South Lewis Avenue, Tulsa, OK 74104

Ms. Connor stated she lives next door to the subject property to the south. Ms. Connor stated her family purchased the home she lives in when it was 2 years old and it has been in her family for 70 years. Ms. Connor stated there a lot of families that have lived in these homes for generations. Ms. Connor stated there is a Sonic Drive In at 16th and Lewis and north of that is where all the commercial businesses are located. Going south on Lewis from 16th to the YMCA is all residential and Ms. Connor would like to keep it that way. The subject property is in surrounded by residential. The Bernard Elementary School was across the street on Lewis and when that burned the residents fought to keep it residential

and won with Tulsa Public Schools help. There are 700,000 dollar houses being built in that area currently. Ms. Connor stated there are lots of options in midtown for chiropractor offices and would be better suited for that area. Ms. Connor stated the traffic is awful and wrecks happen in this area all the time. Ms. Connor stated she doesn't think this is the best use for that property she believes it should stay residential.

Mr. Covey asked Ms. Connor if she was aware of the Lewis Study.

Ms. Connor answered "not until recently".

Mr. Covey asked if Ms. Connor participated in the study.

Ms. Connor stated she did not and did not know anyone who did.

Robert Harrington 2448 East 20th Street, Tulsa, OK 74104

Mr. Harrington stated there was a neighborhood meeting but the applicant was not there. There were 16 people at the meeting of the Lewiston Garden Association. Mr. Harrington stated it was very nice to live in a neighborhood that is multi generational. Mr. Harrington stated there are 15 chiropractic offices is a 4 block radius of the subject property. Mr. Harrington stated there is not enough parking at this location for two chiropractors, two assistants, two patients and two patients waiting to be seen. Mr. Harrington stated the traffic will also be an issue and feels like rezoning this property as commercial doesn't make sense. Mr. Harrington stated he is opposed to rezoning this property.

Mr. Covey asked Mr. Harrington to point out the neighborhood his homeowner's association covers.

Mr. Harrington stated it is from 15th Street east to Highway 51 and then follows Highway 51 south to 21st Street and then comes west to Lewis Avenue and the north on Lewis Avenue to 15th Street.

Mr. Covey asked how many residents were in that area.

Mr. Harrington stated around 300.

Mr. Covey asked Mr. Harrington if he was aware of the Lewis Study.

Mr. Harrington stated not until recently.

Carol Lambert 2548 East 19th Street, Tulsa, OK 74104

Ms. Lambert stated she has lived in the neighborhood for 30 years and also owns rental property in the neighborhood and she knows about the Lewis Study because she was President of the neighborhood association at that time. Ms Lambert served on the Lewis Study committee and also on the midtown redux

committee through the OU Design Center. Ms. Lambert stated her concerns are the same that has been mentioned, parking is a big issue and Ms. Lambert does not see how there will be enough parking on the subject property lot. Ms. Lambert stated if the Lewis access is closed she doesn't know how the cars will get out of the driveway. Ms. Lambert stated the reason the Lewis Study stopped at the subject property is because the houses beyond this one to the south all face the residential streets. The Lewis Study was done with several neighborhoods in the area participating, not just Lewiston Gardens. The City Council was involved and it was a long process but everyone worked together and agreed on what was in The Lewis Study. Ms. Lambert stated the group working on The Lewis Study realized at some point the possibility of an office to develop on the subject property so a list of providers was created to show what may be appropriate for that type of building. Ms. Lambert stated medical and dental was excluded because of the higher number of people coming into the area. Some of the allowed uses were accounting office, advertising, architecture, artist studio, computer service, data processing, engineering office and interior design with no retail sales. Ms. Lambert stated she is against having a medical use of this property because it is not consistent with The Lewis Study and will certainly allow more traffic into the neighborhood.

Bernadette Ward 2407 East 17th Place, Tulsa, OK 74104

Ms. Ward stated she lives opposite the garage of the subject property. Ms. Ward said all of her concerns have already been stated. She doesn't know where the applicant is going to put the parking. Ms. Ward stated the traffic on 17th Place moves quickly. Ms. Ward stated she was a part of The Lewis Study and could see accounting office in the subject property but not medical.

Robert Reeds 2504 East 20th Street, Tulsa, OK 74104

Mr. Reeds stated he is opposed to this application and submitted a letter and listed in some detail why he was opposed. Mr. Reeds stated he does not see a justification for this rezoning. Mr. Reeds stated while the proposed office zoning is in compliance with the Comprehensive Plan, Mr. Reeds believes the residential zoning is also in compliance. Mr. Reeds stated there is vacant office space all over the city. Mr. Reeds stated the existing property works fine as residential.

Eric Bolusky 2545 East 18th Street, Tulsa, OK 74104

Mr. Bolusky stated he has worked as an attorney and argued cases before the Planning Commission, he was also an over the road trucker and lived in Coffeyville Kansas and sat on the Planning Commission there. Mr. Bolusky stated in the 1970's he was a Transportation Planner at INCOG. Mr. Bolusky stated according to The Lewis Study parking cannot exist past the front line of the building so therefore the parking would be from the front line of the house back so this driveway would only accommodate 2 cars. Mr. Bolusky stated when you go to the doctor there is always people waiting so there will be 2 chiropractors each with a patient and at least one patient waiting per doctor. Patients can't park on the street because there is a fire hydrant so now the

parking has moved further down the street in front of peoples residences. Mr. Bolusky stated the drive way is only the width of one car so patients will be backing out of that driveway on to 17th Place. Mr. Bolusky stated he looked at The Lewis Study and it does not list a medical office as one of the uses. People depend on plans and that is why it is done in Tulsa because people who move to an area want to know what is around them. Mr. Bolusky stated when he was in planning people expected you to follow the plans, now you might bend things a little bit for cases that might benefit the city in some way. Such as businesses that may create jobs or additional revenue for the city. Mr. Bolusky stated in South Tulsa there would be a buffer between the business and the residential development.

Mr. Fox thanked the neighborhood for their comments and stated he would have liked to be invited to the neighborhood meeting to address some of the comments heard here. Mr. Fox stated there is an entire lot between the subject property and the residential on the east side. That property will never be developed it is in a flood plain. Mr. Fox stated the applicant wouldn't be here today if they were not attempting to follow the plan, which is the Comprehensive Plan that calls for Mixed Use development on this property. Mr. Fox stated as far as parking is concerned the applicant has to go to the Board of Adjustment for the parking issue. Mr. Fox stated behind the property is a sizable rear yard that can take care of the parking requirement. Mr. Fox stated the applicant would like to retain the garage to use as staff parking for the 2 Chiropractor's, there are no assistants. Mr. Fox stated he believes the applicant will meet the parking requirement. Mr. Fox stated the size of the property is 1582 square feet and not 2000 as a speaker stated. Mr. Fox stated he would concur with some of the residents about closing off the access to Lewis Avenue. Mr. Fox stated having been a Transportation Planner at INCOG himself and working on several developments within Historic Districts he was surprised by staff's comment because he thought a concern would be people leaving the property and cutting through the neighborhood.

Dr. Lacy Wilson stated the reason for choosing this location is because she wants to build a community within Tulsa. Dr. Wilson stated the office will specialize in prenatal and pediatrics and have looked at Cherry Street and Brookside and wanted to find an area in a neighborhood that parents could bring their children and it feel like all the comforts of home. Dr. Wilson stated she has seen this done in Dallas and it worked very well at growing the community and wanted to bring this to Tulsa.

Mr. Walker asked the applicant if the detached garage was going to be torn down.

Mr. Fox stated he has been asked to keep it by staff.

Mr. Walker asked if there was room to drive behind the garage.

Mr. Fox stated he thought there was room but would require an additional curb cut. Mr. Fox stated they have not done a parking plan yet.

Mr. Walker stated to applicant that there would need to be a parking plan to get this approved.

Mr. Reeds stated move the garage to the east so cars can go in front of it to park in the back. Mr. Reeds asked applicant if they knew what the parking requirement was for the subject property.

Applicant stated it was 3.5 parking spaces per thousand square feet and the house was bought at 1587 square feet so that is 4.5 parking spaces.

Mr. Covey stated to staff that he brought up The Lewis Study and it states permitted office like uses and excludes medical uses.

Mr. Wilkerson asked Mr. Covey does it specifically exclude it or just not list it.

Mr. Covey stated it doesn't list it. Mr. Covey stated the River Design Overlay specifically listed uses and that is what was done in the Lewis Study.

Mr. Wilkerson stated The Lewis Study list was not intended to be an all inclusive list of what might be approved and certainly not a regulator document it is a visionary study.

Ms. Miller stated The Lewis plan is a study and doesn't have any status currently. Ms. Miller stated staff looked at it in respect to the neighbors work but it is a study but it doesn't establish regulations or policy. In the study itself it talks about establishing these regulations and policies but it doesn't do that in its self.

Mr. Covey stated what he heard was because of the study the subject property and others were changed to Mixed-Use Corridor otherwise they would be residential.

Ms. Miller stated she doesn't know what made the decision for Mixed-Use Corridor in The Comprehensive Plan but this is a study and doesn't establish any kind of Land Use Policy.

Mr. Covey stated he understood what Ms. Miller was saying but the study was used to make a land use category decision.

Ms Miller stated she did not know if the study was used to make the Land Use category decision but this is not a plan it is a study that called for plan amendment and some zoning design guidelines that were never followed through

with but we tried to respect the neighbors and the work they did even though the study was never carried out.

Mr. Covey stated he gets tired of the number of studies and plans in general that someone has to go through to figure out what is going on. There are a whole group of neighbors here relying on a study. Mr. Covey stated why back in 2007 did we waste all their time participating in this study if it was not going to be carried out.

Mr. Fox stated he didn't know if The Lewis Study was a part of The Comprehensive Plan update but it was recognized in August 2007 by City Council at the time and knowing how slow implementation moves after completing a study, consultants were being hired to recreate The Comprehensive Plan.

Mr. Dix asked staff when a study is approved by the City Council what affect does this have.

Ms. Miller stated that since she has been here she didn't move forward with a study that was not immediately implemented. Ms. Miller stated the study doesn't happen as much anymore.

Mr. Covey asked if anyone had copy of the Resolution signed by City Council.

Ms. Miller stated on the front of the Resolution it shows City Council approved it but the study was laying out future actions that never happened.

Mr. Reeds stated he wished the applicant and the neighborhood had met before this meeting so that the questions on parking could be resolved. Mr. Reeds stated that he believes traffic would resolve after Riverside Drive reopened.

Mr. Doctor asked if the parking isn't approved by the Board of Adjustment is the rezoning contingent on their approval.

Mr. Wilkerson stated "no, not as it stands", just like any other zoning requirement the applicant has to satisfy the parking requirement.

Mr. Covey stated the subject property is clearly in a Mixed-Use Corridor and OL zoning is clearly appropriate in the Mixed-Use Corridor and then the Lewis Study was brought up and Mr. Covey does not like how a group of citizens were asked to help with a study that makes specific recommendations that excludes medical and that study went to City Council and was approved and then a Comprehensive Plan put in place. Mr. Covey stated he doesn't know exactly why these certain properties are in Mixed-Use Corridor but Mr. Covey believes there is a possibility if not a probability that they relied on the Lewis Study to put those land use designations because of the study. Mr. Covey stated if it was not for the

Lewis Study Mr. Covey doesn't believe any of the land use designations would be Mixed-Use Corridor he thinks they would still be residential.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted **6-3-0** (Adams, Dix, Fretz, Millikin, Shivel, Walker "aye"; Covey, Doctor, Reeds "nays"; none "abstaining"; Carnes, Krug, "absent") to **APPROVE Z-7403** rezoning from **RS-3** to **OL with optional development plan** per staff recommendation.

