

AMENDED
**TULSA METROPOLITAN AREA PLANNING
COMMISSION**
Meeting No. 2764
February 21, 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: A work session will be held on March 7, 2018 to discuss: landscape ordinance update, Healthy Neighborhoods overlay and other zoning code amendments related to clean-up and maintenance.

Director's Report: Report on City Council and Board of County Commission agenda and actions taken and other special projects

Review TMAPC Receipts for the month of January 2018

1. Minutes of February 7, 2018, Meeting No. 2763

CONSENT AGENDA:

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

2. **LC-980** (Lot-Combination) (County) – Location: North and west of the northwest corner of East 141st Street South and South 129th East Avenue
3. **LC-981** (Lot-Combination) (CD 3) – Location: Southwest corner of East King Street and North Wheeling Avenue

4. **LS-21107** (Lot-Split) (County) – Location: North and west of the northwest corner of East 56th Street North and North 145th East Avenue
5. **LS-21108** (Lot-Split) (CD 9) – Location: Southwest corner of East 37th Place South and South Norfolk Avenue (Related to LC-982)
6. **LC-982** (Lot-Combination) (CD 9) – Location: Southwest corner of East 37th Place South and South Norfolk Avenue (Related to LS-21108)
7. **LS-21109** (Lot-Split) (CD 7) – Location: East of the Northeast corner of South Mingo Road and East 79th Street
8. **LS-21110** (Lot-Split) (CD 9) – Location: West of the northwest corner of South Rockford Avenue and East 35th Place South
9. **Allan Edwards** (County) Final Plat, Location: South of the southwest corner of East 66th Street North and North Yale Avenue
10. **Yale Village** (CD 8) Final Plat, Location: Southwest corner of East 91st Street South and South Yale Avenue
11. **PUD-803-4 Tanner Consulting** (CD 8) Location: South and east of the southeast corner of East 121st Street South and South Yale Avenue requesting a **PUD Minor Amendment** to redefine lot widths

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

PUBLIC HEARINGS:

12. **Huntington Park II** (CD 6) Preliminary Plat, Location: South and east of the intersection of South 177th East Avenue and East 41st Street South
13. **Memorial Imports II** (CD 7) Minor Subdivision Plat, Location: East of the northeast corner of East 91st Street South and South Memorial Drive
14. **PUD-166-N Josh McFarland** (CD 8) Location: Northeast corner of South Sheridan Road and East 93rd Street South requesting a **PUD Major Amendment** to increase allowable floor area
15. **CZ-468 Tulsa County** (County) Location: Northeast corner of South Yale Avenue and East 171st Street South requesting rezoning from **AG to IL**
16. **Z-7421 Janelle Moore, Wallace Engineering** (CD 2) Location: East of the southeast corner of South 33rd West Avenue and West 81st Street South

requesting rezoning from **AG** to **RS-2** with **optional development plan**
(Continued from November 15, 2017 and January 17, 2018)

17. Consider adoption of new **Subdivision and Development Regulations**.
(Continued from December 6, 2017 and February 7, 2018)

18. **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". (Continued from December 6, 2017 and February 7, 2018)

19. 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 and February 7, 2018)

OTHER BUSINESS

20. 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.

TMAPC RECEIPTS
Month of January 2018

	----- Current Period -----			----- Year To Date -----				
	ITEM	CITY	COUNTY	TOTAL RECEIVED	ITEM	CITY	COUNTY	TOTAL RECEIVED
ZONING								
Zoning Letters	7	\$262.50	\$262.50	\$525.00	68	3,775.00	3,775.00	\$7,550.00
Zoning	7	2,175.00	2,175.00	4,350.00	42	16,375.00	16,375.00	32,750.00
Plan Reviews	22	3,150.00	3,150.00	6,300.00	148	18,890.00	18,890.00	37,780.00
Refunds		0.00	0.00	0.00		0.00	0.00	0.00
NSF		0.00	0.00	0.00		0.00	0.00	0.00
		<u>\$5,587.50</u>	<u>\$5,587.50</u>	<u>\$11,175.00</u>		<u>\$39,040.00</u>	<u>\$39,040.00</u>	<u>\$78,080.00</u>
LAND DIVISION								
Minor Subdivision	0	\$0.00	0.00	0.00	1	\$435.00	\$435.00	870.00
Preliminary Plats	1	712.50	712.50	1,425.00	13	\$6,109.85	\$6,109.85	12,219.70
Final Plats	2	827.50	827.50	1,655.00	16	\$6,107.78	\$6,107.78	12,215.55
Plat Waviers	4	500.00	500.00	1,000.00	23	\$2,825.00	\$2,825.00	5,650.00
Lot Splits	12	675.00	675.00	1,350.00	81	\$4,450.00	\$4,450.00	8,900.00
Lot Combinations	6	300.00	300.00	600.00	59	\$2,975.00	\$2,975.00	5,950.00
Other	0	0.00	0.00	0.00	9	\$800.00	\$800.00	1,600.00
NSF		0.00	0.00	0.00		\$0.00	\$0.00	0.00
Refunds		0.00	0.00	0.00		(\$50.00)	(\$50.00)	(100.00)
		<u>\$3,015.00</u>	<u>\$3,015.00</u>	<u>\$6,030.00</u>		<u>\$23,652.63</u>	<u>\$23,652.63</u>	<u>\$47,305.25</u>
TMAPC COMP								
Comp Plan Admendment	0	\$0.00	\$0.00	\$0.00	3	\$750.00	\$0.00	\$750.00
Refund		\$0.00		\$0.00		\$0.00	\$0.00	\$0.00
		<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>		<u>\$750.00</u>	<u>\$0.00</u>	<u>\$750.00</u>
BOARDS OF ADJUSTMENT								
Fees	22	\$5,200.00	\$2,500.00	\$7,700.00	145	\$43,800.00	\$12,850.00	\$56,650.00
Refunds		(250.00)	0.00	(\$250.00)		(\$2,500.00)	\$0.00	(2,500.00)
NSF Check		0.00	0.00	\$0.00		(\$500.00)	\$0.00	(500.00)
		<u>\$4,950.00</u>	<u>\$2,500.00</u>	<u>\$7,450.00</u>		<u>\$40,800.00</u>	<u>\$12,850.00</u>	<u>\$53,650.00</u>
TOTAL		\$13,552.50	\$11,102.50	\$24,655.00		\$104,242.63	\$75,542.63	\$179,785.25
LESS WAIVED FEES *		\$0.00	(\$303.05)	(\$303.05)		(\$3,557.52)	(\$303.05)	(\$3,860.57)
GRAND TOTALS		<u>\$13,552.50</u>	<u>\$10,799.45</u>	<u>\$24,351.95</u>		<u>\$100,685.11</u>	<u>\$75,239.58</u>	<u>\$175,924.68</u>

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

January 2018
Receipt comparison

	Jan. 2018	Dec. 2017	Jan. 2017
Zoning Letters	7	8	8
Zoning	7	3	11
Plan Reviews	22	16	22
Minor Subdivisions	0	0	1
Preliminary Plats	1	2	3
Final Plats	2	2	0
Plat Waivers	4	1	0
Lots Splits	12	11	8
Lot Combinations	6	15	17
Other	0	2	2
Comp Plan Amendments	0	0	1

2/15/2018



Tulsa Metropolitan Area
Planning Commission

Case : Allan Edwards

Hearing Date: February 21, 2018

Case Report Prepared by:

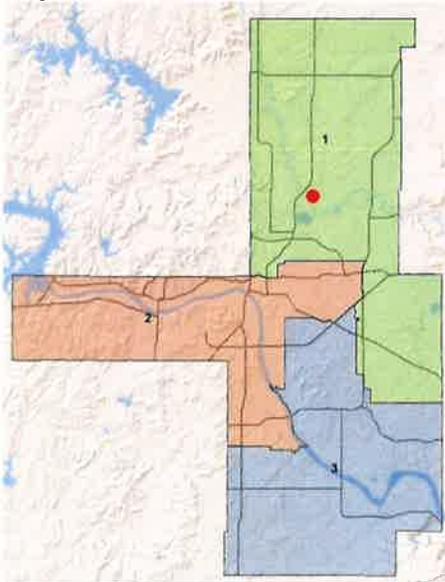
Nathan Foster

Owner and Applicant Information:

Applicant: Kevin Vanover, Olsson Associates

Owner: CACA Investments, LLC

Location Map:
(Shown with County Commission districts)



Applicant Proposal:

Final Plat

1 lot, 1 block, 10.37± acres

Location: South of the southwest corner of East 66th Street North and North Yale Avenue

Zoning: IM (Industrial – Moderate)

Staff Recommendation:

Staff recommends **approval** of the final plat

County Commission District: 1

Commissioner Name: John Smaligo

EXHIBITS: Final plat

9.3

FINAL PLAT OF ALLAN EDWARDS ADDITION A PART OF THE NE/4 OF SEC. 4, T-20-N, R-13-E, I.M. TULSA COUNTY, STATE OF OKLAHOMA

DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS

THAT C A C INVESTMENTS, L.L.C. HEREINAFTER SOMETIMES CALLED "OWNER" IS THE OWNER IN FEE SIMPLE OF THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN TULSA COUNTY, STATE OF OKLAHOMA, TO WIT:

A TRACT OF LAND BEING PART OF THE NORTHEAST QUARTER (NE/4) OF SECTION FOUR (4), TOWNSHIP TWENTY (2) NORTH, RANGE THIRTIETH (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U. S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH-EAST CORNER OF SAID NORTHEAST QUARTER (NE/4), ALSO BEING THE NORTH-EAST CORNER OF GOVERNMENT LOT 1, THENCE SOUTH 01°24'51" EAST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER (NE/4) A DISTANCE OF 883.33 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING SOUTH 01°24'51" EAST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER (NE/4) A DISTANCE OF 641.21 FEET (MEASURED) (834.48 FEET (DEED), THENCE LEAVING SAID EAST LINE SOUTH 89°52'30" WEST A DISTANCE OF 708.78 FEET, THENCE NORTH 01°00'00" WEST A DISTANCE OF 339.33 FEET, THENCE NORTH 86°07'00" EAST, A DISTANCE OF 703.01 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 418,333 SQUARE FEET OR 9.527 ACRES, MORE OR LESS.

THE OWNER HAS CAUSED THE SAME TO BE SURVEYED, SAKED, AND PLATTED AS SHOWN BY THE ACCOMPANYING PLAT AND SURVEY THEREOF, AND WHICH PLAT IS MADE A PART HEREOF, AND THE OWNER HAS GIVEN TO SAID PLAT THE NAME OF "ALLAN EDWARDS ADDITION," AN ADDITION TO TULSA COUNTY, STATE OF OKLAHOMA, (WHenever THE WORD "ADDITION" APPEARS HEREIN THE SAME SHALL CONCLUSIVELY BE DEEMED TO MEAN "ALLAN EDWARDS ADDITION," UNLESS THE CONTEXT CLEARLY DICTATES OTHERWISE, LIKEWISE, WHENEVER THE WORD "CITY" APPEARS HEREIN THE SAME SHALL CONCLUSIVELY BE DEEMED TO MEAN TULSA COUNTY, STATE OF OKLAHOMA, UNLESS THE CONTEXT CLEARLY DICTATES OTHERWISE.) NOW, THEREFORE, THE OWNER FOR THE PURPOSE OF PROVIDING FOR THE ORDERLY DEVELOPMENT OF THE ADDITION, AND FOR THE PURPOSE OF INSURING AGAINST RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSORS, GRANTEEES AND ASSIGNS, THE BENEFCIARIES OF THE COVENANTS SET FORTH IN SECTION 1 BELOW WITH RESPECT TO SUCH COVENANTS ONLY, DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS, WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND WHICH SHALL BE ENFORCEABLE BY THE OWNER OR OWNERS OF ANY PROPERTY WITHIN THE ADDITION AND BY THE BENEFCIARIES OF THE COVENANTS SET FORTH IN SECTION 1 BELOW, WITH RESPECT TO SUCH COVENANTS ONLY.

SECTION 1 PUBLIC STREETS EASEMENTS AND UTILITIES

10. THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC THE STREET RIGHTS-OF-WAY AS DEPICTED ON THE ACCOMPANYING PLAT. ADDITIONALLY, THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED AS "UTILITY EASEMENT" FOR THE GENERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS, MANHOLES AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPLIANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES PROVIDED HOWEVER, THE OWNER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RELAY WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, LAYING OUT, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. THE OWNER HEREBY IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE COUNTY OF TULSA, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH THE ABOVE SET FORTH USES AND PURPOSES OF AN EASEMENT SHALL BE PLACED, ERRECTED, INSTALLED OR MAINTAINED PROVIDED HOWEVER NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING FACILITIES THAT DO NOT CONSTITUTE AN OBSTRUCTION.

11. WATER AND SANITARY SEWER SERVICE

11.1 THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS LOCATED ON HIS LOT.

11.2 WITHIN THE UTILITY EASEMENT, RESTRICTED WATERLINE, SANITARY SEWER, STORM SEWER AND DRAINAGE EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER OR ANY CONSTRUCTION ACTIVITY THAT WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS SHALL BE PROHIBITED.

11.3 THE COUNTY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER MAINS, PUBLIC SANITARY SEWER MAINS, AND PUBLIC STORM SEWERS, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR AGENTS OR CONTRACTORS. COUNTY OF TULSA ASSUMES NO MAINTENANCE OF ANY PRIVATE DRAINAGE SYSTEMS INCLUDING THE OWNERS PRIVATE STORMWATER DETENTION FACILITY CONTROL STRUCTURES.

11.4 THE COUNTY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY DEED OF UNDERGROUND WATER, SANITARY SEWER OR STORM SEWER FACILITIES.

11.5 THE FOREGOING COVENANTS SET FORTH IN THE ABOVE PARAGRAPHS SHALL BE ENFORCEABLE BY TULSA COUNTY, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF THE LOT AGREES TO BE BOUND THEREBY.

12. PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF THE LOTS SHALL BE RESPONSIBLE FOR THE REPAIR AND REPLACEMENT OF ANY LANDSCAPING AND PAVING WITHIN THE UTILITY EASEMENTS ON THE LOT. IN THE EVENT THAT IT IS NECESSARY TO REPAIR ANY UNDERGROUND WATER, SANITARY SEWER, STORM SEWER, ELECTRIC, NATURAL GAS, CABLE TELEVISION OR TELEPHONE SERVICE.

13. RESERVATION OF RIGHTS AND COVENANTS AS TO OBSTRUCTIONS

THE OWNER/DEVELOPER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RELAY WATER LINES AND SEWER LINES TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING AND RE-LAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. HEREIN, UNLESS OTHERWISE SPECIFIED, THE OWNER/DEVELOPER HEREBY IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY TULSA COUNTY, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION SHALL BE PLACED, ERRECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING AND LANDSCAPING THAT DO NOT CONSTITUTE AN OBSTRUCTION.

CERTIFICATE OF OCCUPANCY RESTRICTIONS

NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED BY THE CITY UNTIL, AFTER COMPLETION OF THE ENTIRE DEVELOPMENT AND ITS FORMAL ACCEPTANCE BY THE CITY, ANY AND ALL CONSTRUCTION COMPLIANT TO SUCH A BUILDING PERMIT BUT PRIOR TO THE CITY'S FORMAL ACCEPTANCE OF THE ENTIRE DEVELOPMENT WILL BE AT THE CONTRACTOR, BUILDER, AND OR INVESTOR'S OWN RISK.

UTILITY EASEMENT DEDICATION

THE DEDICATION OF STREET RIGHTS-OF-WAY AND UTILITY EASEMENTS TO THE PUBLIC, CONTAINED IN THIS SECTION 1, SHALL NOT TAKE EFFECT UNTIL THE FILING BY TULSA COUNTY, OKLAHOMA (ON BEHALF OF THE PUBLIC) IN THE TULSA COUNTY CLERK'S OFFICE OF A SEPARATE INSTRUMENT ENTITLED "FORMAL ACCEPTANCE" OR SIMILAR WORDING, FORMALLY ACCEPTING THE DEDICATIONS AND INFRASTRUCTURE. HOWEVER, THE RIGHTS AND USES OUTLINED HEREIN NECESSARY FOR THE INSTALLATION BY PRIVATE UTILITIES OF THEIR FACILITIES, I.E. ELECTRIC, GAS, TELEPHONE AND COMMUNICATION, ET AL., EXCLUSIVE OF THOSE OWNED BY TULSA COUNTY, SHALL BE IN EFFECT TO ALLOW ACCESS FOR SURVEYING, EXCAVATING FOR CONSTRUCTION, OPERATING, AND MAINTAINING SUCH FACILITIES UNTIL THE CITY PLEES ITS FORMAL ACCEPTANCE AND THESE RIGHTS AND USES ARE SUBSIDIARY BY THE PUBLIC DEDICATION.

UNDERGROUND SERVICE

OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED WITHIN THE EASEMENTS OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS WILL BE SERVED BY UNDERGROUND CABLE AND ELSEWHERE THROUGHOUT THE SUBDIVISION. ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENT WAYS DESIGNATED FOR GENERAL UTILITY SERVICES AND IN THE RIGHTS-OF-WAY OF THE PUBLIC STREETS AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE EASEMENT WAYS.

UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH ARE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL, OR TRANSFORMER TO THE STRUCTURE. THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE AS MAY BE LOCATED UPON THE LOT, PROVIDED THAT UPON THE INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE THE SUPPLIER OF SERVICE SHALL HEREAFTER BE DEEMED TO HAVE A DEDICATED, PERMANENT, EFFECTIVE AND NONEXCLUSIVE RIGHT-OF-WAY EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 25 FEET ON EACH SIDE OF THE SERVICE CABLE OR GAS SERVICE LINE TO THE GAS MAIN, SERVICE PEDESTAL, OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.

THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICES THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL EASEMENT WAYS SHOWN ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.

THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON HIS LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. EACH SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.

THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH B SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

GAS SERVICE

THE SUPPLIER OF GAS SERVICE THROUGH ITS AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL SUCH EASEMENTS SHOWN ON THE PLAT OR AS PROVIDED FOR IN THIS CERTIFICATE OF DEDICATION FOR THE PURPOSES OF INSTALLING, REMOVING, REPAIRING, OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.

THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED IN THEIR LOT, AND SHALL PREVENT THE ALTERATION, GRADE, OR ANY OTHER CONSTRUCTION ACTIVITY THAT WOULD INTERFERE WITH THE GAS SERVICE. THE SUPPLIER OF THE GAS SERVICE SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF SAID FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, OR ITS AGENTS OR CONTRACTORS.

THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

LOT SURFACE DRAINAGE

EACH LOT SHALL RECEIVE AND DRAIN, IN AN UNOBTSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM PUBLIC STREETS AND EASEMENTS NO LOT OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCE OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS HIS LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH 1 TO 3 SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY TULSA COUNTY, OKLAHOMA.

STORMWATER DETENTION EASEMENT

THE OWNER DOES HEREBY DEDICATE TO TULSA COUNTY, OKLAHOMA FOR PUBLIC USE (SUBJECT TO EASEMENTS OF RECORD) PERPETUAL EASEMENT ON, OVER, AND ACROSS THE PROPERTY DESIGNATED AND SHOWN ON THE ACCOMPANYING PLAT AS DETENTION EASEMENT FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, RETENTION, DETENTION AND DISCHARGE OF STORMWATER RUNOFF FROM THE ADDITION.

DETENTION, RETENTION AND OTHER DRAINAGE FACILITIES CONSTRUCTED WITHIN SAID EASEMENT AREA SHALL BE IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY TULSA COUNTY, OKLAHOMA.

NO FENCE, WALL, BUILDING, OR OTHER OBSTRUCTION MAY BE PLACED OR MAINTAINED IN THE DETENTION EASEMENT AREA NOR SHALL THERE BE ANY ALTERATION OF THE GRADE OR CONTOUR OF SUCH EASEMENT AREA UNLESS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS OF TULSA COUNTY.

18.4 DETENTION, RETENTION, AND OTHER DRAINAGE FACILITIES SHALL BE MAINTAINED BY THE OWNER TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE, RETENTION, AND DETENTION FUNCTIONS INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION. SAID DETENTION FACILITIES SHALL BE MAINTAINED BY THE OWNER IN ACCORDANCE TO THE FOLLOWING STANDARDS:

A. GRASS AREAS SHALL BE MOVED ON SEASONS AT REGULAR INTERVALS OF LESS THAN FOUR WEEKS.

B. CONCRETE APPURTENANCES SHALL BE MAINTAINED IN GOOD CONDITION AND REPLACED IF DAMAGED.

C. THE DETENTION EASEMENT AREA SHALL BE KEPT FREE OF DEBRIS.

D. CLEANING OF SILTATION AND VEGETATION FROM CONCRETE CHANNEL SHALL BE PERFORMED TWICE YEARLY.

18.5 LANDSCAPING APPROVED BY TULSA COUNTY SHALL BE ALLOWED WITHIN DETENTION EASEMENT.

18.6 IN THE EVENT THE OWNER SHOULD FAIL TO PROPERLY MAINTAIN THE DETENTION, RETENTION, AND OTHER DRAINAGE FACILITIES ON, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN OR THE ALTERATION OF THE GRADE OR CONTOUR THEREIN, TULSA COUNTY, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER AND PERFORM MAINTENANCE NECESSARY TO THE ACHIEVEMENT OF THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE OR CONTOUR, AND THE COST THEREOF SHALL BE PAID BY THE OWNER. IN THE EVENT THE OWNER FAILS TO PAY THE COST OF MAINTENANCE AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, TULSA COUNTY, OKLAHOMA, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE PROPERTY A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY TULSA COUNTY, OKLAHOMA.

18.7 ROOF DRAIN REQUIREMENTS

THE OWNER/DEVELOPER HEREBY IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING UPON EACH AFFECTED LOT OWNER AND SHALL BE ENFORCEABLE BY TULSA COUNTY, OKLAHOMA, THAT THE BUILDINGS CONSTRUCTED IN THE ADDITION SHALL BE ROOF DRAINS DESIGNED AND CONSTRUCTED TO DISCHARGE STORMWATER RUNOFF TO THE ON SITE STORMWATER DETENTION FACILITY OR APPROVED PATH OF DISCHARGE TO A TULSA COUNTY CONVEYANCE SYSTEM.

18.8 SIDEWALKS

SIDEWALKS ARE REQUIRED ALONG STREETS DESIGNATED BY AND IN ACCORDANCE WITH SUBDIVISION REGULATIONS. REQUIRED SIDEWALKS SHALL BE CONSTRUCTED IN CONFORMANCE WITH TULSA COUNTY ENGINEERING DESIGN STANDARDS. THE OWNER/DEVELOPER SHALL CONSTRUCT REQUIRED SIDEWALKS ALONG ALL STREET FRONTAGES.

SECTION 2 ENFORCEMENT, DURATION, AMENDMENT AND SEVERABILITY

A. ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS WITHIN THE PROVISIONS OF SECTION 1. PUBLIC STREETS AND UTILITY EASEMENTS ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITHIN SECTION 1 WHETHER OR NOT SPECIFICALLY THERIN SO STATED SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY AND COUNTY OF TULSA, OKLAHOMA, IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED WITHIN THIS DEED OF DEDICATION, THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW IS HEREBY WAIVED.

B. DURATION

THESE RESTRICTIONS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL BUT IN ANY EVENT SHALL BE IN FORCE AND EFFECT FOR A TERM OF NOT LESS THAN THIRTY (30) YEARS FROM THE DATE OF THE RECORDING OF THIS DEED OF DEDICATION UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION 1 PUBLIC STREETS AND UTILITY EASEMENTS MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS, AND THE CITY AND COUNTY OF TULSA, OKLAHOMA. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING ANY COVENANTS HEREBY SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS RECORDED WITH THE TULSA COUNTY CLERK.

D. SEVERABILITY

INVALIDATION OF ANY RESTRICTION SET FORTH HEREIN, OR ANY PART THEREOF, BY AN ORDER, JUDGMENT, OR DECREE OF ANY COURT, OR OTHERWISE, SHALL NOT INVALIDATE OR AFFECT ANY OF THE OTHER RESTRICTIONS OR ANY PART THEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, THE OWNER HAS CAUSED THESE PRESENTS TO BE EXECUTED THIS ____ DAY OF _____, 2018.

C A C A INVESTMENTS, L.L.C.

BY _____

STATE OF _____, I, _____ ALLEN J EDWARDS III

COUNTY OF _____, SS

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS ____ DAY OF _____, 2017, PERSONALLY APPEARED _____ TO ME KNOWN TO BE IDENTICAL PERSON WHO SUBSCRIBED THE NAME OF THE MAKER THEREOF TO THE FOREGOING INSTRUMENT, AS ITS DEED AND ACKNOWLEDGED TO ME THAT EXECUTED THE SAME AS A FREE AND VOLUNTARY ACT AND DEED AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SUCH COMPANY FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC

I, NICHOLAS S. SCHRAEDER, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND HEREIN DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT IS A TRUE REPRESENTATION OF A SURVEY MADE ON THE GROUND USING GENERALLY THE ACCEPTED PRACTICES, AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING.

WITNESS MY HAND AND SEAL THIS ____ DAY OF _____, 2018.

NICHOLAS S. SCHRAEDER LICENSED PROFESSIONAL LAND SURVEYOR NO 1888 CERTIFICATE OF AUTHORIZATION NO. CA 2483 EXPIRES JUNE 30, 2019

STATE OF _____

COUNTY OF _____, SS

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS ____ DAY OF _____, 2017, PERSONALLY APPEARED _____ PERSON WHO SUBSCRIBED THE NAME OF THE MAKER THEREOF TO THE FOREGOING INSTRUMENT, AS ITS DEED AND ACKNOWLEDGED TO ME THAT EXECUTED THE SAME AS A FREE AND VOLUNTARY ACT AND DEED AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SUCH COMPANY FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC

I, _____ COUNTY TREASURER OF TULSA COUNTY, OKLAHOMA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE RECORDS PERTAINING TO AD VALOREM TAXES ON THE TRACT DESCRIBED IN THE ACCOMPANYING PLAT AND FIND THAT ALL THE AD VALOREM TAXES HAVE BEEN PAID TO AND INCLUDING 2017.

DATED THIS ____ DAY OF _____, 2018.

BY _____ COUNTY TREASURER

FINAL PLAT OF ALLAN EDWARDS ADDITION SHEET 2 OF 2

OLSSON ASSOCIATES logo and contact information: CA#3483, CA# 23,289, 1177 S. Steeles Ave. Suite 600 Tulsa, OK 74119, FAX 918.271.0264, www.olssonassociates.com



Tulsa Metropolitan Area
Planning Commission

Case : Yale Village

Hearing Date: February 21, 2018

Case Report Prepared by:

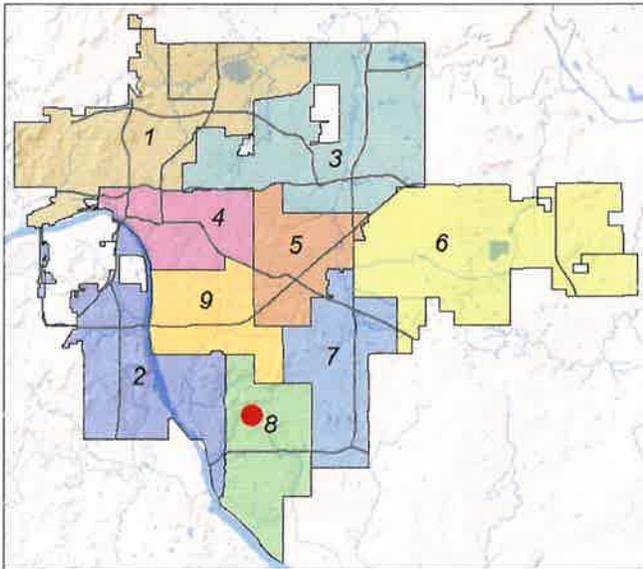
Nathan Foster

Owner and Applicant Information:

Applicant: Eric Sack, Sack & Associates

Owner: DPF Yale Village, LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Final Plat

1 lot, 1 block, 11.27 ± acres

Location: Southwest corner of East 91st
Street South and South Yale Avenue

Zoning: CS, RM-2, RM-0, RS-3, PUD-275

Staff Recommendation:

Staff recommends **approval** of the final plat

City Council District: 8

Councilor Name: Phil Lakin

County Commission District: 3

Commissioner Name: Ron Peters

EXHIBITS: Final plat

10.1

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TREASURER'S STAMP
DO NOT USE THIS SPACE

COUNTY CLERK STAMP
DO NOT USE THIS SPACE

FINAL PLAT
ENDORSEMENT OF APPROVAL

Tulsa Metropolitan Area Planning Commission

Approval Date _____

TMAPC/ACOS _____

CITY ENGINEER _____

Seal of the City of Tulsa, Oklahoma

Approval Date _____

CHAIRMAN _____

MAYOR _____

ATTY: 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 before that date.

'DRAFT FINAL PLAT
Yale Village
A SUBDIVISION OF PART OF THE
NE/4 OF SECTION 21, T-18-N, R-13-E
CITY OF TULSA, TULSA COUNTY, OKLAHOMA

TMAPC Nathan Foster
2018.02.06
10:08:10 -06'00'



Planned Unit Development Number 275



Owner
OFF YALE VILLAGE LLC
ATTN: ANDREA KARP
518 17TH STREET, 17TH FLOOR
DENVER, COLORADO 80202
PHONE: (303) 869-4800

Engineer / Surveyor
SACK AND ASSOCIATES, INC.
3530 EAST 31ST STREET SOUTH, SUITE A
TULSA, OKLAHOMA 74135-1519
PHONE: (918) 562-4111
E-MAIL: SACKANDASSOCIATES.COM
C.A. No. 1783 (EXP. JUNE 30, 2019)

Base of Bearings
THE BEARINGS SHOWN HEREON ARE BASED ON THE RECORDED PLAT OF 'BLOCK-1 THE CHARTER', PLAT NUMBER 4254.

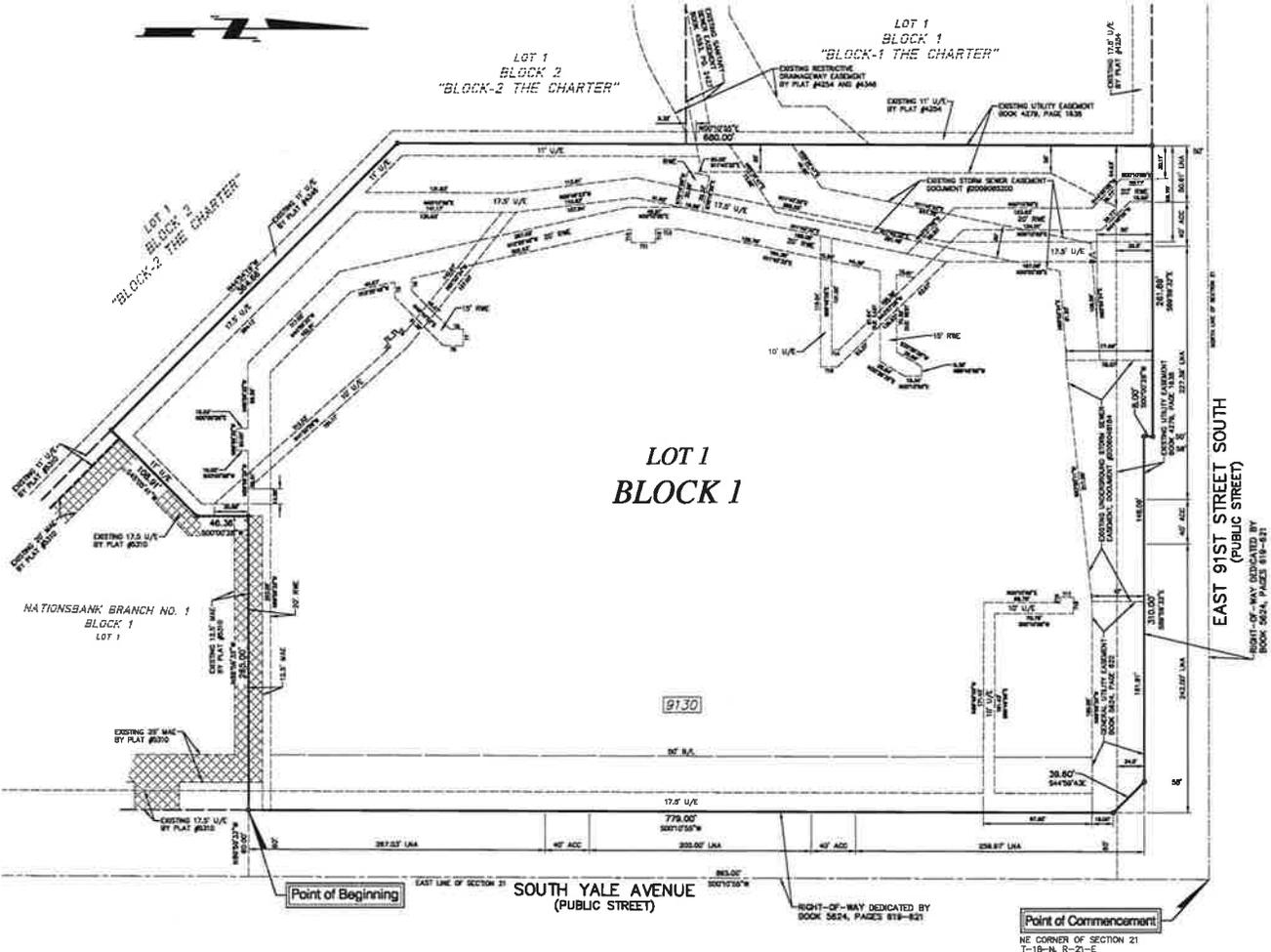
Monumentation
ALL CORNERS TO BE SET USING A 3/8" x 18" IRON PIN WITH A YELLOW CAP STAMPED 'SACK LS 1139', UNLESS OTHERWISE NOTED.

Legend

- ACC = ACCESS PERMITTED
- B/L = BUILDING LINE
- LNA = LIMITS OF NO ACCESS
- MAE = MUTUAL ACCESS EASEMENT
- RWE = RESTRICTED WATERLINE EASEMENT
- U/E = UTILITY EASEMENT
- [Hatched Box] = MUTUAL ACCESS EASEMENT
- [Dashed Box] = STREET ADDRESS

Subdivision Statistics
SUBDIVISION CONTAINS 1 LOT IN 1 BLOCK
BLOCK 1 CONTAINS 11.2869 ACRES (480,857 S.F.)

LINE	LENGTH	BEARING
1	5.00	S89°52'00"W
2	8.36	N87°20'00"W
3	5.36	N85°52'00"W
4	5.00	N75°00'00"W
5	15.98	S80°00'00"W
6	14.12	N85°00'00"W
7	15.00	N85°00'00"W
8	15.00	S80°00'00"W
9	11.00	S80°00'00"W
10	12.00	S89°52'00"W
11	12.00	N89°52'00"W
12	12.00	N89°52'00"W
13	7.43	N80°00'00"W
14	8.43	N80°00'00"W
15	5.00	N89°52'00"W
16	5.00	N89°52'00"W
17	5.00	S89°52'00"W
18	5.00	S89°52'00"W



Addresses
ADDRESSES SHOWN ON THIS PLAT ARE ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.

10.2



Case Number: PUD-803-4
Minor Amendment

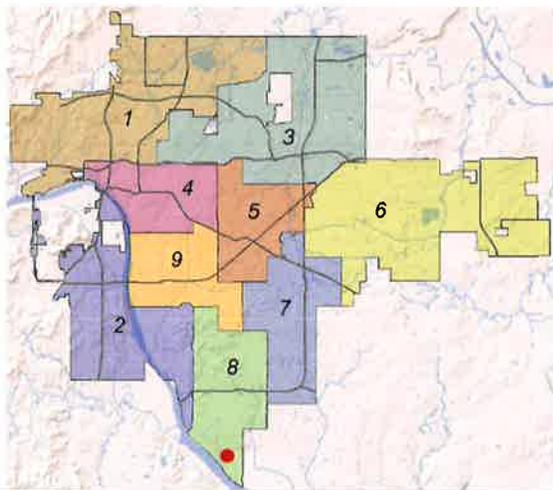
Hearing Date: February 21, 2018

Case Report Prepared by:
Jay Hoyt

Owner and Applicant Information:
Applicant: Tanner Consulting

Property Owner: 121st Street Property, LLC.

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Concept summary: PUD minor amendment to redefine lot widths.

Gross Land Area: 90.2 acres

Location: East of the SE/c S Yale Ave & E 121st St S

Lots 5 and 6, Block 1; Lot 3, Block 2; Lots 8 and 9, Block 3 Estates At The River

Zoning:
Existing Zoning: RS-4/PUD-803
Proposed Zoning: No Change

Staff Recommendation:
Staff recommends **approval**.

Comprehensive Plan:
Land Use Map: New Neighborhood
Growth and Stability Map: Growth

Staff Data:
TRS: 7303
CZM: 62
Atlas: 3576

City Council District: 8
Councilor Name: Phil Lakin

County Commission District: 3
Commissioner Name: Ron Peters

11.1

SECTION I: PUD-803-4 Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Modify the PUD Development Standards to redefine the interpretation of lot widths. PUD-803-1 established 60 ft minimum lot widths, but, for lots on a curve, the width was to be measured at the building setback line. The applicant is proposing that the lot widths for these lots use the interpretation from the zoning code, which is defined as the average horizontal distance between lot lines.

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

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

Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-803 and subsequent amendments shall remain in effect.

Exhibits included with staff recommendation:

INCOG zoning case map

INCOG aerial photo

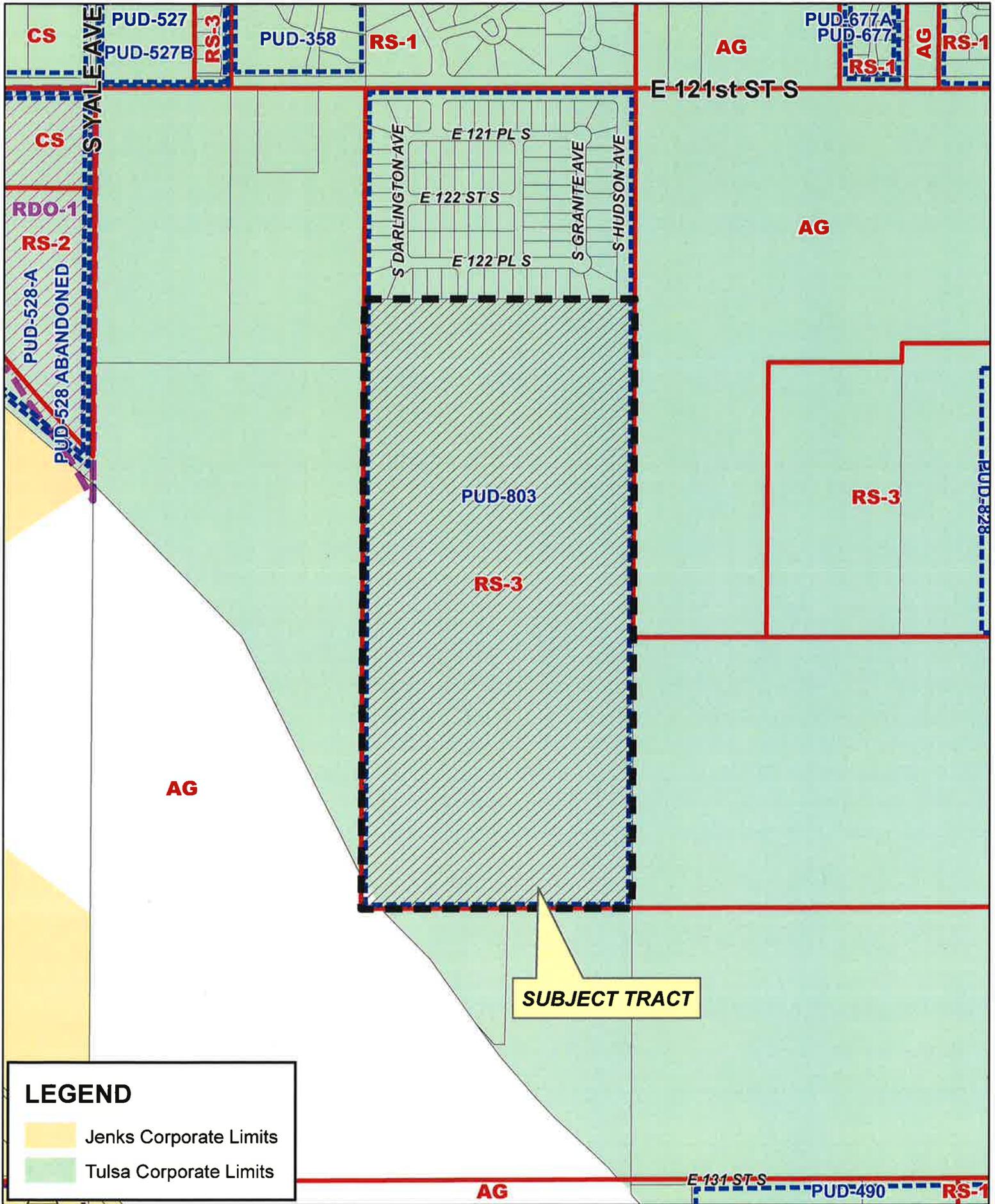
Applicant Exhibits:

A.1 – Boundary Legal Description

A.2 – Boundary Exhibit

Minor Amendment Letter

With considerations listed above, staff recommends **approval** of the minor amendment request to redefine lot widths for lots on a curve.