Legal Description for Z-7403:

LT 9 & N21 LT 10 BLK 4, LEWISTON GARDENS AMD SUB L12&15 GLEN ACRES, an addition to the City of Tulsa, Tulsa County, State of Oklahoma

14. **CPA-54** - Consider adoption of the *GO Plan* (Bicycle and Pedestrian Master Plan) as an amendment to the *Tulsa Comprehensive Plan*

STAFF RECOMMENDATION:

- A. Item for consideration:** Adoption of the *GO Plan* (Bicycle/Pedestrian Master Plan) as an amendment to the *Tulsa Comprehensive Plan*.
- B. Related Plans:** Both the *Tulsa Comprehensive Plan* and the *Tulsa Metropolitan Area Trails Master Plan and Map* informed this planning effort. PLANiTULSA, the *Tulsa Comprehensive Plan* adopted in 2010, contains multiple references, priorities, goals and policies encouraging an efficient and connected bicycle and pedestrian network. When TMAPC adopted the *Tulsa Comprehensive Plan* by Resolution 2581:900, language was included that the *Tulsa Metropolitan Area Trails Master Plan and Map* (adopted in 1999) would remain in effect. This plan served as an important resource during development of the *GO Plan*. The *Go Plan* updates and expands upon the previously adopted *Trails Master Plan and Map*.
- C. Background/Process:** In December 2013, INCOG engaged Toole Design Group to conduct a two-year study of the INCOG area's bicycle and pedestrian infrastructure. The plan, branded as the *GO Plan* includes an analysis of bicycle level of stress and recommendations for infrastructure improvements based on data about activity centers and existing street parameters. The plan also includes an analysis of missing links in the arterial street sidewalk network. In total, the plan recommends 355 miles of bicycle facilities including signed routes, shared



Tulsa Metropolitan Area
Planning Commission

Case : PUD-268-C Plat Waiver

Hearing Date: February 7, 2018

Case Report Prepared by:

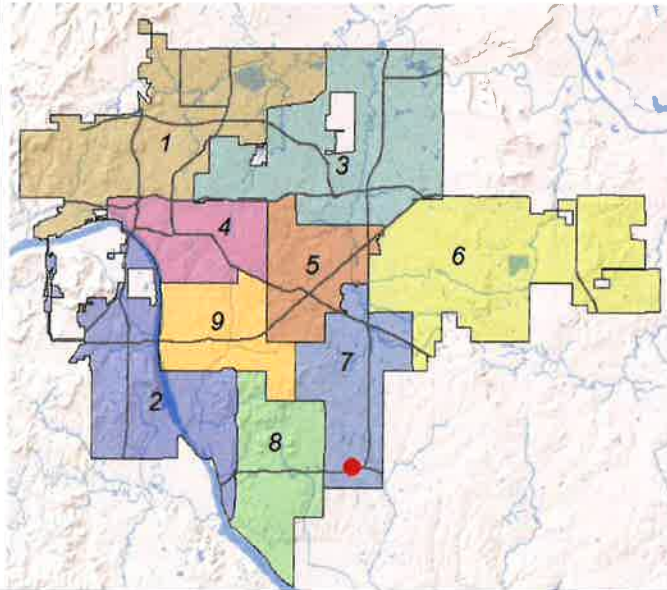
Nathan Foster

Owner and Applicant Information:

Applicant: Mike Lester

Owner: Mike Lester

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Plat Waiver

Location: West of the southwest corner of East 91st Street South and South Mingo Road

Zoning: OL, PUD-268-C

Staff Recommendation:

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

City Council District: 7

Councilor Name: Anna America

County Commission District: 3

Commissioner Name: Ron Peters

EXHIBITS: Site Map, Aerial, Applicant Submittal

PLAT WAIVER

PUD-268-C/Z-6863 – (CD 7)

West of the southwest corner of East 91st Street South and South Mingo Road

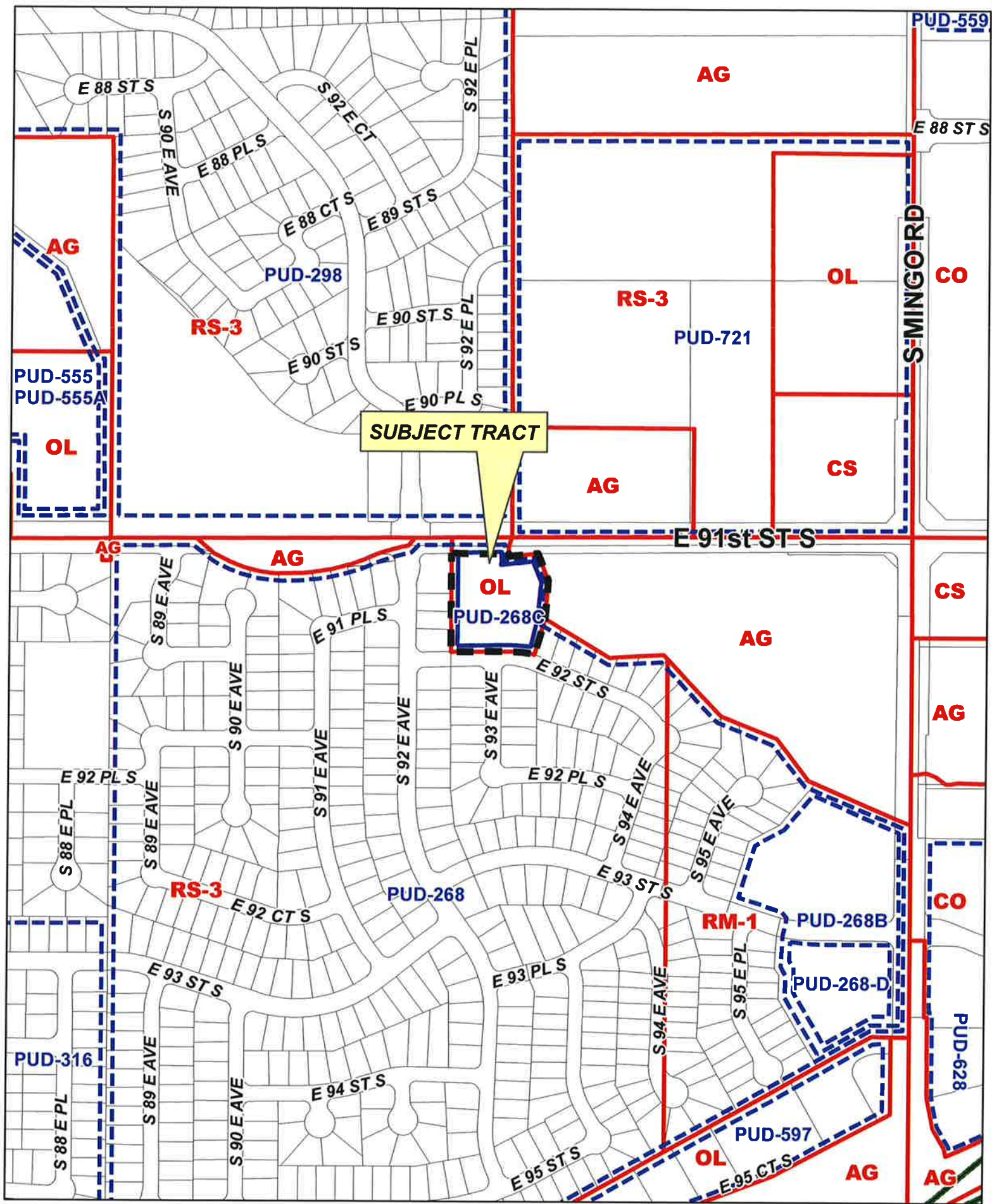
The platting requirement for this property is being triggered by a rezoning and major amendment approval to a PUD. Both requests were approved in July of 2002, but the property was never developed. The requests permitted office uses on the property as well as an electrical substation.

The Technical Advisory Committee met on January 18, 2018 and the following items were determined:

1. The property is unplatted and will require the filing of an ALTA survey per the Subdivision Regulations
2. All required right-of-way has been dedicated and is in place.
3. Necessary easements and utilities are all in place and no additional easements will be needed at this time.
4. A lot split was approved (LS-21055) to create two tracts for development.

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

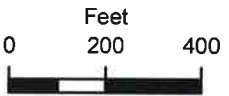
- Applicant must record approved development standards for PUD-268-C with the Tulsa County Clerk's office.



SUBJECT TRACT

OL
PUD-268C

PUD-268-C-3



18-13 24



15.3



 Subject Tract

PUD-268-C-3

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

Aerial Photo Date: February 2016

18-13 24



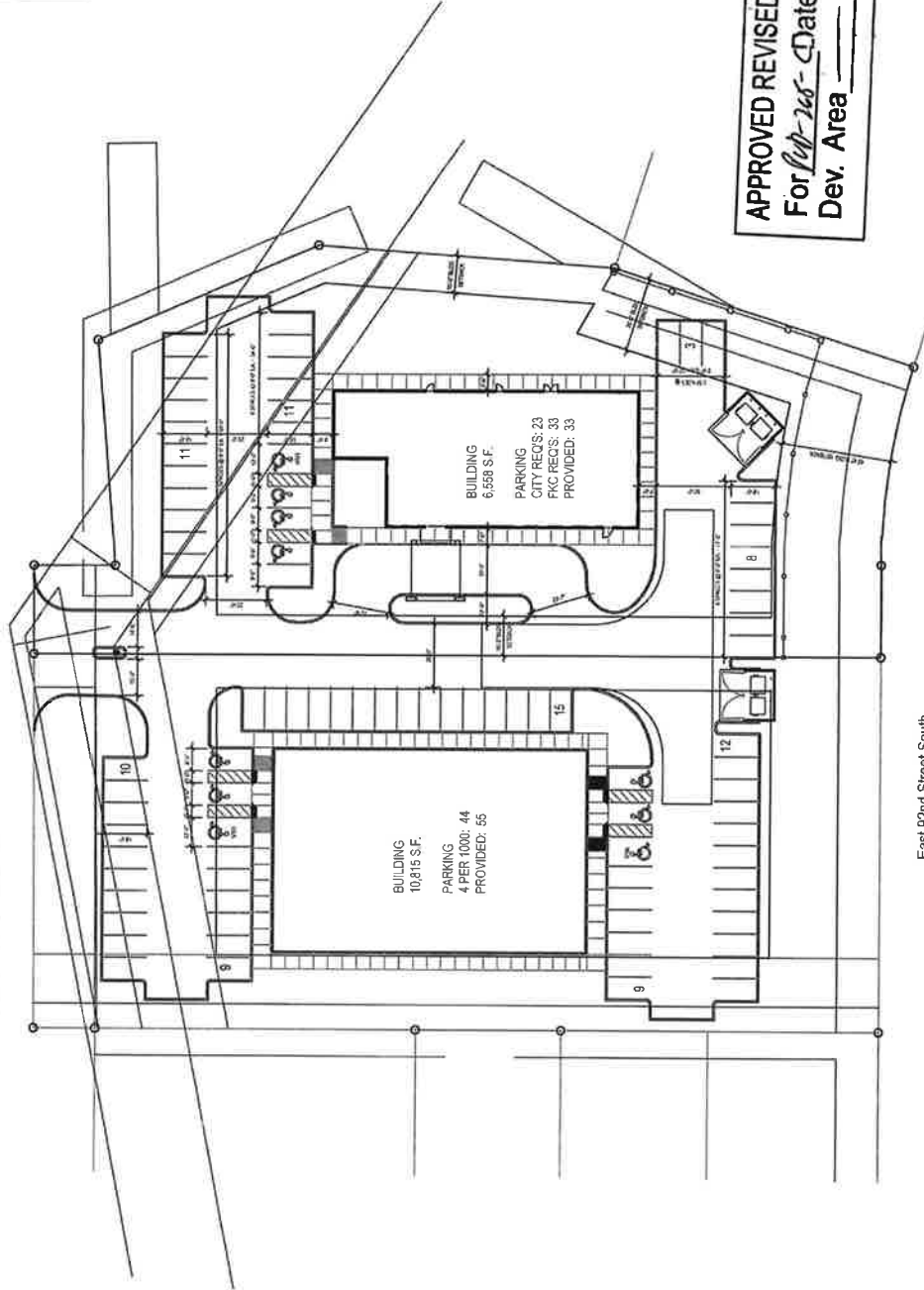


8801 N. Central Avenue
 Suite 101
 Phoenix, Arizona 85026
 phone 602.266.2712
 www.ONEarchitecture.us

FKC Union Dialysis
 #8618-1-DN-W-GU-2017
 Tulsa, OK
 PRELIMINARY SITE PLAN - VERSION G (8.7.17)
 GROSS SF = 6,558 SF
 USABLE SF = 6,196 SF

SOUTH MINING ROAD

East 91st Street South



East 92nd Street South

APPROVED REVISED SITE PLAN
 For ~~861-268~~ - Dated 10/27/17
 Dev. Area _____
 TUNAC OFFICE