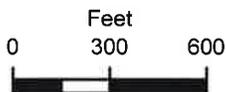
LEGEND

- Jenks Corporate Limits
- Tulsa Corporate Limits

SUBJECT TRACT

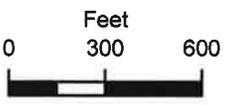
PUD-803-4

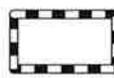
17-13 03



11.3





 Subject Tract

PUD-803-4

17-13 03

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

Aerial Photo Date: February 2016



Exhibit "A.1"
121st & Yale
Boundary Legal Description

Description

A TRACT OF LAND THAT INCLUDES A PORTION OF GOVERNMENT LOT THREE (3), THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE/4 NW/4), AND GOVERNMENT LOT SIX (6) OF SECTION THREE (3), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 6; THENCE SOUTH 88°52'18" WEST AND ALONG THE SOUTH LINE OF SAID LOT 6, FOR A DISTANCE OF 1,319.91 FEET TO THE SOUTHWEST CORNER OF LOT 6; THENCE NORTH 0°55'36" WEST AND ALONG AND THROUGH THE WEST LINE OF LOT 6, FOR A DISTANCE OF 2977.91 FEET TO A POINT ON THE WEST LINE OF SAID GOVERNMENT LOT 3; THENCE NORTH 88°54'47" EAST FOR A DISTANCE OF 1,317.98 FEET, TO A POINT ON THE EAST LINE OF SAID GOVERNMENT LOT 3; THENCE SOUTH 00°57'49" EAST AND ALONG AND THROUGH THE EAST LINE OF GOVERNMENT LOT 3, FOR A DISTANCE OF 2976.91 FEET TO THE SOUTHEAST CORNER OF GOVERNMENT LOT 6 AND THE POINT OF BEGINNING.

Area

SAID TRACT CONTAINING 3,927,019.26 SQUARE FEET OR 90.152 ACRES.

Basis of Bearing

THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501), NORTH AMERICAN DATUM 1983 (NAD83).

Real Property Certification

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



DAN E. TANNER, P.L.S.
OKLAHOMA P.L.S. #1435
OKLAHOMA CA #2661
EXPIRATION DATE: 6/30/15

1.29.2015

DATE

Tanner Consulting, LLC

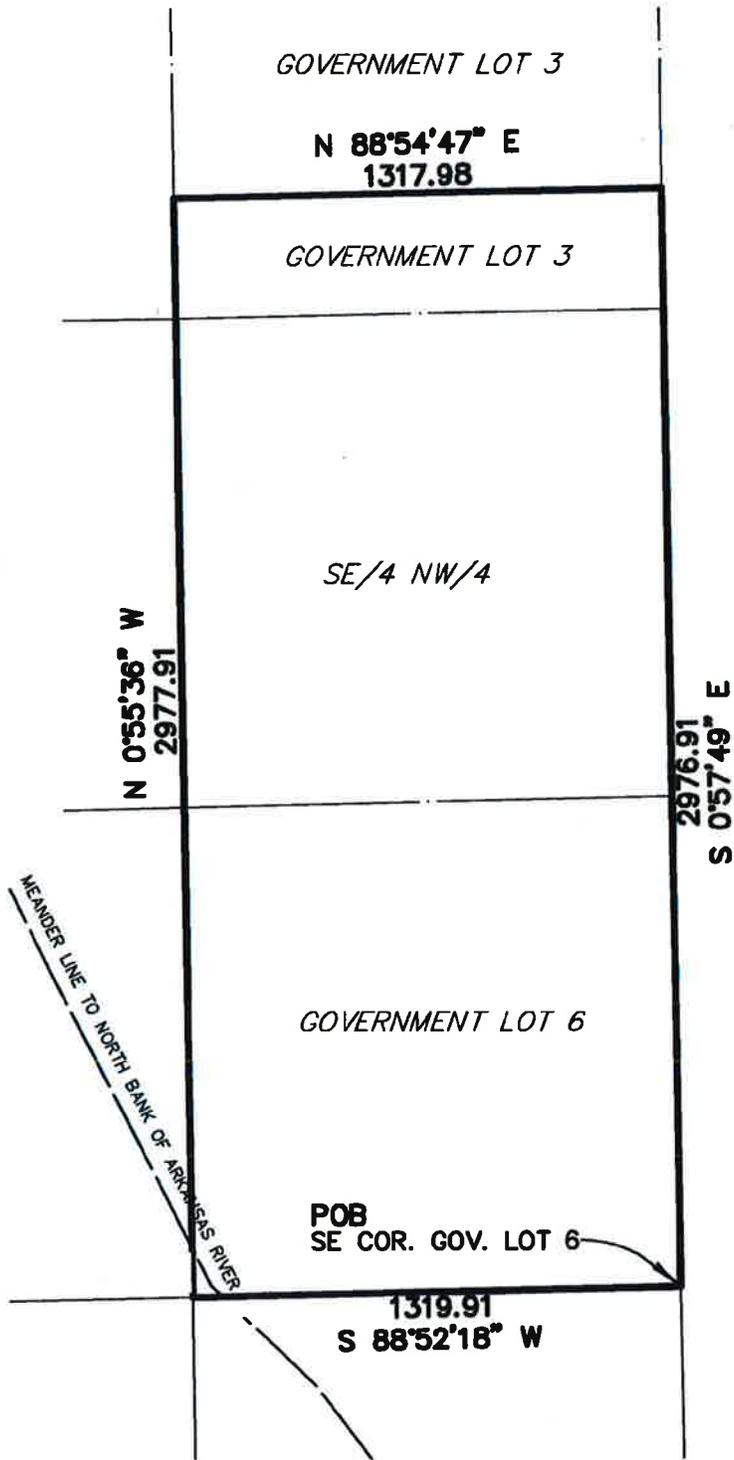
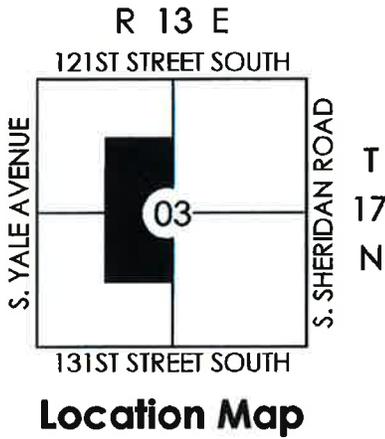
5323 SOUTH LEWIS AVENUE • TULSA, OKLAHOMA 74105 • (918)745-9929

11.5

Exhibit "A.2"

121st & Yale

Boundary Exhibit



LEGEND

COR CORNER
GOV GOVERNMENT
SE SOUTHEAST
NW NORTHWEST

Tanner Consulting, LLC

11.6

January 23, 2018

Tulsa Metropolitan Area Planning Commission
2 West 2nd Street South, Suite 800
Tulsa, OK 74103

Re: PUD 803-2 – Minor Amendment #2 for The Estates at the River

Dear Chair and Commissioners:

Containing 121.329 acres located at the southwest corner of the intersection of 121st St. S. and S. Hudson Ave. in the City of Tulsa, “The Estates at the River” was approved as Planned Unit Development (PUD) No. 803 on January 09, 2014, after being affirmatively recommended by TMAPC November 20, 2013. The first phase was platted March 04, 2016, the second phase is under construction and has been submitted as a Draft Final Plat, and the third phase was approved for Preliminary Plat by TMAPC on July 20, 2016. The first phase contains typically 70’-wide lots, the second typically 60’-wide lots, and the third typically range between 60’ and 70’ in width. The 60’ lot widths were supported by the first Minor Amendment to the PUD (PUD-803-1), which pertained to the second and third phases and which also relaxed the PUD’s original lot number restriction. PUD-803-1 inadvertently included an interpretation of the 60’ lot width standard by requiring 60’ of width at the building lines of lots on a curve, rather than the standard lot width definition of the old and new Tulsa Zoning Codes, which measure the average horizontal distance between the side lot lines. To preserve regularity of building lines within our subdivision, we propose to remove this interpretation qualifier by asterisk text.

This letter proposes a Minor Amendment to PUD-803 (second and third phases) to restore the standard interpretation of lot width per the current Tulsa Zoning Code, by removing the asterisk text qualifier.

No other changes are proposed by this Minor Amendment.

Please contact me at (918) 745-9929 or eenyart@tannerbaitshop.com if you have any questions or need additional information.

Respectfully,



Erik Enyart, AICP, CFM



Tulsa Metropolitan Area
Planning Commission

Case : Huntington Park II

Hearing Date: February 21, 2018

Case Report Prepared by:

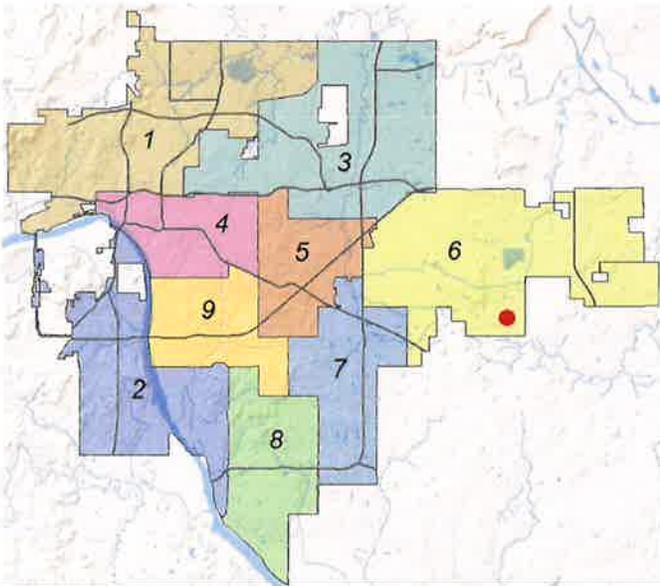
Nathan Foster

Owner and Applicant Information:

Applicant: Mark Capron, Sisemore Weisz & Associates

Owner: Lynn Lane 44, LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Preliminary Plat

170 lots, 10 blocks, 2 reserves, 44.37 ± acres

Location: South and east of the intersection of South 177th East Avenue and East 41st Street South

Zoning: RS-4/PUD-816

Staff Recommendation:

Staff recommends **approval** of the reinstatement

City Council District: 6

Councilor Name: Connie Dodson

County Commission District: 1

Commissioner Name: John Smaligo

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

12.1

PRELIMINARY SUBDIVISION PLAT

Huntington Park II - (CD 6)

South and east of the intersection of South 177th East Avenue and East 41st Street South

This plat consists of 170 lots, 10 blocks on 44.37 ± acres.

The Technical Advisory Committee (TAC) met on January 18, 2018 and provided the following conditions:

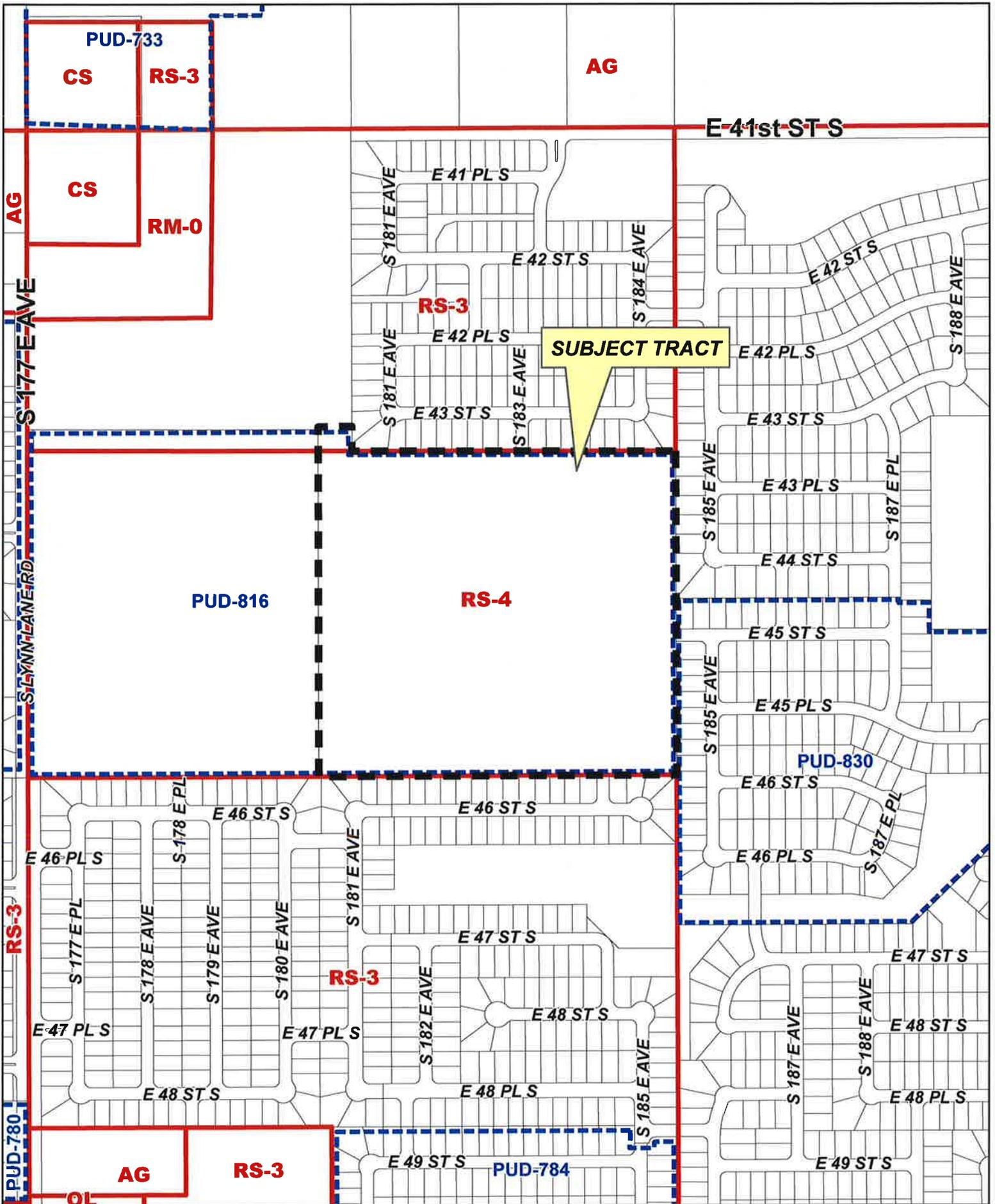
1. **Zoning:** The proposed lots conform to the requirements of PUD-816.
2. **Addressing:** Approved as shown.
3. **Transportation & Traffic:** Provide access through Reserve Area B to the proposed school site to the northeast. Legal survey closure form must be provided with final plat.
4. **Sewer:** All utility easements including sanitary sewer lines must be a minimum of 15'. Increase width of appropriate easements.
5. **Water:** Approved as submitted.
6. **Engineering Graphics:** Submit a subdivision control data sheet with final plat. Provide addresses for individual lots. Show only platted subdivisions in the location map. Add 3501 after North Zone under the "Basis of Bearing" heading and state whether the plat was surveyed in survey feet of feet. Show property pins set/found graphically. Ensure written legal description matches the face of the plat.
7. **Fire:** No comments.
8. **Stormwater, Drainage, & Floodplain:** No comments.
9. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