NOT FOR CONSTRUCTION

Preliminary Site Plan
 NOT TO SCALE

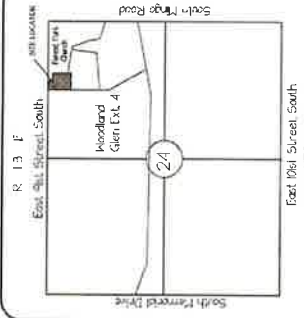
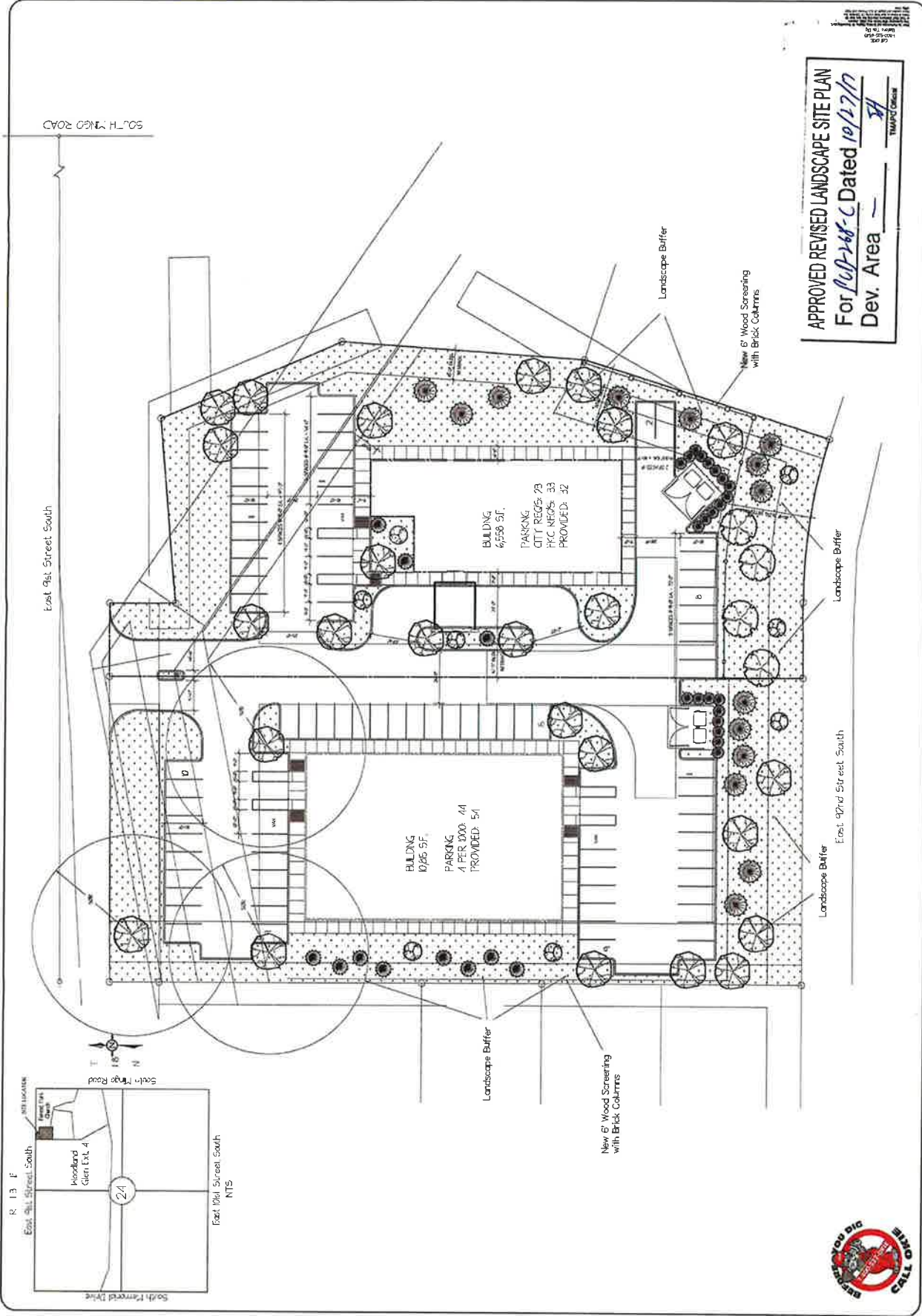
Scott Kilga
Landscape Designer
405-593-3424
wusksite@design.com



Union Dialysis
9310 E 91st Street
Tulsa, OK
8/14/17 Conceptual

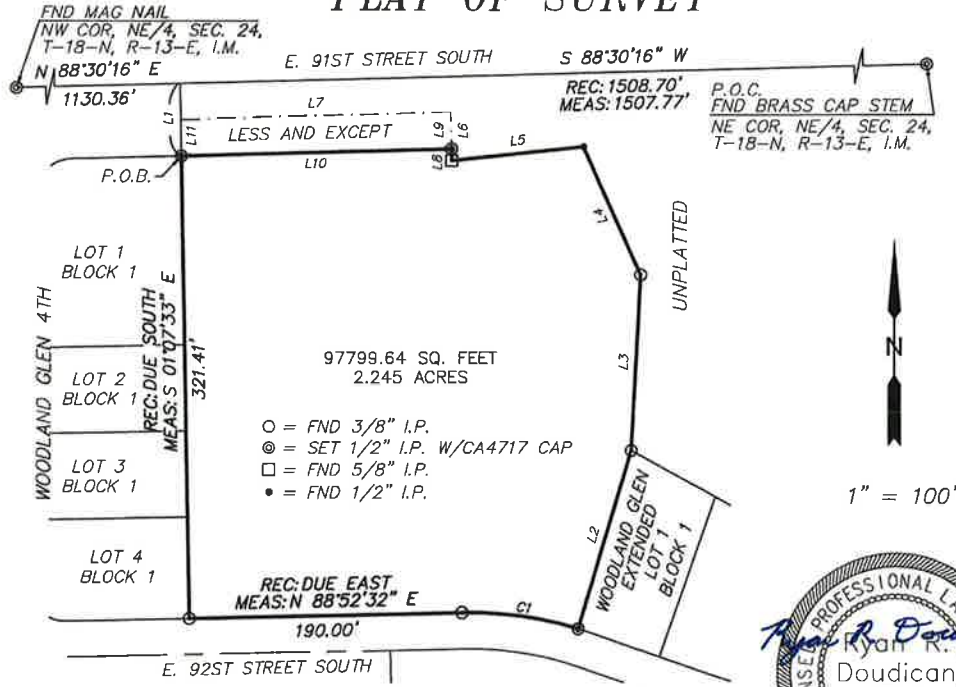
APPROVED REVISED LANDSCAPE SITE PLAN
For 9310 E 91st Street
Dev. Area 24

APPROVED REVISED LANDSCAPE SITE PLAN
For 9310 E 91st Street
Dev. Area 24
Dated 10/17/17
TM/PC Online



15.6

PLAT OF SURVEY



LINE	RECORD BEARING	MEASURED BEARING	DISTANCE
L1	DUE SOUTH	S 01°06'55" E	50.00'
L2	N 17°53'17" E	N 16°45'49" E	128.82'
L3	N 04°06'13" E	N 02°58'45" E	122.08'
L4	N 23°04'09" W	N 24°11'37" W	98.45'
L5	S 85°17'03" W	S 84°09'35" W	92.80'
L6	N 00°02'30" W	N 01°09'58" W	33.14'
L7	S 89°37'44" W	S 88°30'16" W	188.63'
L8	N 00°02'30" W	N 01°09'58" W	8.14'
L9	N 00°02'30" W	N 01°09'58" W	25.00'
L10	S 88°30'16" W	S 88°30'16" W	188.64'
L11	DUE SOUTH	N 01°07'33" W	25.00'

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	265.00'	82.73'	S 82°10'51" E	82.39'

LEGAL DESCRIPTION

A tract of land lying in the Northeast Quarter (NE/4) of Section Twenty-four (24), 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, more particularly described as follows, to-wit:

Commencing at a point on the North line of said Northeast Quarter (NE/4) of Section Twenty-four (24), said point lying 1,508.70 feet West of the Northeast corner thereof; Thence due South a distance of 50.00 feet to the Point of Beginning, said point being the Northeast corner of Lot One (1), Block One (1), of Woodland Glen Fourth, an Addition to the said City of Tulsa, according to the recorded Plat thereof; Thence due South along the East line of said Block One (1) a distance of 321.41 feet to the Southeast corner of Lot Four (4) of said Block One (1); Thence due East a distance of 190.00 feet to a point of curve; Thence along said curve to the right, said curve having a radius of 265 feet, a central angle of 17°53'17", a distance of 82.73 feet to a point; Thence N 17°53'17" E a distance of 128.82 feet to a point; Thence N 04°06'13" E a distance of 122.08 feet to a point; Thence N 23°04'09" W a distance of 98.45 feet to a point; Thence S 85°17'03" W a distance of 92.80 feet to a point; Thence N 00°02'30" W a distance of 33.14 feet to a point lying 25.00 feet South of the said North line of the Northeast Quarter (NE/4) of Section Twenty-four (24); Thence S 89°37'44" W and parallel to said North line a distance of 188.63 feet to a point; Thence due South a distance of 25.00 feet to the Point of Beginning.

LESS AND EXCEPT:
 Beginning at a point on the North line of the Northeast Quarter (NE/4) of Section Twenty-four (24), Township Eighteen (18) North, Range Thirteen (13) East, Tulsa County, Oklahoma, said point lying 1,508.70 feet West of the Northeast corner thereof; Thence due South a distance of 50 feet to the Point of Beginning, said point being the Northeast corner of Lot One (1), Block One (1) of Woodland Glen Fourth, an Addition to the City of Tulsa, According to the recorded Plat thereof; Thence East parallel to the North line of said Northeast Quarter (NE/4) a distance of 188.63 feet; Thence North a distance of 25 feet; Thence Westerly along the existing Right of Way line a distance of 188.63 feet; Thence Southerly 25 feet to the Point of Beginning.

NOTES

Basis of Bearing: Oklahoma State Plane Coordinate System, NAD83, S 88°30'16" W along the North line of the NE/4, Sec. 24, T-18-N, R-13-E, I.M.

I, Ryan Doudican, a Registered Professional Land Surveyor, Do hereby certify that I, or others under my direct supervision, have made a careful survey of the property shown hereon.

This plat of survey meets the Minimum Technical Standards as adopted by the Board of Registration for Professional Engineers and Land Surveyors for the State of Oklahoma.

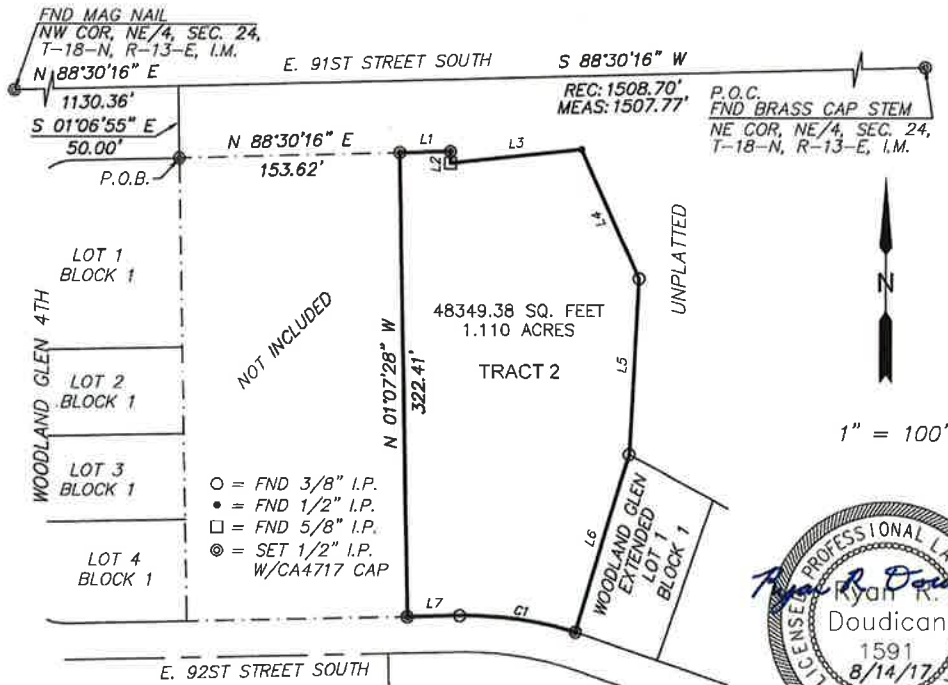
Date of last site visit - 7/31/2017
 Property appears to have access to a public street.

OKLAHOMA SURVEY CO

12509 S. 71ST EAST AVE. BIXBY, OK 74008
 (405) 821-5856 CA#4717 EXP. 30 JUNE 2019

BOUNDARY SURVEY PART NE/4, SEC. 24 T18N, R13E, I.M. CITY OF TULSA TULSA COUNTY, OK	SCALE 1"=100' DATE: 8/14/2017 SHEET 1 OF 1 PROJECT NO. 2981
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PLAT OF SURVEY



LINE	BEARING	DISTANCE
L1	N 88°30'16" E	35.02'
L2	S 01°09'58" E	8.14'
L3	N 84°09'35" E	92.80'
L4	S 24°11'37" E	98.45'
L5	S 02°58'45" W	122.08'
L6	S 16°45'49" W	128.82'
L7	S 88°52'32" W	36.39'

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
CT	265.00'	82.73'	N 82°10'51" W	82.39'

LEGAL DESCRIPTION

Legal description prepared by Ryan R. Doudican, R.P.L.S. 1591, 8/14/17. Basis of Bearing: Oklahoma State Plane Coordinate System, NAD83. S 88°30'16" W along the North line of the Northeast Quarter (NE/4) of Section Twenty-four (24), Township Eighteen (18) North, Range Thirteen (13) East of the Indian Meridian, Tulsa County, Oklahoma.

A tract of land in the Northeast Quarter (NE/4) of Section Twenty-four (24), Township Eighteen (18) North, Range Thirteen (13) East of the Indian Meridian, Tulsa County, Oklahoma, more particularly described as follows:

COMMENCING at the Northeast corner of said Northeast Quarter (NE/4);

Thence S 88°30'16" W along the North line of said Northeast Quarter (NE/4), a distance of 1507.77 feet (record 1508.70 feet);

Thence S 01°06'55" E a distance of 50.00 feet to the Northeast corner of Lot One (1) in Block One (1) of the recorded plat of Woodland Glenn 4th;

Thence N 88°30'16" E a distance of 153.62 feet to the POINT OF BEGINNING;

Thence continuing N 88°30'16" E a distance of 35.02 feet;

Thence S 01°09'58" E a distance of 8.14 feet;

Thence N 84°09'35" E a distance of 92.80 feet;

Thence S 24°11'37" E a distance of 98.45 feet;

Thence S 02°58'45" W a distance of 122.08 feet to the Northwest corner of Lot One (1), in Block One (1) of the recorded plat of Woodland Glenn Extended;

Thence S 16°45'49" W along the West line of said Lot One (1), a distance of 128.82 feet to the Southwest corner of said Lot One (1);

Thence on a curve to the left with an arc length of 82.73 feet, a radius of 265.00 feet, a chord bearing of N 82°10'51" W and a chord length of 82.39 feet;

Thence S 88°52'32" W a distance of 36.39 feet;

Thence N 01°07'28" W a distance of 322.41 feet to the POINT OF BEGINNING.

Said tract having an area of 48349.38 Square Feet, 1.110 Acres, more or less.

NOTES

Basis of Bearing: Oklahoma State Plane Coordinate System, NAD83. S 88°30'16" W along the North line of the NE/4, Sec. 24, T-18-N, R-13-E, I.M.

I, Ryan Doudican, a Registered Professional Land Surveyor, Do hereby certify that I, or others under my direct supervision, have made a careful survey of the property shown hereon.

This plat of survey meets the Minimum Technical Standards as adopted by the Board of Registration for Professional Engineers and Land Surveyors for the State of Oklahoma.

Date of last site visit - 7/31/2017

Property appears to have access to a public street.

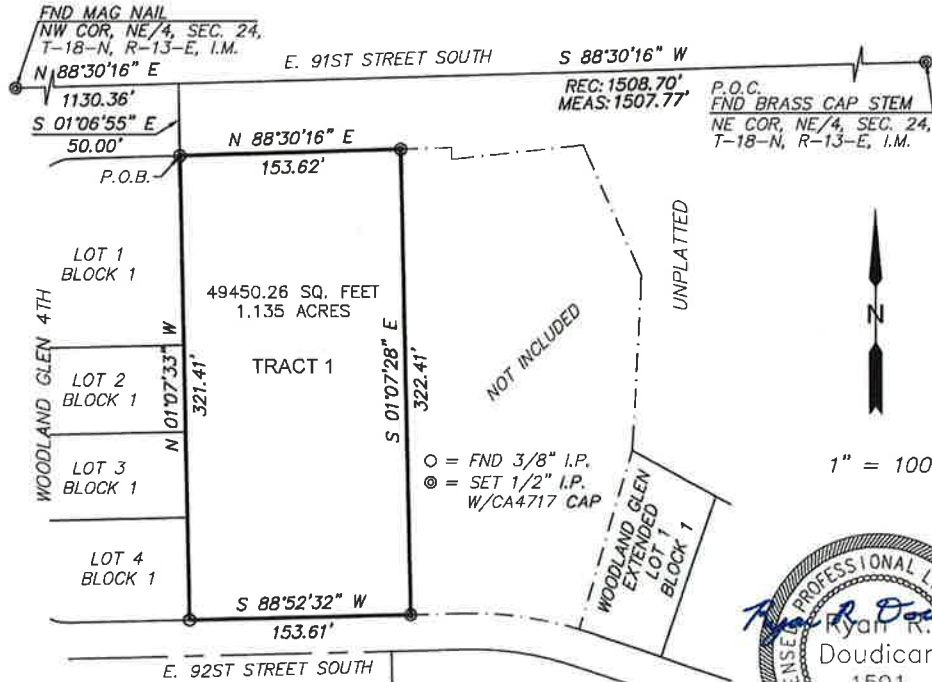
OKLAHOMA SURVEY CO

12509 S. 71ST EAST AVE. BIXBY, OK 74008
(405) 821-5656 CA#4717 EXP. 30 JUNE 2019

BOUNDARY SURVEY
PART NE/4, SEC. 24
T18N, R13E, I.M.
CITY OF TULSA
TULSA COUNTY, OK

SCALE 1"=100'
DATE: 8/14/2017
SHEET 1 OF 1
PROJECT NO. 2981

PLAT OF SURVEY



LEGAL DESCRIPTION

Legal description prepared by Ryan R. Doudican, R.P.L.S. 1591, 8/14/17. Basis of Bearing: Oklahoma State Plane Coordinate System, NAD83. S 88°30'16" W along the North line of the Northeast Quarter (NE/4) of Section Twenty-four (24), Township Eighteen (18) North, Range Thirteen (13) East of the Indian Meridian, Tulsa County, Oklahoma.

A tract of land in the Northeast Quarter (NE/4) of Section Twenty-four (24), Township Eighteen (18) North, Range Thirteen (13) East of the Indian Meridian, Tulsa County, Oklahoma, more particularly described as follows:
 COMMENCING at the Northeast corner of said Northeast Quarter (NE/4);
 Thence S 88°30'16" W along the North line of said Northeast Quarter (NE/4), a distance of 1507.77 feet (record 1508.70 feet);
 Thence S 01°06'55" E a distance of 50.00 feet to the POINT OF BEGINNING, said point being the Northeast corner of Lot One (1) in Block One (1) of the recorded plat of Woodland Glenn 4th;
 Thence N 88°30'16" E a distance of 153.62 feet;
 Thence S 01°07'28" E a distance of 322.41 feet;
 Thence S 88°52'32" W a distance of 153.61 feet to the Southeast corner of Lot Four (4) in Block One (1) of the recorded plat of Woodland Glenn 4th;
 Thence N 01°07'33" W along the East line of said Block One (1), a distance of 321.41 feet to the POINT OF BEGINNING.

Said tract having an area of 49450.26 Square Feet, 1.135 Acres, more or less.

NOTES

Basis of Bearing: Oklahoma State Plane Coordinate System, NAD83. S 88°30'16" W along the North line of the NE/4, Sec. 24, T-18-N, R-13-E, I.M.

I, Ryan Doudican, a Registered Professional Land Surveyor, Do hereby certify that I, or others under my direct supervision, have made a careful survey of the property shown hereon.

This plat of survey meets the Minimum Technical Standards as adopted by the Board of Registration for Professional Engineers and Land Surveyors for the State of Oklahoma.

Date of last site visit - 7/31/2017
 Property appears to have access to a public street.

OKLAHOMA SURVEY CO	
12509 S. 71ST EAST AVE. BIXBY, OK 74008 (405) 821-5656 CA#4717 EXP. 30 JUNE 2019	
BOUNDARY SURVEY PART NE/4, SEC. 24 T18N, R13E, I.M. CITY OF TULSA TULSA COUNTY, OK	SCALE 1"=100' DATE: 8/14/2017 SHEET 1 OF 1 PROJECT NO. 2981

15.9



**MEMORANDUM
PLANNING & DEVELOPMENT
DEPARTMENT**

DATE: January 31, 2018
TO: Tulsa Metropolitan Area Planning Commission (TMAPC)
CC: Susan Miller, AICP, Director, Land Development Services, INCOG
Dawn T. Warrick, AICP, Planning & Development Director
FROM: Travis Hulse, CFM, Planner III
SUBJECT: Subdivision Regulations Update

Attached please find a revised “public hearing draft” of the Subdivision and Development Regulations for review and discussion at the TMAPC public hearing February 7th, 2018. This document represents the final draft to be considered for adoption. All related Zoning Code amendments are also attached for your review and recommendation to the Tulsa City Council.

Over the past couple of months, city staff and members of the work group have worked together to prepare a unified draft of the regulations and code amendments aimed at addressing all remaining issues previously identified. The traffic impact analyses section is the only remaining unresolved issue and is recommended to be removed from consideration. Also available is a “track-changes” version to identify the modifications made to the draft previously presented December 6th, 2017.

Accompanying the draft documents are supplemental summaries or “issue papers” of key issues previously identified in the proposed regulations and code amendments. Each paper includes a general introduction to the issue, a brief history of the conversation, and a regional/national comparison of a few analogous cities. The summarized research and analysis is followed by a recommended action of the staff technical team and work group.

Project Manager:
Travis Hulse, CFM | Planner III
City of Tulsa Planning & Development Department
175 E. 2nd St., Suite 450, Tulsa, OK 74103
T: 918-596-9865
F: 918-699-3130
E: THulse@cityoftulsa.org

Attachments(s):
Subdivision and Development Regulations
Zoning Code amendments
Issue papers (4)
Regional comparison
National comparison

16.1

TMAPC Staff Report
January 7, 2018
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 76th Street North on the north, by I-75 on the east, by 56th 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.

December 5, 2017

Tulsa Metropolitan Area Planning Commission
INCOG
2 W 2nd St, Suite 800
Tulsa, OK 74103

Re: Subdivision Regulations Update

Dear Commissioner;

The Tulsa Health Department supports proposed changes to the subdivision and development regulations that promote health and walkability within the Tulsa region.

For people to experience and benefit from walking in a walkable environment, starting points and target destinations must be continuously connected so a traveler can safely and comfortably walk or bike to their destination. This can be achieved through a connected street network, as proposed by these subdivision regulations. Dead end and private streets limit accessibility for people who walk, ride, and drive and increase travel time and should be limited whenever possible. Conversely, a connected street network can serve as a safe way for people to access daily needs such as healthy food, employment opportunities, and physical activity. According to the AARP Livable Communities project, people prefer living in a community that has good places to walk, and people who live in these communities are more likely to be more active. Additionally, houses in areas of above-average walkability have higher property values compared to areas of average walkability.

Additionally, short blocks are important components of a connected street pattern, and affect public safety, connectivity, and emergency response times. Shorter blocks increase the number of routing options for everyone, from neighbors walking their dogs and children riding bikes, to emergency personnel. The shorter length of blocks increases the number of ways police, firefighters and emergency medical services may reach the location of an emergency, reducing the amount of time it takes to respond to a call. Short blocks also improve the walkability of a neighborhood by creating a human-scaled street pattern conducive to walking and biking, and by slowing cars to an appropriate neighborhood speed. Slow speed is a critical factor in walkability; studies show a person hit by a car at 25 mph has around a 90% chance of survival, while a person struck by a car traveling at 40 mph has a 50% chance of death (A person is five times more likely to die when hit at 40 mph versus 25 mph). In brief, short blocks are safer and more convenient for everyone. Long blocks encourage speeding, which is why many cities require mid-block bulb-outs and crossings on long blocks. Other cities that have updated their subdivision regulations in the past 10 years have much shorter block maximums than those that

still have regulations from the 1970s, which can lead to improvements for public safety, connectivity, and emergency response times.

The oldest, most accessible neighborhoods in Tulsa typically feature block lengths of 600-700 feet, with many featuring block lengths of 300-400 feet. This allows convenient transportation by walking, bicycling, and driving, and provides emergency responders multiple routes to a call. The proposed maximum of 700 feet (centerline to centerline) along streets with narrow lots is a step in the right direction, although smaller blocks are ideal. Allowing streets with larger lots to have 1,000 foot blocks is a hindrance to the health, safety, and well-being of the neighborhood.

The Tulsa Health Department supports this endeavor, and we will continue to work collaboratively with the Tulsa Metropolitan Area Planning Commission to advance the health of our community.

Respectfully,



Bruce Dart, PhD
Executive Director
Tulsa City-County Health Department
James O. Goodwin Health Center
5051 S. 129th E. Ave. Tulsa, OK 74134
918.595.4044 phone

Cc: Covey
Dix
Shivel
Krug
Carnes
Reeds
Walker
Fretz
Millikin
Adams
Doctor

January 31, 2018

Ms. Dawn T. Warrick, AICP | Director
City of Tulsa Planning & Development Department
175 E. 2nd Street, Suite 560
Tulsa, OK 74103-3216
Delivered via email to: dwarrick@cityoftulsa.org

Subject: City of Tulsa Subdivision and Development Regulations

Dear Dawn,

On behalf of over 900 members of the Home Builders Association of Greater Tulsa (HBA), we appreciate your acknowledgement of the residential construction industry's issues to the proposed City of Tulsa Subdivision and Development Regulations (SR).