Waivers of Subdivision Regulations:

1. None Requested

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

12.2



**HUNTINGTON
PARK II**

19-14 25

12.3

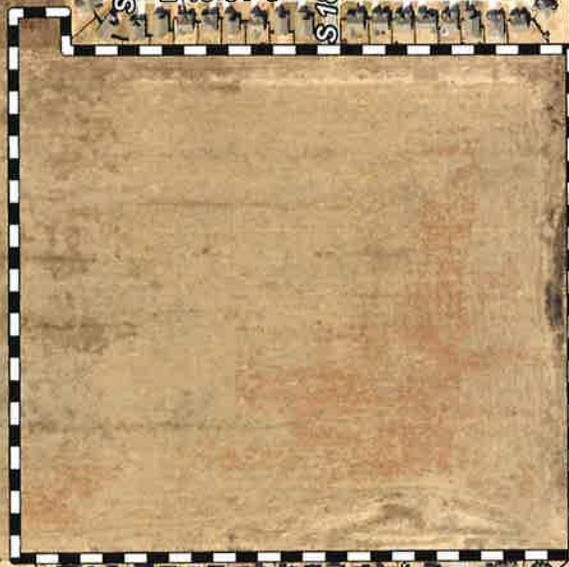




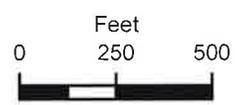
S LYNN LANE RD
S 177 E AVE

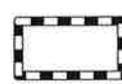
E 41st ST S

S 181 E AVE
E 41 PL S
E 42 ST S
S 184 E AVE
E 42 PL S
E 42 ST S
S 188 E AVE
E 43 ST S
E 43 PL S
S 185 E AVE
S 187 E PL
E 44 ST S
E 45 ST S
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E 46 ST S
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S 187 E PL
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S 187 E AVE
S 188 E AVE
E 48 PL S
E 48 PL S
E 49 ST S
E 49 ST S



E 46 PL S
S 177 E PL
S 178 E AVE
S 178 E PL
E 46 ST S
S 179 E AVE
S 180 E AVE
S 181 E AVE
E 47 PL S
E 47 PL S
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E 48 PL S
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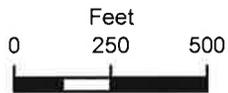
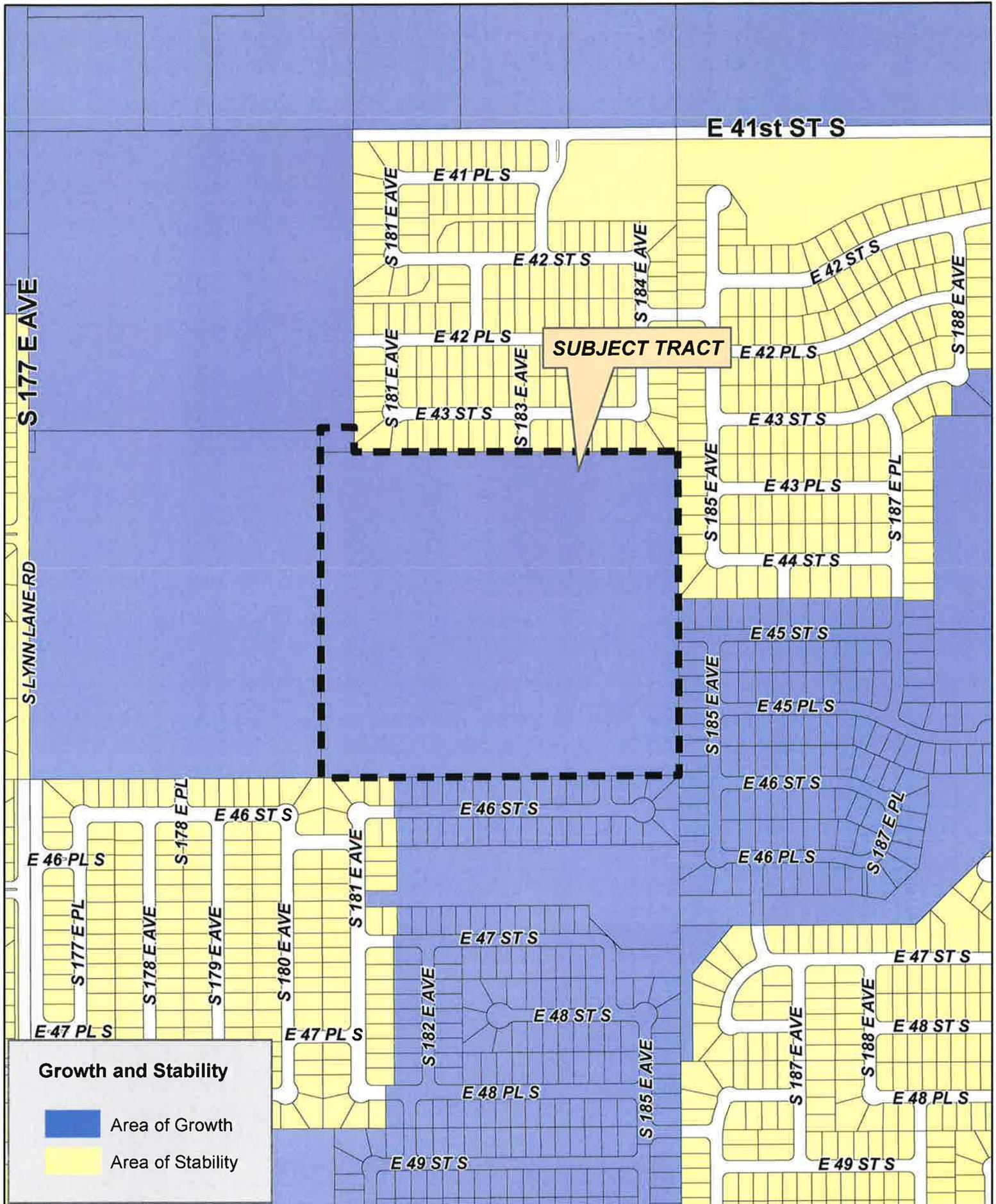
 Subject Tract

HUNTINGTON PARK II

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

Aerial Photo Date: February 2016



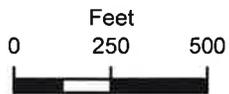
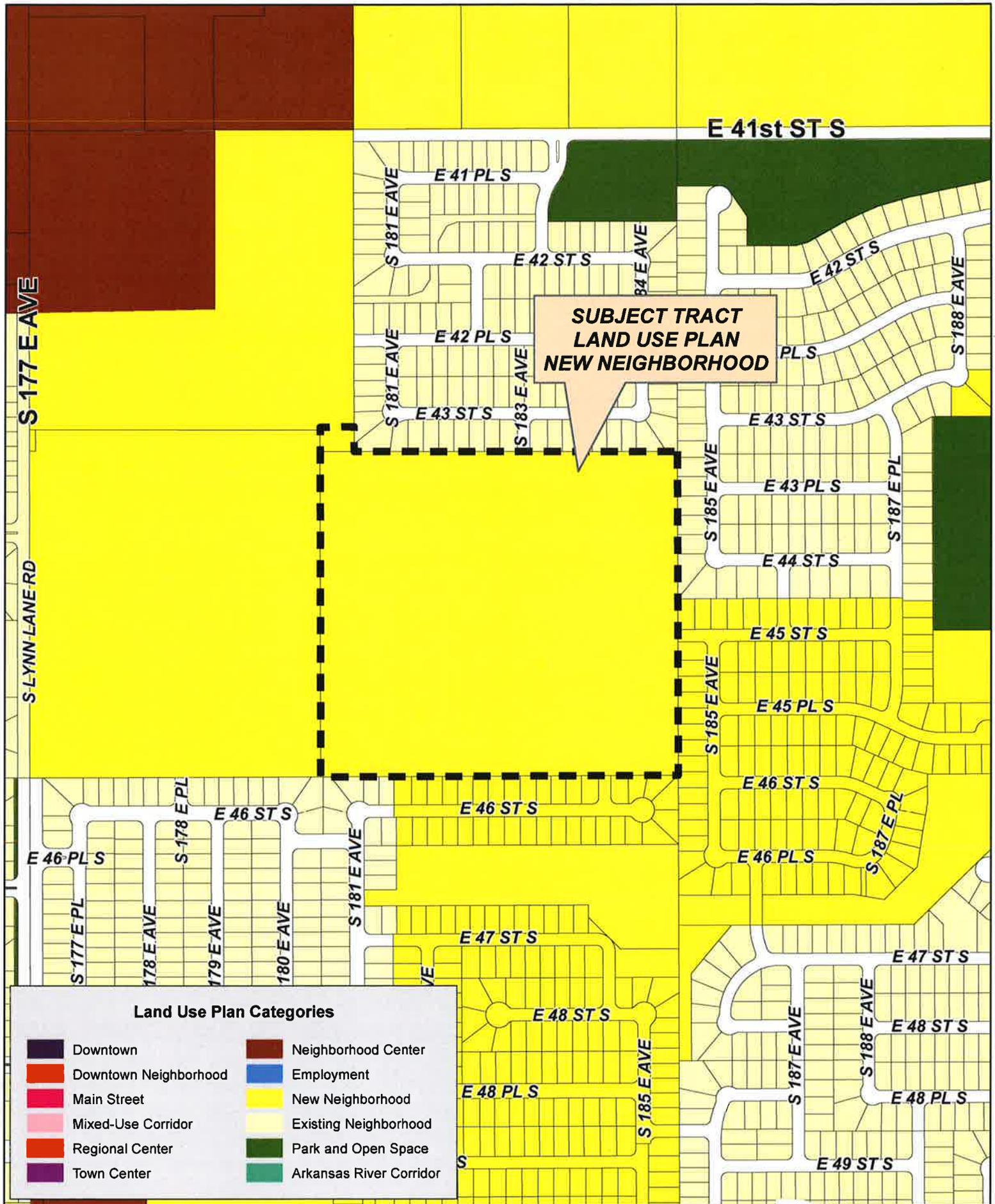


**HUNTINGTON
PARK II**

19-14 25

12.5





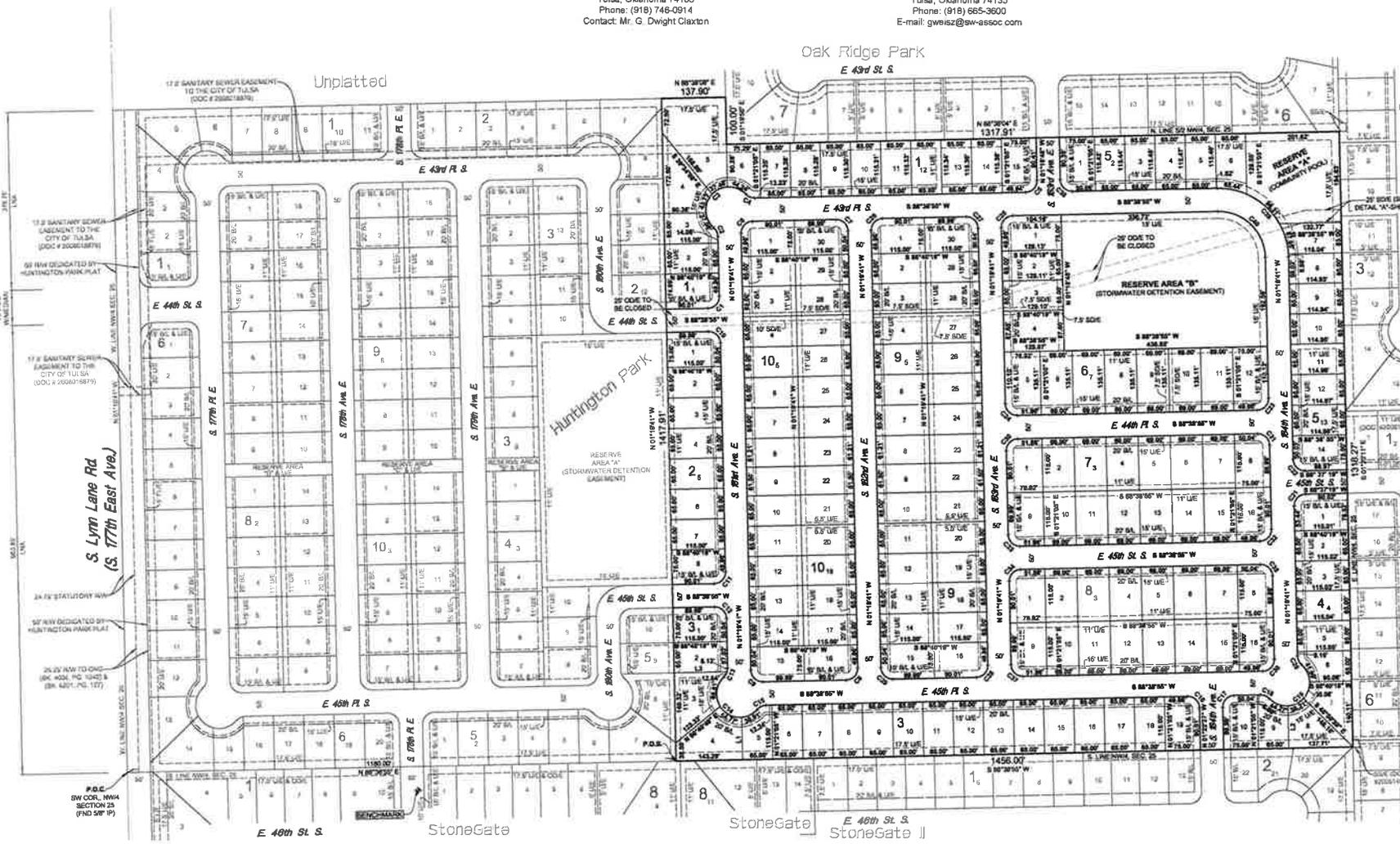
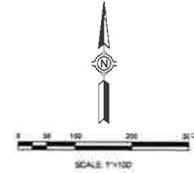
Preliminary Plat Huntington Park II

A SUBDIVISION OF PART OF THE NORTH-WEST QUARTER (NW¼) OF SECTION TWENTY-FIVE (25),
TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

P.U.D. NO. 816

Owner/Developer:
Lynn Lane 44, LLC
An Oklahoma Limited Liability Company
5407 S. Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 748-0914
Contact: Mr. G. Dwight Claxton

Engineer/Surveyor:
Sisemore Weisz & Associates, Inc.
Certificate of Authorization No. 2421 Exp. June 30, 2019
6111 E. 32nd Place
Tulsa, Oklahoma 74135
Phone: (918) 665-3600
E-mail: gweisz@sw-assoc.com



Subdivision Statistics:
SUBDIVISION CONTAINS ONE HUNDRED SEVENTY (170) LOTS IN TEN (10) BLOCKS AND TWO (2) RESERVE AREAS
RESERVE AREA "A" CONTAINS 0.83 ACRES (26,508 SQ. FT.)
RESERVE AREA "B" CONTAINS 2.645 ACRES (125,561 SQ. FT.)
SUBDIVISION CONTAINS 14,311 TOTAL ACRES (1,823,784 SQ. FT.)