The HBA supports the adoption of the Tulsa Metropolitan Area Subdivision and Development Regulations-January 2018 Public Hearing Draft submitted by the SR Work Group. We understand that this draft is the result of considerable effort by Work Group and Technical Team members and that it supports the policies and goals of PLANiTULSA | Tulsa Comprehensive Plan, in addition to providing the regulatory certainty that supports the Plan's key themes and in particular, facilitates development opportunities and housing choices in Tulsa's new and existing residential neighborhoods.

At this time, HBA members are still reviewing the proposed City of Tulsa Zoning Code Amendments. I will, however, contact you in advance of next week's TMAPC Work Session with their response.

Sincerely,



Jeffrey Smith
Executive Vice President/CEO

16.10

BLOCK LENGTHS

Brief Description

Reducing allowable block lengths in subdivisions will result in increased connectivity, reduced traffic speeds, and a more efficient delivery of public and emergency services. The current Subdivision Regulations in the City of Tulsa and Tulsa County allow for a block length of 1,500 feet which is just over $\frac{1}{4}$ of a mile. This provision results in long, disconnected, and often times dangerous streets that prompt neighborhood requests for retroactive traffic calming measures such as speed bumps to be installed by the City/County.

Background

The work group and staff technical team focused on drafting language that would allow for both design flexibility and context sensitive solutions. The conversation mainly focused on maximum block lengths distinguished by development types (urban/suburban/rural), introducing non-motorized pedestrian connections, and the block length measurement practice. Block lengths started out as a one-size-fits-all approach and has evolved to allow for and encourage various infill and greenfield development scenarios. Additional modifications made since the public hearing include measuring blocks between property lines and adjusting the mean lot width dimensions of urban, suburban, and rural block types.

Comparison

In most regional sample markets the average maximum block length is 1,320 feet for residential subdivisions, with a dedicated easement to allow for a pedestrian connection if the block length exceeds 800 feet. Some communities further restrict nonresidential block lengths to 600 feet. National communities largely follow similar provisions. The city of Fort Worth, TX employs the connectivity index method which is a required ratio of street segments to intersections.

Proposed Action

The subdivision regulations work group and staff technical team have agreed to the text as proposed in section 5-030. See attachment.

UNDERGROUND UTILITIES

Brief Description

In an effort to enhance public safety, maintain reliable utility service, and reduce visual clutter within street rights-of-way, the new Subdivision and Development Regulations propose a requirement that all new utility installations be placed underground.

Background

The topic of requiring new utilities to be buried underground was raised as a potential issue during the TMAPC work session and subsequent public hearing. The work group and staff technical team have identified cost implications as the main concern, primarily for infill/redevelopment sites. The existing utility franchise agreements and their impending renewal make this conversation especially challenging. In an effort to not lose ground with future development, current practices should be codified for clarity and consistency. A modification made since the public hearing includes adding the standardized plat language presently used on all Tulsa subdivision plats.

Comparison

Language concerning installation of utilities underground is only expressly stated nationally in Pittsburgh and regionally in Broken Arrow. Some sample communities make reference to additional standards and specifications for utility installation requirements not captured here.

Proposed Action

The subdivision regulations work group and staff technical team have agreed to the text as proposed in section 5-140. See attachment.

14.12

Brief Description

A transportation impact analysis (TIA) is a tool used to analyze and evaluate the impact that a proposed development may have on future traffic, transit, pedestrians, and cyclists. A few members of the Tulsa City Council have repeatedly expressed a desire for more specific information regarding transportation impacts during their review of certain projects that will result in increased intensities. By including a transportation impact analysis with requests for zoning map amendments, decision-makers can verify that the proposed development of the site will not have an injurious effect on surrounding property owners with regard to traffic.

Background

Tulsa does not presently have codified language or an established policy for TIA's during private development review. The work group and staff technical team started from scratch to draft an entirely new section to address all components including the applicability, timing of submittal and overall content. Much of the conversation has focused on when to require TIA's and also identifying specific land use categories that pose the greatest impact. Input collected during public review suggested an all or nothing approach based on thresholds of either increased peak hour traffic counts or average daily trips. The subject section has not received full support from the group and is still a work in progress.

Comparison

A TIA is a requirement of most national sample markets including, Omaha, Kansas City, Fort Worth, and Oklahoma City. Broken Arrow is the only regional municipality that has language concerning TIA requirements. A TIA is either required based on the established thresholds of increased peak hour and average daily traffic and/or at the discretion of engineering staff e.g. director of public works, development services staff, or director of engineering.

Proposed Action

The subdivision regulations work group and staff technical team have agreed to remove the proposed text in section 70-045 of the Zoning Code amendments to be considered separately at a future date.

PERFORMANCE GUARANTEES

Brief Description

Frequently when land is being subdivided certain public improvements are required to support the newly created lots. This may include streets, storm water management, sanitary sewer and water service, and other necessary utilities. Once the infrastructure development plans are approved, the developer is given the option of either installing the required improvements prior to filing the plat or providing written assurances that any required improvements will be installed within a set timeframe. The current development practice in Tulsa is to elect deferral of installation by signing the "Agreement Guaranteeing Installation of Improvements." This agreement requires no financial commitment from the developer. In the unlikely event the developer fails to complete the project due to bankruptcy or other unforeseen issues a performance guarantee, if adopted, would provide the City of Tulsa and Tulsa County with the financial means to complete the required improvements and ensure the newly created lots are served by all necessary utilities.

Background

The work group and staff technical team have worked to come up with a solution to minimize risk and liability while still providing an option to create legal lots of record at a minimal cost to the developer. Process improvements have been made to eliminate mandatory platting requirements as well as amendments to the state statutes to authorize some administrative (staff) approvals. Additional modifications made since the public hearing include allowing certain building permits to be released prior to filing of plat and requiring financial assurances for only that portion of required improvements not yet installed.

Comparison

Performance guarantees are required in all regional and national sample markets. Not all municipalities administer their program exactly the same and acceptable forms of financial assurances vary, but most allow a surety bond, letter of credit, certificate of deposit, etc.

Proposed Action

The subdivision regulations work group and staff technical team have agreed to the text as proposed in section 5-180. See attachment.

Tulsa - existing		Tulsa - proposed		Owasso	Jenks	Broken Arrow	Bixby	Glenpool
				Performance Guarantees				
Financial assurance requirement	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Issuance of building permits	Plat filed or authorization of accelerated release of building permit. Construction Plans must be approved	Plat approved/signed, improvements installed or guaranteed, earth change and foundation permits only	Plat filed and improvements installed or water and sewer installed allows for 10% of residential lots, and streets and storm installed or performance bond	City Council can allow if surety is provided. Plat must be filed and all improvements installed. Guarantee amount may be reduced, to not less than 15%, in proportion to improvements completed and accepted	Plat must be filed unless authorized by City Manager. Will only issue one (1) building permit for residential subdivision if plat is not filed. Reference a hold on utility taps and C.O.	Plat must be filed and all improvements installed. Before plat is filed, release up to 15% of residential lots. Commercial will not release until plat is filed		Plat filed, improvements installed, record drawings submitted
Block Length								
Residential max.	1500'	Urban - 700' Suburban - 1,000' Rural - 1,500'	1320'	1320'	N/A	N/A	N/A	800'
Non-residential max.	N/A		600'	N/A	N/A	N/A	N/A	600'
Cul-de-sac	750'	750'	600'	500'	550'	N/A	N/A	500'
Pedestrian connection requirement	No	Yes, if Urban-900' Suburban - 1,300' Rural - 1,600'	Yes, if greater than 800'	Yes, if greater than 800'	N/A	N/A	N/A	Yes, if greater than 800'
Traffic Impact Analysis								
Required	No	TBD	Yes, Engineering Design Criteria	No	Yes, if development meets ODOT criteria or as required by the Director of Engineering	No	No	No
Threshold	N/A	TBD	N/A	N/A	N/A	N/A	N/A	N/A
Impact Fees	No	No	No	No	No	No	No	No
Underground Utilities								
Required	No	Yes	No	No	No	No	Yes	No

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		Performance Guarantees						
	No	Yes	Yes	Yes	Yes	Yes	Yes	
Financial assurance requirement	No	Yes	Yes	Yes	Yes	Yes	Yes	
Issuance of building permits	Improvements installed and plat filed or authorization of accelerated release of building permit	Plat approved/signed, improvements installed or guaranteed, earth change and foundation permits only	Improvements installed or guaranteed and plat filed; builder's bond for tree canopy and sidewalk requirements	Plat filed or approval from the planning director	Plat must be filed and improvements installed or guaranteed	Plat filed or waived by development director or designee	Withhold occupancy until required improvements are in place	Withhold occupancy until plat is filed and improvements installed or guaranteed
Block Length								
Residential max.	1500'	Urban - 700' Suburban - 1,000' Rural - 1,500'	N/A	1320'	600' with 4 or more dwelling units per acre. Lower density up to 1,200 in length	1.4 connectivity index	1500' max. and 500' min. when parallel to an arterial street	
Non-residential max.	N/A		N/A	1320'	N/A	N/A	N/A	
Cul-de-sac	750'	750'	N/A	600'	600' unless approved up to 1,320'	varies based on avg. lot size, number of lots or dwelling units	700'	
Pedestrian connection requirement	No	Yes, if Urban-900' Suburban - 1,300' Rural - 1,600'	Yes, if greater than 800'	N/A	Yes, if cul-de-sac	N/A	Yes, if greater than 1,000'	
Traffic Impact Analysis								
Required	No	TBD	Yes	Yes	Yes	Yes	Yes	
Threshold	N/A	TBD	200+ peak hour, known area of congestion, or discretion of Public Works	Discretion of city traffic engineer	100 peak hour or 1,000 daily but planning and development director may waive	TAS - 500 to 5,000 daily, TIA - 5,000+ daily, or discretion of Public Works	# of lots, 100 peak hour trips, or discretion of Development Services staff	
Impact Fees	No	No	No	Yes	Yes	Yes	Yes	
Underground Utilities								
Required	No	Yes	No	No	No	No	No	

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Subdivision and Development Regulations

Public Hearing Draft

February 2018

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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 April 23, 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:

- 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;
- 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;

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- 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;
- 1-050.8** Ensuring that city and county land development practices, procedures and processes are regionally and nationally competitive; and
- 1-050.9** 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

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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 this these regulations to the “county engineer” are references to the county engineer of Tulsa County.
- D.** References in this 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.

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ARTICLE 5. DESIGN AND IMPROVEMENTS

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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.

5-020 REQUIRED INFRASTRUCTURE AND PUBLIC IMPROVEMENTS

- 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 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.

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- 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.

5-030	BLOCKS
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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 at least 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 within and among neighborhoods and minimize out-of-direction travel, blocks within new residential subdivisions may not exceed the maximum block lengths established in [Table 5-1](#).

Table 5-1: Maximum Block Lengths

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

Table 5-1 Notes

- [1] PL = Property Line (at end of block)
 - [2] Urban = blocks on which the mean lot width of all fronting lots is less than 60 feet
 - [3] Suburban = blocks on which the mean lot width of all fronting lots is at least 60 feet but less than 125 feet
 - [4] Rural = blocks on which the mean lot width of all fronting lots is 125 feet or more
- Note: Lot widths must be measured in accordance with the lot width measurement definition of the applicable (city or county) zoning regulations.

- 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 block length 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 block length 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.** Block lengths are measured along the street frontage from property line to property line at opposite ends of the subject block.
- F.** The block length 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 longer block lengths. The regulations also do not apply to nonresidential subdivisions.

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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

- A.** The creation of flag lots may be approved only 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 such condition.
- 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

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;
- (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

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

- A. The arrangement and layout of all streets must conform to the comprehensive plan and the major street and highway plan unless otherwise expressly approved through the modification procedures of 10-070 or the administrative modification procedures of 10-080, as applicable.
- B. When streets are not shown on the comprehensive plan or the major street and highway plan, the arrangement and layout of new streets must:
 - (1) Create an integrated system of streets and nonmotorized transportation facilities that provide for safe and efficient access to lots and movement of people;

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- (2) 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
- (3) 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

A. Intent

Connected streets and nonmotorized transportation routes helps ensure connected neighborhoods, diffusion and distribution of traffic among multiple travel routes, and easy access by public and emergency service vehicles.

B. Requirement

When new public streets or public nonmotorized transportation improvements are required to be constructed as part of a development, they must connect to similar public improvements within the development and be extended to the outer perimeter of the development so that they can be connected to similar public improvements in the future.

5-060.5 Dead-End Streets

A. Temporary Dead-End (“Stub”) Streets

- (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 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 minimum width requirements of Table 5-2 apply. Alternative right-of-way widths may be approved through the modification procedures of 10-070 or the administrative modification procedures of 10-080, as applicable.

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 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 ROW width of 130 feet required for right-turn lane on a primary arterial street at the major street intersection to extend at least 388 feet paralleling the right side of the primary arterial street, measured from the section line.
- [2] Minimum ROW width of 108 feet required for right-turn lane on a secondary arterial street at the major street intersection to extend at least 388 feet 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.

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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 mandatory or optional development plan procedures. Such streets are subject to all applicable regulations of this section.
- B.** Except as expressly approved as part of a PUD in the county or through approval of a mandatory or optional development plan in the city, 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.** Except as expressly approved as part of a PUD in the county or through approval of a mandatory or optional development plan in the city, private streets are prohibited if they will impede reasonable access to existing or future collector or major streets.
- D.** Except as expressly approved as part of a PUD in the county or through approval of a mandatory or optional development plan in the city, 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 on a major street, 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.

5-070 SIDEWALKS

- 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** Except as provided in 5-070.4, 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

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.
- 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.
 - 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 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

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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 in accordance with Title 17 (Section 906), Tulsa Revised Ordinances.
- 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 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 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

- 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** Overhead lines for the supply of electric, telephone, communication, and cable television services may be located within the perimeter easements of a subdivision. Street light poles or standards may be served by overhead line or underground cable. All other supply lines for electric, telephone, communication, cable television, natural gas and similar services must be located underground in easements dedicated for general utility services and in street-rights-of-way. Service pedestals

and transformers, as sources of supply at secondary voltages, may also be located in such utility easements.

- 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.
- 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

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

All street signs, traffic control devices and related apparatus must comply with city or county standards.

5-180 PERFORMANCE GUARANTEES AND SECURITY

5-180.1 Purpose

Performance guarantee and security requirements are established to address those circumstances under which a developer wishes to receive final plat approval and record the approved final plat before installing required infrastructure and public improvements. The provisions help ensure that funding is in place to cover the cost of installing any required improvements that are not installed by the developer within a reasonable period of time after receiving final plat approval.

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 any required infrastructure and improvements that have not been installed by the developer prior to recording of the approved final plat 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.
- C.** The amount of the performance guarantee must equal at least 110% of the estimated total cost of all required infrastructure and improvements that have not been installed by the developer prior to recording of the approved final plat.

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.

5-180.6 Plat Vacation

Vacation of the plat as provided by state statute removes the obligation to construct improvements and constitutes grounds for release of any remaining financial guarantee.

5-190 MAINTENANCE GUARANTEES AND SECURITY

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

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 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.

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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.

ARTICLE 10. REVIEW AND APPROVAL PROCEDURES

10-010	INTENT	10-1
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10-030	EXEMPT LAND DIVISIONS.....	10-5
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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.

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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 by the owner of the subject property or another person who has the subject property owner's written consent.

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

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 (see Title 19, Oklahoma Statutes, Section 863.10). 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].

- C. If the land use administrator determines that the proposed land division constitutes a land division that requires review and approval in accordance with

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the subdivision or lot split procedures of this article, the applicant must be informed of that determination in writing.

10-040 SUBDIVISIONS

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.

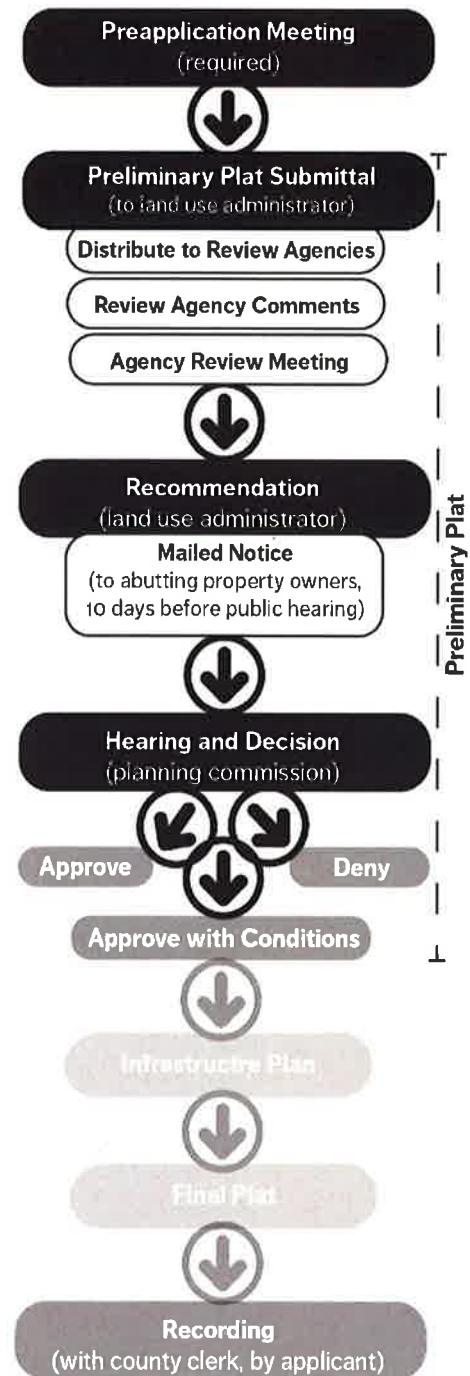
C. Agency Review Meeting

- (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 days before the date of the hearing to all owners of property abutting the property 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

Figure 10-1: Preliminary Plats



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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

- (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.

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

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).

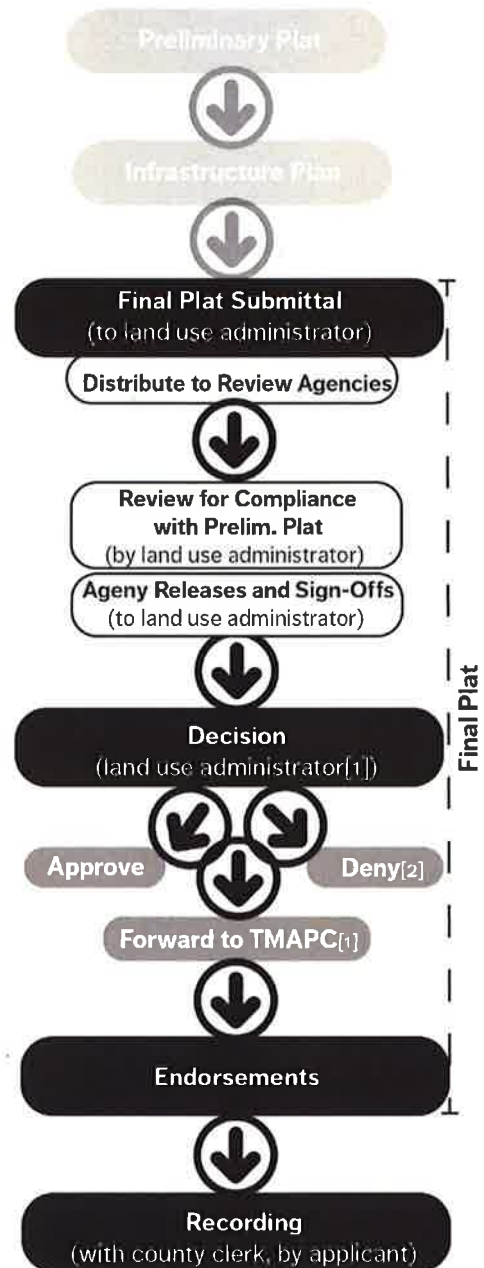
B. Intake and Distribution to Review Agencies

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. 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.

Figure 10-2: 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.

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- (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 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.
- (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.

- (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.
- (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.

10-050 MINOR SUBDIVISIONS

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.

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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
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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.
- 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

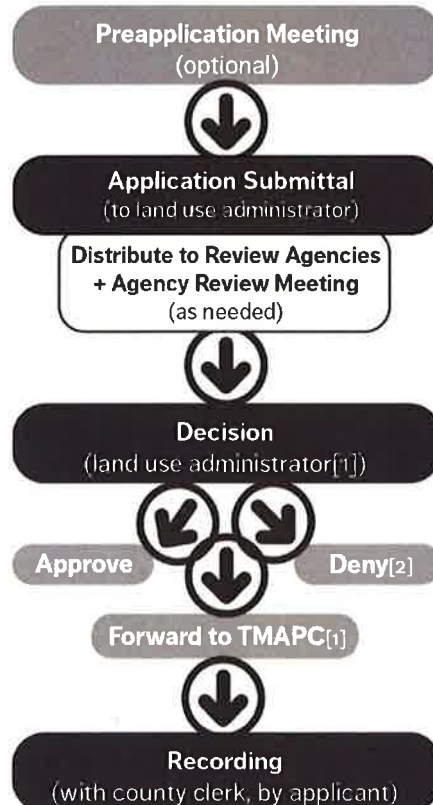
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recommendations with representatives from reviewing agencies. The land use administrator must work with review agencies to integrate all review comments into a single comprehensive written summary. The written summary must be submitted to the applicant 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:

Figure 10-3: 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

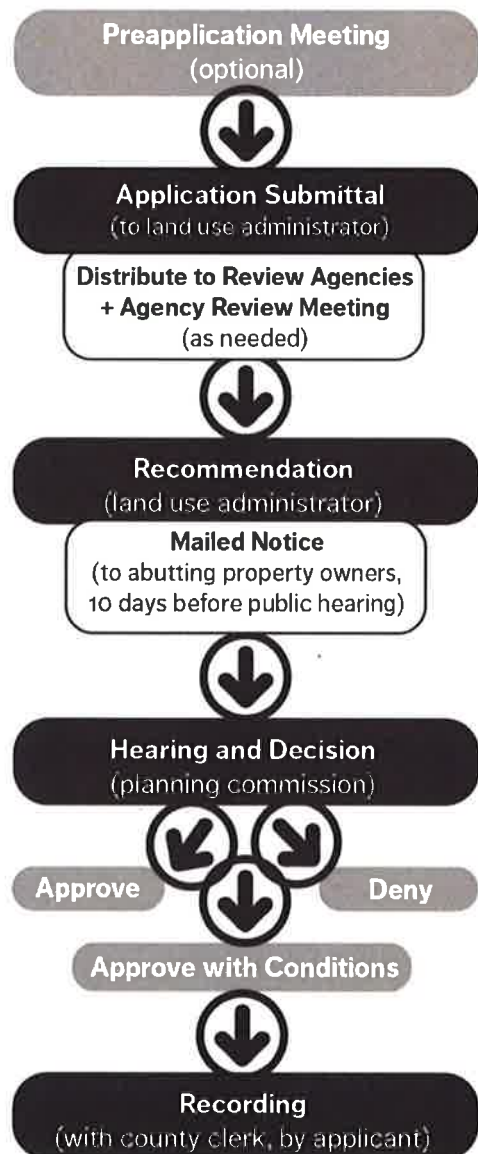
[2] Applicants may request review by planning commission for reversal of land use administrator's decision.

- (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.

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).

Figure 10-4: Type 2 Lot Splits/Adjustments



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- 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 all type 2 lot split/adjustments requires an affirmative vote of at least 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.
- 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 (10-070) or an administrative modification (see 10-080), as applicable.

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 5-120, 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 apply 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

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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.

10-070 MODIFICATIONS

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, modification 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 a simple majority 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

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 (see 5-040.2) 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.
 - (2) The land use administrator is authorized to grant an administrative modification to allow an arrangement or layout of streets that does not conform to the comprehensive plan and the major street and highway plan (see 5-060.3A) 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.
 - (3) The land use administrator is authorized to grant an administrative modification to allow an alternative street right-of-way width (see 5-060.6) 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.

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(4) The land use administrator is authorized to grant an administrative modification that results in a single lot being included in multiple zoning districts as part of a type 1 lot split/adjustment.

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 another person with the subject property owner's written consent.

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.

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

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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

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.
- 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.

10-100 PLAT VACATIONS

Plats may be vacated in accordance with Oklahoma Statutes.

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10-110 ACCELERATED RELEASE OF BUILDING PERMIT

10-110.1 Applicability

The planning commission is authorized to approve applications authorizing release of a building permit before a final plat is approved and recorded for the subject property (aka “accelerated release of a building permit” or “accelerated release”) in accordance with the procedures of this section.

10-110.2 Pre-application Meeting

A pre-application meeting is required to be held before or concurrently with the submittal of an application for accelerated release of a building permit. (See 10-020.3 for additional information on pre-application meetings).

10-110.3 Application Submittal

Applications for accelerated release of a building permit must be submitted to the land use administrator.

10-110.4 Land Use Administrator and Agency Review

Complete applications for accelerated release of a building permit must be reviewed by the land use administrator and review agencies in the same manner as the preliminary subdivision plat (see 10-040.4B and 10-040.4C). 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.

10-110.5 Hearing and Decision—Planning Commission

- A. The planning commission may not consider or act on an accelerated release application until acting on the preliminary subdivision plat.
- B. If the preliminary subdivision plat is approved or approved with conditions (or was previously approved or approved with conditions) the planning commission may consider the application for accelerated release of a building permit. The planning commission must act on the request following the same time-frames for action as required for the preliminary subdivision plat (see 10-040.4D).