- Legend:
- UE = UTILITY EASEMENT
 - BE = BUILDING SETBACK EASEMENT
 - OE = OVERLAND DRAINAGE EASEMENT
 - SE = STORM SEWER EASEMENT
 - FE = FENCE/ENCROACHMENT EASEMENT
 - RO = RIGHT-OF-WAY
 - ACC = ACCESS
 - LNA = LIMITS OF NO ACCESS
 - P.O.C. = POINT OF COMMENCEMENT
 - POB = POINT OF BEGINNING
 - PI = IRON PIN
 - CD = CHORD BEARING
 - CL = CHORD LENGTH
 - ML = MILEAGE
 - BR = BOOK
 - PG = PAGE
 - SEC = SECTION

Monumentation:
3/8" IRON PIN TO BE SET AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED

Basis of Bearing:
BEARINGS SHOWN HEREON ARE BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE, 14D NAD 83, WITH THE WEST LINE OF SECTION 36 AS 91°18'11" W.

Benchmark:
CHISEL 5" ON CURB LOCATED APPROXIMATELY SIX' EAST AND 30' SOUTH OF THE SOUTHWEST CORNER OF LOT 14, BLOCK 6, HUNTINGTON PARK.
NAVD 1985 DATUM
ELEVATION=861.8

Notes:
1. ADDRESSES SHOWN ON THIS PLAT WERE ACCURATE AT THE TIME THIS PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF LEGAL DESCRIPTION.
2. SEE SHEET 2 FOR LOT AREA/ADDRESSING TABLE AND CURVE & LINE TABLE.

FINAL PLAT	ENDORSEMENT OF APPROVAL
Title Registration Area Planning Commission	
Approval Date: _____	
TULSA COUNTY	
CITY ENGINEER	
Council of the City of Tulsa, Oklahoma	
Approval Date: _____	
CITY CLERK	
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 before that date.

Cypress Creek Estates

Unplatted

Oak Ridge Park
E 49th St S

Huntington Park
RESERVE AREA "A"
(STORMWATER DETENTION EASEMENT)

RESERVE AREA "B"
(STORMWATER DETENTION EASEMENT)

Cypress Creek

S. Lynn Lane Rd.
(S. 177th East Ave.)

E 49th St S

StoneGate

StoneGate

StoneGate II
E 48th St S

127

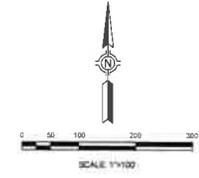
Conceptual Utility Plan Huntington Park II

A SUBDIVISION OF PART OF THE NORTH-WEST QUARTER (NW/4) OF SECTION TWENTY-FIVE (25),
TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

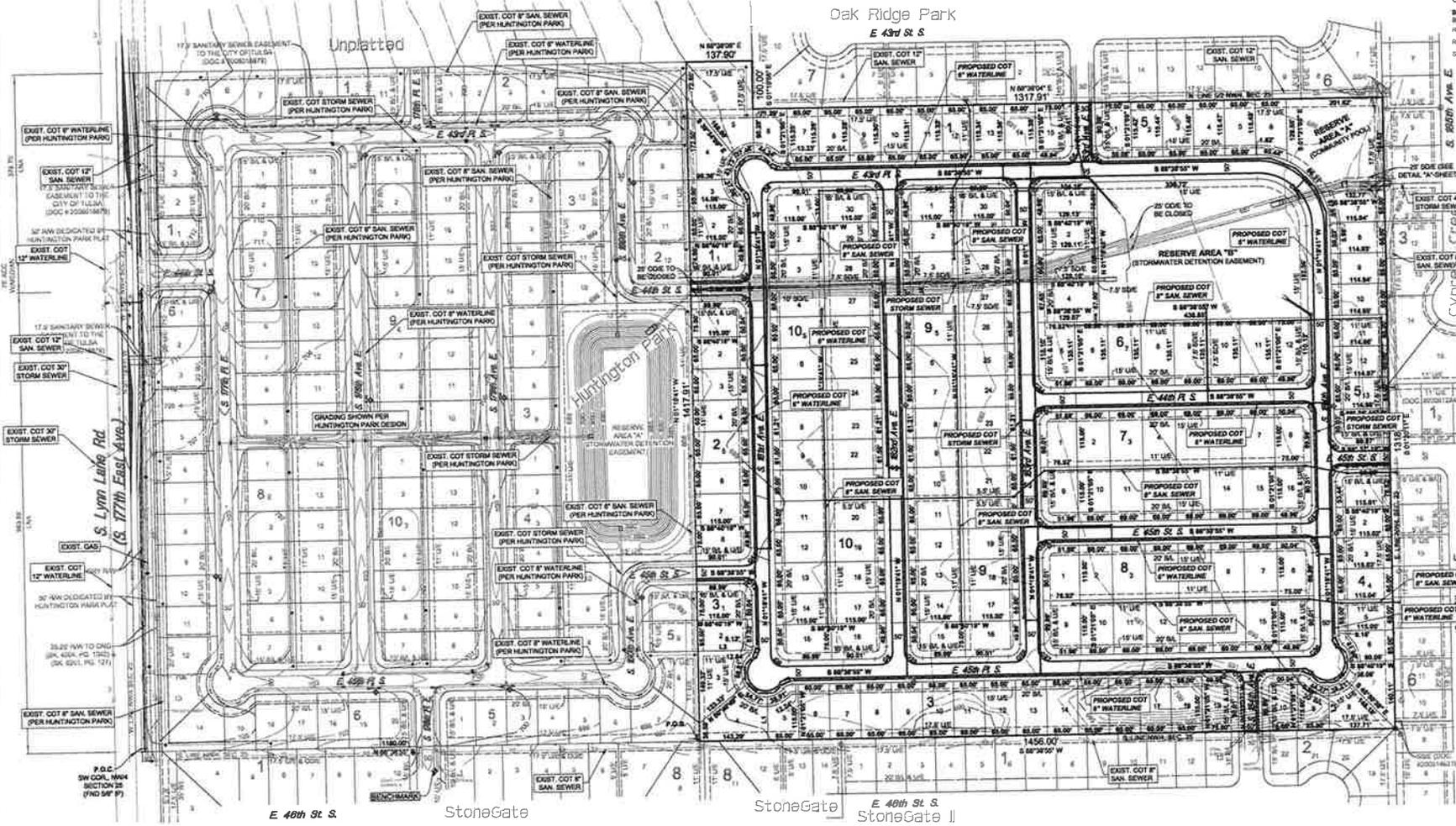
P.U.D. NO. 816

Owner/Developer:
Lynn Lane 44, LLC
An Oklahoma Limited Liability Company
5407 S. Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 746-0914
Contact: Mr. G. Dwight Claxton

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Phone: (918) 665-3600
E-mail: gweisz@sw-assoc.com



**REFERENCE DRAWING ONLY
(SITE PLAN WITH UTILITIES
AND TOPOGRAPHY)**



Subdivision Statistics:
SUBDIVISION CONTAINS ONE HUNDRED SEVENTY (170) PLOTS WITH TEN (10) BLOCKS AND TWO (2) RESERVE AREAS
RESERVE AREA "A" CONTAINS 0.834 ACRES (36.508 SF)
RESERVE AREA "B" CONTAINS 2.866 ACRES (125,661 SF)
SUBDIVISION CONTAINS 41,371 TOTAL ACRES (1,131,794.51)

- Legend:
- UE = UTILITY EASEMENT
 - BE = BEARING
 - COE = OVERLAND DRAINAGE EASEMENT
 - SW = STORM SEWER EASEMENT
 - FW = FENCIBLE/LANDSCAPE EASEMENT
 - ACC = RIGHT-OF-WAY
 - ADD = ADDRESS
 - LMA = LIMITS OF NO ACCESS
 - P.O.C. = POINT OF COMMINGMENT
 - FIN = FILING
 - IF = IRON PIN
 - CL = CHORD LENGTH
 - CH = CHORD BEARING
 - R = RADIUS
 - BOOK = BOOK
 - PAGE = PAGE
 - SEC. = SECTION

Monumentation:
3/4" IRON PINS TO BE SET AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED

Basis of Bearing:
BEARINGS SHOWN HEREON ARE BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE, AND IS TIED TO THE WEST LINE OF SECTION 25 AS IN 11/19/41 W Benchmark.

- Notes
1. ADDRESSES SHOWN ON THIS PLAN WERE ACCURATE AT THE TIME THIS PLAN WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF LEGAL DESCRIPTION.
 2. SEE SHEET 2 FOR LOT AREA/ADDRESSING TABLE AND CURVE & LINE TABLE.

FINAL PLAN
ENDORSEMENT OF APPROVAL

Tulsa Metropolitan Area Planning Commission
Approved Date: _____

IMAP/NCDD
CITY ENGINEER
Approved Date: _____

County of the City of Tulsa, Oklahoma
Approved Date: _____

SHAWMAY
MAYOR

ATTORNEY/CITY CLERK
CITY ATTORNEY

The approval of this Final Plat will apply only when the date of City Council approval is filed in the Office of the County Clerk before final sale.

Preparatory Plat
Huntington Park II
Sheet 1 of 2
See Schedule January 3, 2019

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Preliminary Plat Huntington Park II

A SUBDIVISION OF PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION TWENTY-FIVE (25),
TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

P.U.D. NO. 816

Curve Table					
CURVE #	LENGTH	RADIUS	DELTA (A)	CHORD LENGTH	CHORD BEARING
C1	39.25	25.00	89°58'38"	35.38	N 43°39'57" E
C2	20.97	25.00	48°07'58"	20.38	N 25°21'41" W
C3	162.81	50.00	186°13'32"	88.60	N 43°39'57" E
C4	21.02	25.00	48°10'58"	20.41	S 87°19'58" E
C5	39.25	25.00	89°57'43"	35.34	N 43°40'24" E
C6	39.25	25.00	89°58'38"	35.38	N 43°39'57" E
C7	39.25	25.00	89°57'14"	35.38	S 48°20'23" E
C8	39.25	25.00	89°58'38"	35.38	S 43°39'57" W
C9	39.25	25.00	89°57'14"	35.38	N 48°20'23" W
C10	39.25	25.00	89°57'14"	35.38	S 48°20'23" E
C11	39.25	25.00	89°58'38"	35.38	S 43°39'57" W
C12	39.25	25.00	89°57'14"	35.38	S 48°20'23" E
C13	20.97	25.00	48°02'23"	20.38	S 22°41'34" W
C14	183.48	50.00	186°11'29"	88.60	S 48°22'54" E
C15	21.00	25.00	48°07'34"	20.39	N 64°35'08" E
C16	39.25	25.00	89°58'38"	35.38	S 48°21'48" E
C17	39.25	25.00	89°57'12"	35.38	N 43°38'14" E
C18	20.98	25.00	48°04'48"	20.37	S 87°18'42" E
C19	182.53	50.00	186°14'48"	88.60	N 43°38'10" E
C20	21.03	25.00	48°11'28"	20.41	N 25°25'29" W
C21	39.25	25.00	89°57'00"	35.34	N 43°38'08" E
C22	39.25	25.00	89°57'00"	35.34	N 48°21'11" W
C23	39.25	25.00	89°58'38"	35.38	S 43°39'57" W
C24	39.25	25.00	89°57'14"	35.38	N 48°20'23" W
C25	39.25	25.00	89°58'38"	35.38	N 43°39'57" E
C26	39.25	25.00	89°58'38"	35.38	N 43°39'57" E
C27	39.25	25.00	89°57'14"	35.38	S 48°20'23" E
C28	39.25	25.00	89°58'38"	35.38	S 43°39'57" W
C29	39.25	25.00	89°58'38"	35.38	N 43°39'57" E
C30	39.25	25.00	89°57'14"	35.38	S 48°20'23" E
C31	39.25	25.00	89°58'38"	35.38	S 43°39'57" W
C32	39.25	25.00	89°57'14"	35.38	N 48°20'23" W
C33	39.25	25.00	89°58'38"	35.38	N 43°39'57" E
C34	39.25	25.00	89°58'38"	35.38	N 43°39'57" E
C35	39.25	25.00	89°57'14"	35.38	S 48°20'23" E
C36	39.25	25.00	89°58'38"	35.38	S 43°39'57" W
C37	39.25	25.00	89°57'14"	35.38	N 48°20'23" W
C38	39.25	25.00	89°58'38"	35.38	S 48°20'23" E
C39	233.60	150.00	89°01'24"	212.18	S 48°20'23" E
C40	157.12	100.00	89°01'24"	141.49	N 48°20'23" W

Line Table		
LINE#	LENGTH	BEARING
L1	50.18	N 87°13'09" W
L2	85.78	N 81°21'59" W
L3	113.89	S 88°24'19" W

Lot Area/Address Table				
LOT	LOT AREA (SQ)	ADDRESS	STREET NAME	
BLOCK 1				
1	8867.84	4300-8913	S 181st Ave. E. E. 48th St. E.	
2	7475.00	4304	S 181st Ave. E.	
3	8812.37	4218	S 181st Ave. E.	
4	15881.87	4274	S 181st Ave. E.	
5	21037.13	18123	E 43rd Pl. E.	
6	7374.52	18167	E 43rd Pl. E.	
7	7481.57	18113	E 43rd Pl. E.	
8	7482.81	18117	E 43rd Pl. E.	
9	7483.96	18123	E 43rd Pl. E.	
10	7484.75	18123	E 43rd Pl. E.	
11	7485.74	18127	E 43rd Pl. E.	
12	7486.78	18131	E 43rd Pl. E.	
13	7487.62	18135	E 43rd Pl. E.	
14	7488.87	18139	E 43rd Pl. E.	
15	8515.49	18222	E 43rd Pl. E.	
BLOCK 2				
1	8482.84	4400-18114	S 181st Ave. E. E. 48th St. E.	
2	7475.02	4412	S 181st Ave. E.	
3	7475.02	4418	S 181st Ave. E.	
4	7475.02	4424	S 181st Ave. E.	
5	7475.02	4430	S 181st Ave. E.	
6	7475.02	4436	S 181st Ave. E.	
7	7475.02	4442	S 181st Ave. E.	
8	8488.24	4426-18113	S 181st Ave. E. E. 48th St. E.	
9	7475.02	4448	S 181st Ave. E.	
10	7475.02	4454	S 181st Ave. E.	
11	7475.02	4460	S 181st Ave. E.	
12	7475.02	4466	S 181st Ave. E.	
13	7475.02	4472	S 181st Ave. E.	
14	7475.02	4478	S 181st Ave. E.	
15	7475.02	4484	S 181st Ave. E.	
16	7475.02	4490	S 181st Ave. E.	
17	7475.02	4496	S 181st Ave. E.	
18	7475.02	4502	S 181st Ave. E.	
19	7475.02	4508	S 181st Ave. E.	
20	7475.02	4514	S 181st Ave. E.	
21	7475.02	4520	S 181st Ave. E.	
22	7475.02	4526	S 181st Ave. E.	
23	7475.02	4532	S 181st Ave. E.	
24	7475.02	4538	S 181st Ave. E.	
25	7475.02	4544	S 181st Ave. E.	
26	7475.02	4550	S 181st Ave. E.	
27	7475.02	4556	S 181st Ave. E.	
28	7475.02	4562	S 181st Ave. E.	
29	7475.02	4568	S 181st Ave. E.	
30	7475.02	4574	S 181st Ave. E.	
31	7475.02	4580	S 181st Ave. E.	
32	7475.02	4586	S 181st Ave. E.	
33	7475.02	4592	S 181st Ave. E.	
34	7475.02	4598	S 181st Ave. E.	
35	7475.02	4604	S 181st Ave. E.	
36	7475.02	4610	S 181st Ave. E.	
37	7475.02	4616	S 181st Ave. E.	
38	7475.02	4622	S 181st Ave. E.	
39	7475.02	4628	S 181st Ave. E.	
40	7475.02	4634	S 181st Ave. E.	
41	7475.02	4640	S 181st Ave. E.	
42	7475.02	4646	S 181st Ave. E.	
43	7475.02	4652	S 181st Ave. E.	
44	7475.02	4658	S 181st Ave. E.	
45	7475.02	4664	S 181st Ave. E.	
46	7475.02	4670	S 181st Ave. E.	
47	7475.02	4676	S 181st Ave. E.	
48	7475.02	4682	S 181st Ave. E.	
49	7475.02	4688	S 181st Ave. E.	
50	7475.02	4694	S 181st Ave. E.	
51	7475.02	4700	S 181st Ave. E.	
52	7475.02	4706	S 181st Ave. E.	
53	7475.02	4712	S 181st Ave. E.	
54	7475.02	4718	S 181st Ave. E.	
55	7475.02	4724	S 181st Ave. E.	
56	7475.02	4730	S 181st Ave. E.	
57	7475.02	4736	S 181st Ave. E.	
58	7475.02	4742	S 181st Ave. E.	
59	7475.02	4748	S 181st Ave. E.	
60	7475.02	4754	S 181st Ave. E.	
61	7475.02	4760	S 181st Ave. E.	
62	7475.02	4766	S 181st Ave. E.	
63	7475.02	4772	S 181st Ave. E.	
64	7475.02	4778	S 181st Ave. E.	
65	7475.02	4784	S 181st Ave. E.	
66	7475.02	4790	S 181st Ave. E.	
67	7475.02	4796	S 181st Ave. E.	
68	7475.02	4802	S 181st Ave. E.	
69	7475.02	4808	S 181st Ave. E.	
70	7475.02	4814	S 181st Ave. E.	
71	7475.02	4820	S 181st Ave. E.	
72	7475.02	4826	S 181st Ave. E.	
73	7475.02	4832	S 181st Ave. E.	
74	7475.02	4838	S 181st Ave. E.	
75	7475.02	4844	S 181st Ave. E.	
76	7475.02	4850	S 181st Ave. E.	
77	7475.02	4856	S 181st Ave. E.	
78	7475.02	4862	S 181st Ave. E.	
79	7475.02	4868	S 181st Ave. E.	
80	7475.02	4874	S 181st Ave. E.	
81	7475.02	4880	S 181st Ave. E.	
82	7475.02	4886	S 181st Ave. E.	
83	7475.02	4892	S 181st Ave. E.	
84	7475.02	4898	S 181st Ave. E.	
85	7475.02	4904	S 181st Ave. E.	
86	7475.02	4910	S 181st Ave. E.	
87	7475.02	4916	S 181st Ave. E.	
88	7475.02	4922	S 181st Ave. E.	
89	7475.02	4928	S 181st Ave. E.	
90	7475.02	4934	S 181st Ave. E.	
91	7475.02	4940	S 181st Ave. E.	
92	7475.02	4946	S 181st Ave. E.	
93	7475.02	4952	S 181st Ave. E.	
94	7475.02	4958	S 181st Ave. E.	
95	7475.02	4964	S 181st Ave. E.	
96	7475.02	4970	S 181st Ave. E.	
97	7475.02	4976	S 181st Ave. E.	
98	7475.02	4982	S 181st Ave. E.	
99	7475.02	4988	S 181st Ave. E.	
100	7475.02	4994	S 181st Ave. E.	
BLOCK 3				
1	8867.84	4300-8913	S 181st Ave. E. E. 48th St. E.	
2	7475.00	4304	S 181st Ave. E.	
3	8812.37	4218	S 181st Ave. E.	
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7	7481.57	18113	E 43rd Pl. E.	
8	7482.81	18117	E 43rd Pl. E.	
9	7483.96	18123	E 43rd Pl. E.	
10	7484.75	18123	E 43rd Pl. E.	
11	7485.74	18127	E 43rd Pl. E.	
12	7486.78	18131	E 43rd Pl. E.	
13	7487.62	18135	E 43rd Pl. E.	
14	7488.87	18139	E 43rd Pl. E.	
15	8515.49	18222	E 43rd Pl. E.	
BLOCK 4				
1	8482.84	4400-18114	S 181st Ave. E. E. 48th St. E.	
2	7475.02	4412	S 181st Ave. E.	
3	7475.02	4418	S 181st Ave. E.	
4	7475.02	4424	S 181st Ave. E.	
5	7475.02	4430	S 181st Ave. E.	
6	7475.02	4436	S 181st Ave. E.	
7	7475.02	4442	S 181st Ave. E.	
8	8488.24	4426-18113	S 181st Ave. E. E. 48th St. E.	
9	7475.02	4448	S 181st Ave. E.	
10	7475.02	4454	S 181st Ave. E.	
11	7475.02	4460	S 181st Ave. E.	
12	7475.02	4466	S 181st Ave. E.	
13	7475.02	4472	S 181st Ave. E.	
14	7475.02	4478	S 181st Ave. E.	
15	7475.02	4484	S 181st Ave. E.	
16	7475.02	4490	S 181st Ave. E.	
17	7475.02	4496	S 181st Ave. E.	
18	7475.02	4502	S 181st Ave. E.	
19	7475.02	4508	S 181st Ave. E.	
20	7475.02	4514	S 181st Ave. E.	
21	7475.02	4520	S 181st Ave. E.	
22	7475.02	4526	S 181st Ave. E.	
23	7475.02	4532	S 181st Ave. E.	
24	7475.02	4538	S 181st Ave. E.	
25	7475.02	4544	S 181st Ave. E.	
26	7475.02	4550	S 181st Ave. E.	
27	7475.02	4556	S 181st Ave. E.	
28	7475.02	4562	S 181st Ave. E.	
29	7475.02	4568	S 181st Ave. E.	
30	7475.02	4574	S 181st Ave. E.	
31	7475.02	4580	S 181st Ave. E.	
32	7475.02	4586	S 181st Ave. E.	
33	7475.02	4592	S 181st Ave. E.	
34	7475.02	4598	S 181st Ave. E.	
35	7475.02	4604	S 181st Ave. E.	
36	7475.02	4610	S 181st Ave. E.	
37	7475.02	4616	S 181st Ave. E.	
38	7475.02	4622	S 181st Ave. E.	
39	7475.02	4628	S 181st Ave. E.	
40	7475.02	4634	S 181st Ave. E.	
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42	7475.02	4646	S 181st Ave. E.	
43	7475.02	4652	S 181st Ave. E.	
44	7475.02	4658	S 181st Ave. E.	

Preliminary Plat Huntington Park II

A SUBDIVISION OF PART OF THE NORTHWEST QUARTER (NW4) OF SECTION TWENTY-FIVE (25),
TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