10-110.6 Review and Decision-Making Criteria and Limits of Approval

The planning commission may approve an authorization for accelerated release of a building permit only if they determine that all of the following criteria are met:

- A. The subject building permit is for a lot or parcel that is not required to be platted by Oklahoma statutes;
- B. All required rights-of-way and easements have been dedicated or the planning commission has determined that circumstances related to the subject property reasonably preclude the future use or improvement of the area for which dedication would be required; and
- C. All required improvements are in place or have been secured with a financial guarantee in accordance with 5-180.

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10-110.7 Effect of Approval

- A.** Planning commission approval of an application for accelerated release of a building permit constitutes authorization for the development administrator or building official to issue a building permit before approval of a final plat covering the subject property. Such building permits may be issued by the development administrator or building official only after the proposed construction or other activity requiring the subject building permit is determined to comply with all applicable standards and regulations.
- B.** If an accelerated release is approved, no final inspection of buildings or structures may occur, no certificate of occupancy may be issued, no public potable water service may be provided, and no building may be occupied until a final plat for the subject property has been approved and recorded.

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ARTICLE 15. DEFINITIONS

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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 another person who has the subject property owner's written consent 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.

15-030 TERMS BEGINNING WITH "D-F"

Decision-making Body

The entity that is granted authority to make a final decision on a matter, pursuant to the procedures of [ARTICLE 10](#).

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.

15-040 TERMS BEGINNING WITH "G-I"

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.

15-050 TERMS BEGINNING WITH "J-L"

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.

Traffic Calming Features

Design features and strategies intended to reduce vehicle traffic speeds on a particular street, thereby encouraging safer, more responsible driving.

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.

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Subdivision and Development Regulations

Track Changes Draft

Shows Changes Since December 2017 Public Hearing

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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~~ April 23, 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:⁺

- 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;

⁺ ~~Edited and expanded list of purposes.~~

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- 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** Ensuring that city and county land development practices, procedures and processes are regionally and nationally competitive; and~~
- ~~**1-050.8** **1-050.9**~~ 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.

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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

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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.

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ARTICLE 5. DESIGN AND IMPROVEMENTS

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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.²

5-020 REQUIRED INFRASTRUCTURE AND PUBLIC IMPROVEMENTS³

- 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

² ~~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.~~

³ ~~New section.~~

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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 interconnected 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.

5-030	BLOCKS
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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 at least 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 within and among neighborhoods and minimize out-of-direction travel, blocks within new residential subdivisions may not exceed the maximum street spacing limits~~block lengths~~ established in Table 5-1~~Table 5-1~~.

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

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

Table 5-1 Notes

- [1] ~~CL~~ = Centerline (PL = Property Line (at end of ~~street~~block))
- [2] Urban = blocks on which the mean lot width of all fronting lots is less than 60 feet or less
- [3] Suburban = blocks on which the mean lot width of all fronting lots is more than at least 60 feet and but less than 150125 feet
- [4] Rural = blocks on which the mean lot width of all fronting lots is 150125 feet or more

Note: Lot widths must be measured in accordance with the lot width measurement definition of the applicable (city or county) zoning regulations.

- 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~~block length 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~~block length 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~~Block lengths are measured ~~from along the~~ street centerline ~~frontage from property line~~ to ~~street centerline~~property line at ~~opposite ends of the subject block~~.
- F. The ~~street spacing~~block length 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, longer block lengths. The regulations also do not apply to nonresidential subdivisions.

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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 Lots⁴

- A. The creation of flag lots ~~is prohibited, except that flag lots~~ may be approved only 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 such 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 Highways⁵

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

⁴— 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).

⁵— Partly new.

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;
- (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 RESERVED⁶

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;

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

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- (3) A frontage road parallel to the major street.

5-060.3 General Street Layout

- A.** The arrangement and layout of all streets must conform to the comprehensive plan and the major street and highway plan- unless otherwise expressly approved through the modification procedures of 10-070 or the administrative modification procedures of 10-080, as applicable.
- B.** When streets are not shown on the comprehensive plan or the major street and highway plan, the arrangement and layout of new streets must:
 - A.(1)** Create an integrated system of streets and nonmotorized transportation facilities that provide for safe and efficient access to lots and movement of people;
 - B.(2)** 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.(3)** 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 Routes⁷

- 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 public streets or public nonmotorized transportation improvements are required to be constructed as part of a development, they must connect to similar public improvements within the development and be extended to the outer perimeter of the development so that they can be connected to similar public improvements in the future.

5-060.5 Dead-End Streets

- A. Temporary Dead-End (“Stub”) Streets⁸**
 - (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

⁷— New section.

⁸— New section.

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 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 turnaround. 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:~~ minimum width requirements of Table 5-2 ~~Table 5-2 apply. Alternative right-of-way widths may be approved through the modification procedures of 10-070 or the administrative modification procedures of 10-080, as applicable.~~

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 mandatory or optional development plan procedures. Such streets are subject to all applicable regulations of this section.
- B. ~~Private~~ Except as expressly approved as part of a PUD in the county or through approval of a mandatory or optional development plan in the city, 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~~ Except as expressly approved as part of a PUD in the county or through approval of a mandatory or optional development plan in the city, private streets are prohibited if they will impede reasonable access to existing or future collector or major streets.
- D. ~~Private~~ Except as expressly approved as part of a PUD in the county or through approval of a mandatory or optional development plan in the city, private streets must be constructed in accordance with the same regulations that apply

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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 on a major street, 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.

5-070	SIDEWALKS
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- 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.

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- 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. Except as provided in the performance guarantee approved in accordance with 5-180. For all other development,~~**5-070.4**, 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 TRAILS⁹

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.

⁹—New section.

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- 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.⁴⁹
- 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.
 - 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

⁴⁹ 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.

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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.¹¹~~ in accordance with Title 17 (Section 906), Tulsa Revised Ordinances.
- 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 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.~~

¹¹ ~~This revision makes the regulations consistent with Title 17 Tulsa Revised Ordinances (Section 906)~~

~~(5)~~(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.

5-130.2 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.

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5-140 UTILITIES¹²

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~~

~~**5-140.2** 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. Overhead lines for the supply of electric, telephone, communication, and cable television services may be located within the perimeter easements of a subdivision. Street light poles or standards may be served by overhead line or underground cable. All other supply lines for electric, telephone, communication, cable television, natural gas and similar services must be located underground in easements dedicated for general utility services and in street-rights-of-way. Service pedestals and transformers, as sources of supply at secondary voltages, may also be located in such utility easements.~~

~~**D.**~~

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.

5-150.2 Utility easements with a width of up to 17.5 feet may be required around a subdivision perimeter.

¹² — New section.

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 LIGHTS¹³

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 DEVICES¹⁴

All street signs, traffic control devices and related apparatus must comply with city or county standards.

5-180 PERFORMANCE GUARANTEES AND SECURITY¹⁵

5-180.1 Purpose

Performance guarantee and security requirements are established to ~~help ensure that developers properly install address those circumstances under which a developer wishes to receive final plat approval and record the approved final plat before installing required infrastructure and public improvements required by these regulations. The provisions help ensure that funding is~~ in a timely manner, in accordance with approved plans and plats ~~place to cover the cost of installing any required improvements that are not installed by the developer within a reasonable period of time after receiving final plat approval.~~

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 any required infrastructure and improvements that have not been installed by the developer prior to recording of the approved final

¹³—New section.

¹⁴—New section.

¹⁵—This section is entirely new. Proposed replacement for agreements guaranteeing installation of improvement (Sec. 5.2 of current regulations).

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plat 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.

- C. The amount of the performance guarantee must equal at least 110% of the estimated total cost of ~~the~~all required infrastructure and improvements that have not been installed by the developer prior to recording of the approved final plat.

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.

5-180.6 Plat Vacation

Vacation of the plat as provided by state statute removes the obligation to construct improvements and constitutes grounds for release of any remaining financial guarantee.

5-190 MAINTENANCE GUARANTEES AND SECURITY¹⁶

Maintenance guarantees and financial security must be provided in accordance with applicable city or county regulations.

5-200 PERPETUAL MAINTENANCE OF COMMON AREAS AND IMPROVEMENTS¹⁷

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 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.

¹⁶—New section.

¹⁷—This section is entirely new.

14.100

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.

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
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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~~ ~~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~~ ~~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.

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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 another person who has the subject property owner's duly authorized agent written consent.

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

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 ([see Title 19, Oklahoma Statutes, Section 863.10](#)). 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].

- 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.

10-040 SUBDIVISIONS

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.

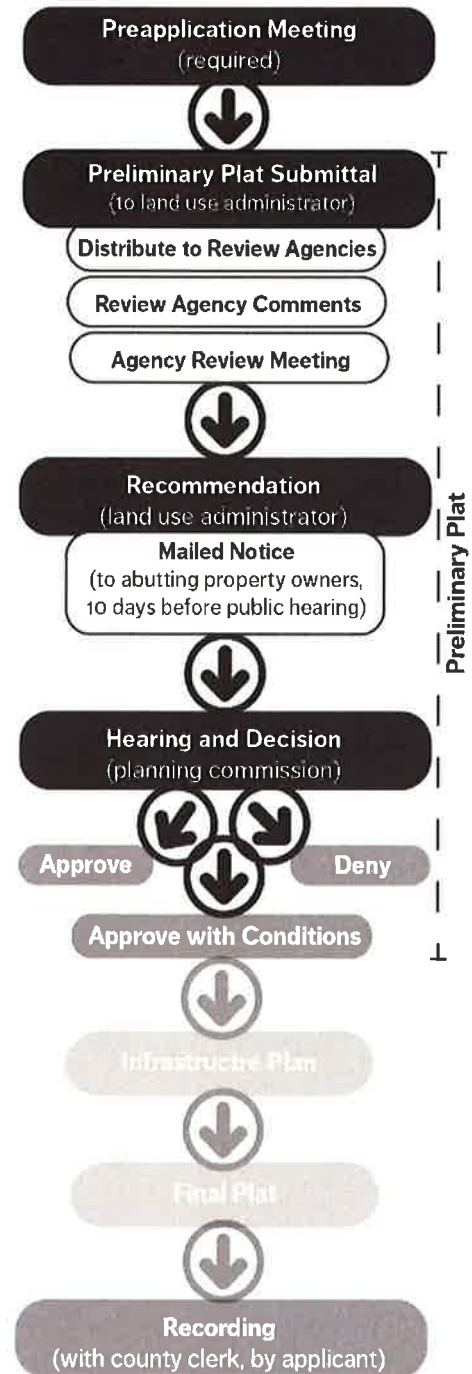
C. Agency Review Meeting¹⁹

- (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 10²⁰ days before the date of the hearing to all owners of property abutting the property

Figure 10-1: Preliminary Plats



¹⁹ Equivalent of TAC meeting.

²⁰ This proposed change will allow the agency review (TAC) meeting to occur before notices are sent.

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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 Approval²⁴

- (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.

²⁴ ~~This is new; establishes a more formalized and transparent process for approval of preliminary plat extensions.~~

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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 Plat²²

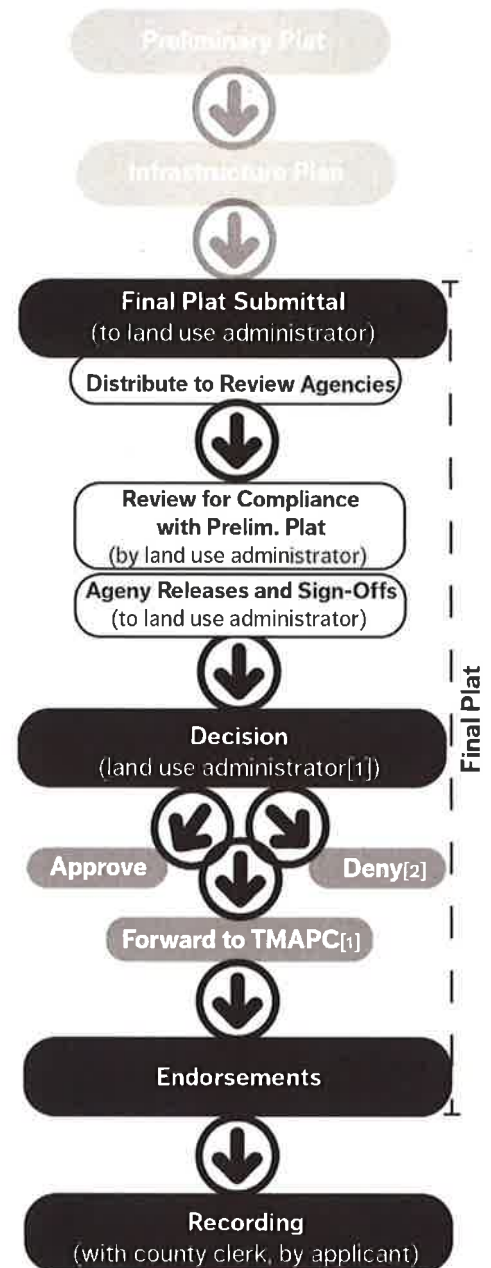
A. Application Submittal

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.²³ The land use administrator must notify the applicant, via email or personal service, of all agencies and individuals on the review agency distribution list.

Figure 10-2: 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.

²² Final plat procedure has been revised to allow staff approval.

²³ This is a change. Move to electronic submittals should alleviate the need for applicants to distribute.

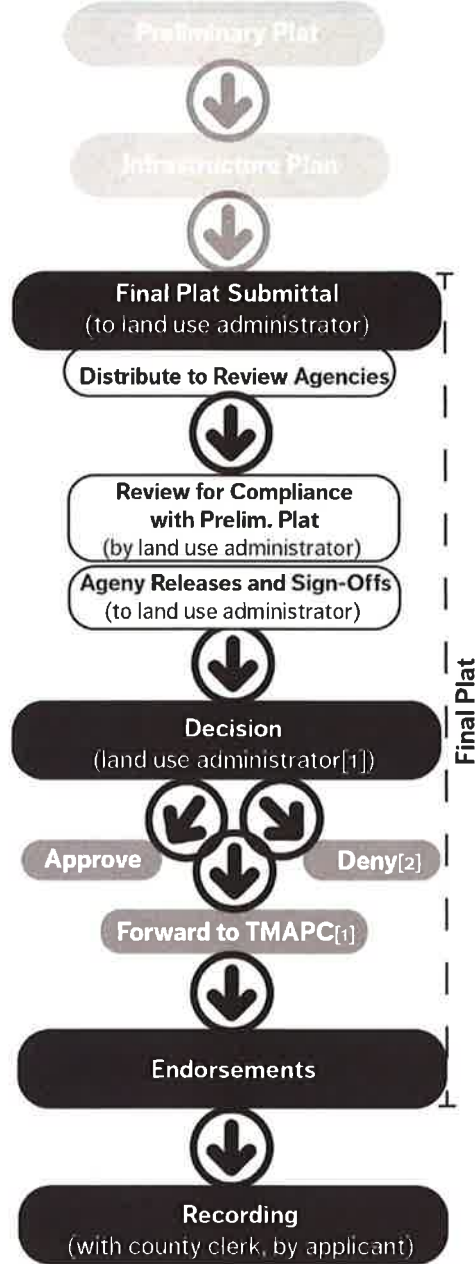
16.111

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 plat be forwarded to the planning commission for a final decision, including reversal of the decision of the land use administrator.

Figure 10-2: 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.

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- (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.
- (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.²⁴
- (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

²⁴— This is a proposed change; currently, the 30 day shot clock begins after hearing is closed (2.3.3(c)).

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.
- (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

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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.

10-050 MINOR SUBDIVISIONS

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.

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10-060 LOT SPLITS AND ADJUSTMENTS²⁵

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.²⁶
- 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

²⁵ Updated procedures have been revised to allow staff approval in many cases.

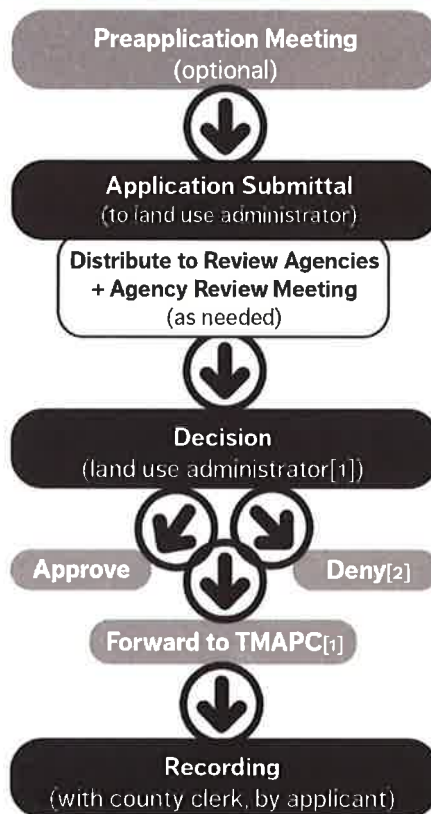
²⁶ The lot line adjustment procedure of this section is new. It is intended to address situations that now require processing of a lot split and a lot combination. Since the lot line adjustment procedure can be used to combine or consolidate lots, the existing lot combination procedure has been eliminated.

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.

Figure 10-3: 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.

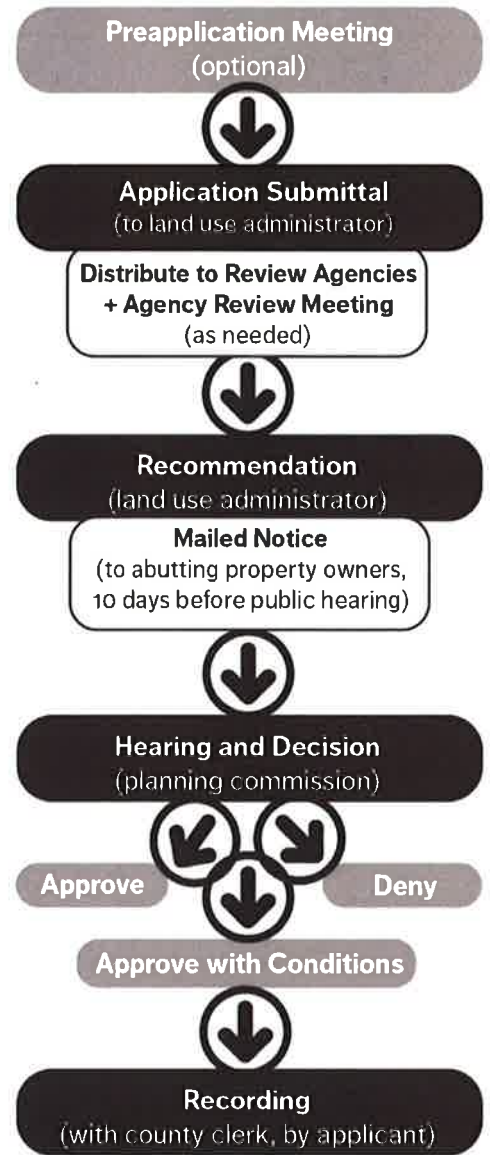
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- F. Lot split/adjustment applications requiring review and action by the planning commission must be processed in accordance with the type 2 lot split/adjustment procedures of 10-060.5.

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).²⁷
- 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.

Figure 10-4: Type 2 Lot Splits/Adjustments



²⁷ ~~This is a change; currently requires notice 10 days before hearing.~~

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- F. Approval of all 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.
- 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)~~(10-070) or an administrative modification (see 10-080), as applicable.

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;

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- (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 ~~5-1205-130120~~, 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~~ apply 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

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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.

10-070 MODIFICATIONS

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~~modification 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:

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- (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~~ a simple majority 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 MODIFICATIONS²⁸

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 (see 5-040.2) 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.
- (2) The land use administrator is authorized to grant an administrative modification to allow an arrangement or layout of streets that does not conform to the comprehensive plan and the major street and highway plan (see 5-060.3A) 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.
- (3) The land use administrator is authorized to grant an administrative modification to allow an alternative street right-of-way width (see 5-

²⁸ ~~New section/procedure, as discussed at November 1, 2017 work session.~~

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060.6) 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.

(4) The land use administrator is authorized to grant an administrative modification that results in a single lot being included in multiple zoning districts as part of a type 1 lot split/adjustment.

- 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 another person with the subject property owner's authorized agent written consent.

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.

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 10-080.710-080.7 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.

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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 ACCESS²⁹

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.

²⁹ Revised to allow staff approval.

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.
- 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.

10-100 PLAT VACATIONS

Plats may be vacated in accordance with Oklahoma Statutes.

10-110 ACCELERATED RELEASE OF BUILDING PERMIT

10-110.1 Applicability

The planning commission is authorized to approve applications authorizing release of a building permit before a final plat is approved and recorded for the subject property (aka "accelerated release of a building permit" or "accelerated release") in accordance with the procedures of this section.

10-110.2 Pre-application Meeting

A pre-application meeting is required to be held before or concurrently with the submittal of an application for accelerated release of a building permit. (See 10-020.3 for additional information on pre-application meetings).

10-110.3 Application Submittal

Applications for accelerated release of a building permit must be submitted to the land use administrator.

10-110.4 Land Use Administrator and Agency Review

Complete applications for accelerated release of a building permit must be reviewed by the land use administrator and review agencies in the same manner as the preliminary subdivision plat (see 10-040.4B and 10-040.4C). 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.

10-110.5 Hearing and Decision—Planning Commission

- A. The planning commission may not consider or act on an accelerated release application until acting on the preliminary subdivision plat.
- B. If the preliminary subdivision plat is approved or approved with conditions (or was previously approved or approved with conditions) the planning commission may consider the application for accelerated release of a building permit. The planning commission must act on the request following the same time-frames for action as required for the preliminary subdivision plat (see 10-040.4D).

10-110.6 Review and Decision-Making Criteria and Limits of Approval

The planning commission may approve an authorization for accelerated release of a building permit only if they determine that all of the following criteria are met:

- A. The subject building permit is for a lot or parcel that is not required to be platted by Oklahoma statutes;

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- B. All required rights-of-way and easements have been dedicated or the planning commission has determined that circumstances related to the subject property reasonably preclude the future use or improvement of the area for which dedication would be required; and
- C. All required improvements are in place or have been secured with a financial guarantee in accordance with 5-180.

10-110.7 Effect of Approval

- A. Planning commission approval of an application for accelerated release of a building permit constitutes authorization for the development administrator or building official to issue a building permit before approval of a final plat covering the subject property. Such building permits may be issued by the development administrator or building official only after the proposed construction or other activity requiring the subject building permit is determined to comply with all applicable standards and regulations.
- B. If an accelerated release is approved, no final inspection of buildings or structures may occur, no certificate of occupancy may be issued, no public potable water service may be provided, and no building may be occupied until a final plat for the subject property has been approved and recorded.

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ARTICLE 15. DEFINITIONS

15-010	GENERAL	15-1
15-020	TERMS BEGINNING WITH "A-C"	15-1
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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 another person who has~~ the subject property ~~owner~~owner's written consent 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.

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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.

15-030 TERMS BEGINNING WITH "D-F"

Decision-making Body

The entity that is granted authority to make a final decision on a matter, pursuant to the procedures of ARTICLE 10.

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 of 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.

15-040 TERMS BEGINNING WITH "G-I"

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.

15-050 TERMS BEGINNING WITH "J-L"
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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.³⁰

³⁰ This is the definition of subdivision from §19-863.9 of the Oklahoma Statutes.

14.135

Traffic Calming Features

Design features and strategies intended to reduce vehicle traffic speeds on a particular street, thereby encouraging safer, more responsible driving.

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.

16.136

TMAPC Staff Report
February 7, 2018
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 70.080 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 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 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.

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.

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	6
Section 70.040	Development Plans.....	7
Section 70.050	Site Plans.....	7
Section 70.080	Zoning Clearance Permits.....	7
Section 90.080	Open Space per Unit	10
Section 95.150	Terms beginning with "L"	10

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.

Section 25.070 MPD, Master Planned Development District

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.

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~~ recorded 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.

Section 40.110 Cottage House Developments

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 regulations and filed of~~ recorded ed in the county clerk's office, ~~of the county clerk of the county in which the property is located.~~

Section 40.290 Patio Houses

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~~ recorded ed in the county clerk's office, ~~of the county clerk of the county in which the property is located.~~

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 70.080 Zoning Clearance ~~and Platting Requirements~~Permits

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-B3, no 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/building~~ Household living involving 3 or more households on a single lot;
 - ~~(5) Bed & breakfast;~~
 - ~~(6) Marina;~~
 - ~~(7) Gun club;~~
 - ~~(8) Crematory; or~~
 - ~~(9) 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. Early-Release Permits

~~Building permits authorizing the installation of a building foundation and earth-change permits may be issued prior to the date that the final subdivision plat or lot split/adjustment certifications or certificates are recorded if the development administrator or land use administrator determines that all of the following criteria have been met:~~

- a. ~~The final plat, lot split or lot line adjustment has been approved by the land use administrator or planning commission, in accordance with applicable procedures of Tulsa Metropolitan Area Subdivision and Development Regulations;~~

- b. All plats or other documents requiring the property owner's signature have been signed by the property owner;
- c. The activity for which the foundation permit or earth-change permit is requested complies with all applicable regulations; and
- d. Future recordation of all required plats or other documents is reasonably assured.

4. 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.

2. 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.

Section 90.080 Open Space per Unit

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.

Section 95.150 Terms beginning with "L"

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
February 7, 2018
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.