P.U.D. NO. 816

Deed of Dedication and Restrictive Covenants
Huntington Park II

4. EACH DWELLING SHALL HAVE A GARAGE WITH STORAGE FACILITIES FOR AT LEAST TWO (2) CARS.
5. DRIVEWAYS SHALL BE CONSTRUCTED OF CONCRETE CONSISTING OF THE SAME COLOR AS SIDEWALKS, CURBS, ETC. WITHIN THE SUBDIVISION AND AS APPROVED BY THE ARCHITECTURAL COMMITTEE.
6. NO BUILDING SHALL BE CONSTRUCTED ON ANY LOT IN THIS SUBDIVISION WHICH EXCEEDS A HEIGHT OF MORE THAN TWO (2) STORIES.
7. STRUCTURES SHALL BE CREATED WITH A ROOF MADE OF COMPOSITION SHINGLES, COLOR AND TYPE, TO BE APPROVED BY THE ARCHITECTURAL COMMITTEE.
8. A MINIMUM OF 10% COVERAGE (EXCLUDING WINDOWS, DOORS, COVERED PORCHES AND PATIOS) OF BRICK, NATURAL ROCK AND STUCCO EXTENDING TO A HEIGHT OF THE FIRST FLOOR PLATE LINE SHALL BE REQUIRED ON ANY DWELLING OR OUTBUILDING IN THE SUBDIVISION. THE ARCHITECTURAL COMMITTEE MAY APPROVE AN EXCEPTION TO THE PROVISION UPON WRITTEN REQUEST.
9. NO BUILDING OR PART THEREOF, EXCEPT OPEN PORCHES AND TERRACES, SHALL BE CONSTRUCTED AND MAINTAINED ON ANY LOT NEARER TO THE FRONT PROPERTY LINE THAN THE BUILDING LINE ON THE PLAT. NO RESIDENCE SHALL BE BUILT NEARER THAN FIVE FEET (5') TO ANY SIDE LOT ON ONE SIDE, AND FIVE FEET (5') ON THE OTHER SIDE, THIS REQUIRING A COMBINED TOTAL OF AT LEAST TEN FEET (10') BETWEEN THE RESIDENCE AND BOTH SIDE LOT LINES, WHERE SIDE LOT EASEMENTS ARE SHOWN GREATER THAN THE FOREGOING, NO ENCROACHMENT SHALL BE ALLOWED ON THE EASEMENT. BUILDINGS ADJUTING A SIDE STREET MAY BE CONSTRUCTED UP TO THE 15 FOOT (15') BUILDING LINE, EXCEPT WHERE EASEMENTS ARE GREATER, PROVIDED THAT THE SET BACK SHALL BE TWENTY FEET (20') IF THE GARAGE ADJUTS THE SIDE STREET. ALL BUILDINGS MUST FACE THE MOST RESTRICTIVE BUILDING LINE.
10. INTERIOR FINISHING OR WALLS SHALL NOT EXTEND BEYOND THE BUILDING LINE OF THE LOT AND, IF A RESIDENCE IS BUILT BEHIND THE FRONT BUILDING LINE OF A LOT, NO FENCE MAY EXTEND BEYOND THAT POINT NEAREST THE STREET AT EACH CORNER OF THE RESIDENCE, PROVIDED HOWEVER, ON CORNER LOTS FENCING MAY EXTEND TO THE SIDE YARD BOUNDARY OF THE LOT. FENCES SHALL BE OF WOOD, BRICK, STUCCO, STONE OR CHAIN LINK, PROVIDED HOWEVER, CHAIN LINK FENCING SHALL NOT EXCEED 4 FEET IN HEIGHT, CHAIN LINK SHALL BE BLACK IN COLOR WITH WOOD SUPPORTING POSTS AND WOOD RAILS. FENCING ALL LOTS IN BLOCK 8 AND BLOCK 4 SHALL BE LIMITED TO 4 FEET CHAIN LINK, BLACK IN COLOR WITH WOOD SUPPORTING POSTS AND WOOD BARBED WIRE, WESH OR OTHER METAL FENCING ARE PROHIBITED, NO FENCE SHALL EXCEED 8 FEET IN HEIGHT.
11. NO EXTERIOR ANTENNAS, INCLUDING, BUT NOT LIMITED TO, TELEVISION AND "TOP RADIO" SHALL BE ERRECTED ANYWHERE IN THE SUBDIVISION WITHOUT THE EXPRESS APPROVAL OF THE ARCHITECTURAL COMMITTEE. ANY OTHER TYPE OF ELECTRONIC RECEPTION DEVICE EXCEPT TELEVISION SATELLITE DISHES ATTACHED TO THE REAR OF THE HOME AND NOT EXCEEDING TWENTY FOUR INCHES (24") IN DIAMETER WHICH ARE PERMITTED, MUST BE CONFINED TO THE BACKYARD AND SITUATED, FENCED AND LANDSCAPED TO PROPERLY SHIELD ITS VIEW FROM ADJACENT LOT OWNERS IN ACCORDANCE WITH THE EXPRESS APPROVAL OF THE ARCHITECTURAL COMMITTEE.
12. NO BUILDING, FENCE, WALL OR ANY TYPE OF STRUCTURE SHALL BE PLACED, BUILT, COMMENCED, ERRECTED, OR MAINTAINED, OR ALTERED UNTIL THE SPECIFICATIONS, PLOT PLAN, DRAINAGE, AND GRADING PLANS AND OTHER NECESSARY INFORMATION SHALL HAVE BEEN SUBMITTED AND APPROVED IN WRITING BY THE ARCHITECTURAL COMMITTEE. IN FURNISHING SUCH PLANS, SPECIFICATIONS, PLOT PLANS, DRAINAGE AND GRADING PLANS, THE ARCHITECTURAL COMMITTEE MAY TAKE INTO CONSIDERATION THE SUITABILITY OF THE PROPOSED BUILDING OR OTHER STRUCTURES, AND OF THE MATERIALS OF WHICH IT IS TO BE BUILT, TO THE SITE UPON WHICH IT IS PROPOSED TO ERRECT THE SAME, AND THE HARMONY THEREOF WITH THE SURROUNDINGS AND THE EFFECT OF THE BUILDING ON THE OTHER STRUCTURES AS PLANNED ON THE VIEW FROM THE ADJACENT OR NEIGHBORING PROPERTY.
13. ANY STRUCTURE OTHER THAN THE PRIMARY DWELLING SITUATED ON ANY LOT MUST BE APPROVED BY THE ARCHITECTURAL COMMITTEE AND BE CONSTRUCTED OF THE SAME BUILDING MATERIALS UTILIZED FOR THE PRIMARY RESIDENCE ON SAID LOT. NO IMPROVEMENTS OTHER THAN THE SINGLE DWELLING PERMITTED ON EACH LOT SHALL BE UTILIZED AS TEMPORARY OR PERMANENT RESIDENCE.
14. NO STRUCTURE PREVIOUSLY ERRECTED UPON ANOTHER SITE SHALL BE MOVED ONTO ANY LOT.
15. NO NOISY OR OFFENSIVE TRADES OR ACTIVITY SHALL BE CARRIED UPON ANY LOT, NOR SHALL ANYTHING BE DONE THEREON THAT MAY BE OR MAY BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.
16. NO ANIMALS, LIVESTOCK OR POULTRY OF ANY KIND SHALL BE RAISED, BRED OR KEPT ON ANY LOT, EXCEPT THAT DOGS, CATS, OR OTHER HOUSEHOLD PETS MAY BE KEPT PROVIDED THAT THEY ARE NOT KEPT, BRED OR MAINTAINED FOR ANY COMMERCIAL PURPOSE.
17. NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT, EXCEPT ONE SIGN OF NOT MORE THAN FIVE (5) SQUARE FEET ADVERTISING THE PROPERTY FOR SALE OR RENT, OR SIGNS USED BY A BUILDER TO ADVERTISE THE PROPERTY DURING THE CONSTRUCTION AND SALE PERIOD.
18. NO LOT WILL BE USED FOR THE STORAGE OF MATERIALS FOR A PERIOD OF GREATER THAN THIRTY (30) DAYS PRIOR TO THE START OF CONSTRUCTION, AND UPON THE COMPLETION OF CONSTRUCTION SHALL BE COMPLETED WITHIN SIX (6) MONTHS. ALL LOTS SHALL BE MAINTAINED IN A NEAT AND ORDERLY CONDITION AT ALL TIMES.
19. NO CAMPER, BOAT, TRAILER, OR OTHER RECREATIONAL VEHICLES SHALL BE PARKED ON THE LOT OR ON THE STREET.
20. NO INOPERATIVE VEHICLE OR MACHINERY SHALL BE STORED ON ANY LOT, AND EACH LOT SHALL BE MAINTAINED FREE OF RUBBISH, TRASH, OR OTHER DEBRIS AND SHALL BE CUT, TRIMMED AND MOVED TO PREVENT GROWTH OF WEEDS OR TALL GRASS.
21. THE OWNER OF EACH LOT SHALL MAINTAIN THE OVERLAND DRAINAGE, EITHER NATURAL OR ARTIFICIAL, OVER AND ACROSS THEIR LOT.
22. EACH LOT SHALL RECEIVE AND DRAIN IN AN UNSUBSTRUCTED MANNER THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM PUBLIC STREETS AND EASEMENTS, AND THE CITY SHALL NOT BE LIABLE FOR ANY DAMAGES CAUSED BY REASON OF THE DISCHARGE OF ANY STORM OR SURFACE WATER FROM A PUBLIC STREET OR EASEMENT ON AN ADJACENT LOT. NO OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTION WHICH WOULD IMPAIR THE DRAINAGE OF STORM OR SURFACE WATERS OVER AND ACROSS THEIR LOT.
23. NO BASKETBALL GOALS SHALL BE ALLOWED IN THE FRONT OR SIDE YARD OF ANY LOT.
24. MAILBOXES SHALL BE OF UNIFORM STYLE, COLOR AND SIZE AS APPROVED BY THE ARCHITECTURAL COMMITTEE.

SECTION IV. ENFORCEMENT, DURATION, AMENDMENT AND SEVERABILITY

A. ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER/DEVELOPER, ITS SUCCESSORS AND ASSIGNS WITHIN THE PROVISIONS OF SECTION I. PUBLIC STREETS, EASEMENTS AND UTILITIES ARE SET FORTH SEVERAL COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITHIN SECTION I, WHETHER OR NOT SPECIFICALLY THEREIN SO STATED SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA. THE COVENANTS CONTAINED IN SECTION II, PLANNED UNIT DEVELOPMENT RESTRICTIONS ARE ESTABLISHED PURSUANT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE TULSA ZONING CODE AND SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA. ANY OWNER OF A LOT AND THE HOMEOWNERS ASSOCIATION, IF THE UNDERSIGNED OWNER/DEVELOPER, OR ITS SUCCESSORS OR ASSIGNS SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION II, IT SHALL BE LAWFUL FOR THE CITY OF TULSA, ANY OWNER OF A LOT OR THE HOMEOWNERS ASSOCIATION TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT HIM OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT. THE COVENANTS CONTAINED IN SECTION III, PRIVATE BUILDING AND USE RESTRICTIONS SHALL INURE TO THE BENEFIT OF ANY OWNER OF A LOT AND THE HOMEOWNERS ASSOCIATION. IF THE UNDERSIGNED OWNER/DEVELOPER, OR ITS SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION III, IT SHALL BE LAWFUL FOR ANY OWNER OF A LOT OR THE HOMEOWNERS ASSOCIATION TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT HIM OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT, PRIOR TO ANY ACTION PERTAINING TO THE COVENANT CONTAINED IN SECTION III, THE PERSON INTENDING TO COMMENCE THE ACTION SHALL GIVE THE RECORD OWNER OF THE PROPERTY ON WHICH THE VIOLATION IS OR WAS OCCURRED WRITTEN NOTICE OF THE VIOLATION, IN THE EVENT REASONABLE EFFORTS TO CURE THE VIOLATION ARE COMMENCED WITHIN THIRTY (30) DAYS FROM RECEIPT OF NOTICE, NO JUDICIAL ACTION SHALL BE COMMENCED TO ENFORCE THE COVENANTS SO LONG AS THE OFFERTS TO CURE THE VIOLATION VOLUNTARILY PROCEEDED TO COMPLETION IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS, THE OFFENSE THAT THE PARTY INTENDING THE EQUITABLE PROCEEDINGS HAS AN ADEQUATE REMEDY BY LAW, IF A REMEDY IS AVAILABLE, IN ANY JUDICIAL ACTION BROUGHT BY THE ASSOCIATION OR ANY LOT OWNER, WHOSE ACTION BEGINS TO ENFORCE THE COVENANTS CONTAINED IN SECTION I AND/OR TO RECOVER DAMAGES TO RECOVER DAMAGES FOR THE BREACH THEREOF, THE PREVAILING PARTY SHALL BE ENTITLED TO RECEIVE HIS OR ITS REASONABLE ATTORNEY FEES AND COSTS AND EXPENSES INCURRED IN SUCH ACTION.

B. DURATION

THESE RESTRICTIONS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL, BUT IN ANY EVENT SHALL BE IN FORCE AND EFFECT FOR A TERM OF NOT LESS THAN THIRTY (30) YEARS FROM THE DATE OF THE RECORDING OF THIS DEED OF DEDICATION UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I, STREETS, EASEMENTS AND UTILITIES, MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS AND THE CITY OF TULSA, OKLAHOMA. THE COVENANTS CONTAINED IN SECTION I, PLANNED UNIT DEVELOPMENT RESTRICTIONS MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND APPROVED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS. NOTWITHSTANDING THE FOREGOING, THE RESTRICTIONS AND COVENANTS WITHIN SECTION II SHALL BE DEEMED AMENDED WITHOUT NECESSITY OF EXECUTION OF AN AMENDING DOCUMENT TO CONFORM TO AMENDMENTS TO BULK AND AREA REQUIREMENTS THAT MAY BE SUBSEQUENTLY BE APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS, PURSUANT TO ITS REVIEW OF A MAJOR AMENDMENT OF THE P.U.D. AND THE FILING OF A CERTIFIED COPY OF THE MINUTES OF THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS, WITH THE TULSA COUNTY CLERK. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS AS ABOVE SET FORTH SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS PROPERLY RECORDED. THE COVENANTS CONTAINED WITHIN SECTION II, PRIVATE RESTRICTIONS AND COVENANTS HEREIN MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNERS OF MORE THAN 70% OF THE LOTS. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS AS ABOVE SET FORTH SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS PROPERLY RECORDED.

D. SEVERABILITY

INVALIDATION OF ANY RESTRICTION SET FORTH HEREIN, OR ANY PART THEREOF, BY AN ORDER, JUDGMENT, OR DECREE OF ANY COURT, OR OTHERWISE, SHALL NOT INVALIDATE OR AFFECT ANY OF THE OTHER RESTRICTIONS OR ANY PART THEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

E. WITNESS WHEREOF, THE UNDERSIGNED OWNER HAS EXECUTED THIS DEED OF DEDICATION.

LYNN LAKE 44, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: G. DWIGHT CLAXTON, MANAGER

STATE OF OKLAHOMA)

COUNTY OF TULSA)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2016, BY G. DWIGHT CLAXTON, AS MANAGER OF LYNN LAKE 44, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY.

NOTARY PUBLIC



MY COMMISSION EXPIRES:

AUGUST 14, 2018

COMMISSION NUMBER:

1607288

CERTIFICATE OF SURVEY

I, DEAN ROBINSON OF BIGMORE, WEISZ & ASSOCIATES, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATED THE TRACT OF LAND DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESCRIBED AS HUNTINGTON PARK II IS A TRUE REPRESENTATION OF THE SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED.



DEAN ROBINSON
LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1148

STATE OF OKLAHOMA)

COUNTY OF TULSA)

THE FOREGOING CERTIFICATE OF SURVEY WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2016, BY DEAN ROBINSON AS A LICENSED PROFESSIONAL LAND SURVEYOR.



MY COMMISSION EXPIRES:

AUGUST 14, 2018

COMMISSION NUMBER:

1607288

12.10



Tulsa Metropolitan Area
Planning Commission

Case : Memorial Imports – Phase II

Hearing Date: February 21, 2018

Case Report Prepared by:

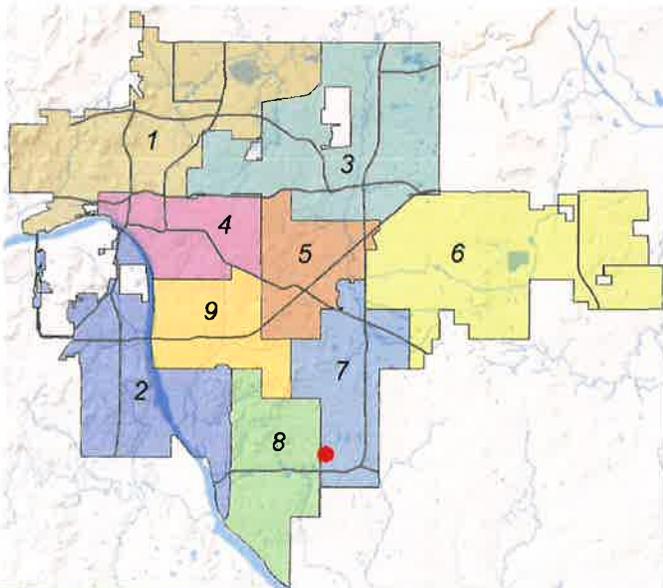
Nathan Foster

Owner and Applicant Information:

Applicant: Nicole Watts, KKT Architects

Owner: Memorial Imports Investments, LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Minor Subdivision Plat

1 lot, 1 block, 9.66 ± acres

Location: East of the northeast corner of East 91st Street South and South Memorial Drive

Zoning: CG w/ Optional Development Plan Z-7372

Staff Recommendation:

Staff recommends **approval** of the minor subdivision plat with **conditions**

City Council District: 7

Councilor Name: Anna America

County Commission District: 3

Commissioner Name: Ron Peters

EXHIBITS: Site Map, Aerial, Land Use, Growth & Stability, Minor Subdivision Plat

MINOR SUBDIVISION PLAT

Memorial Imports – Phase II - (CD 7)

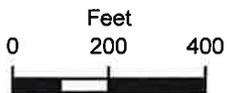
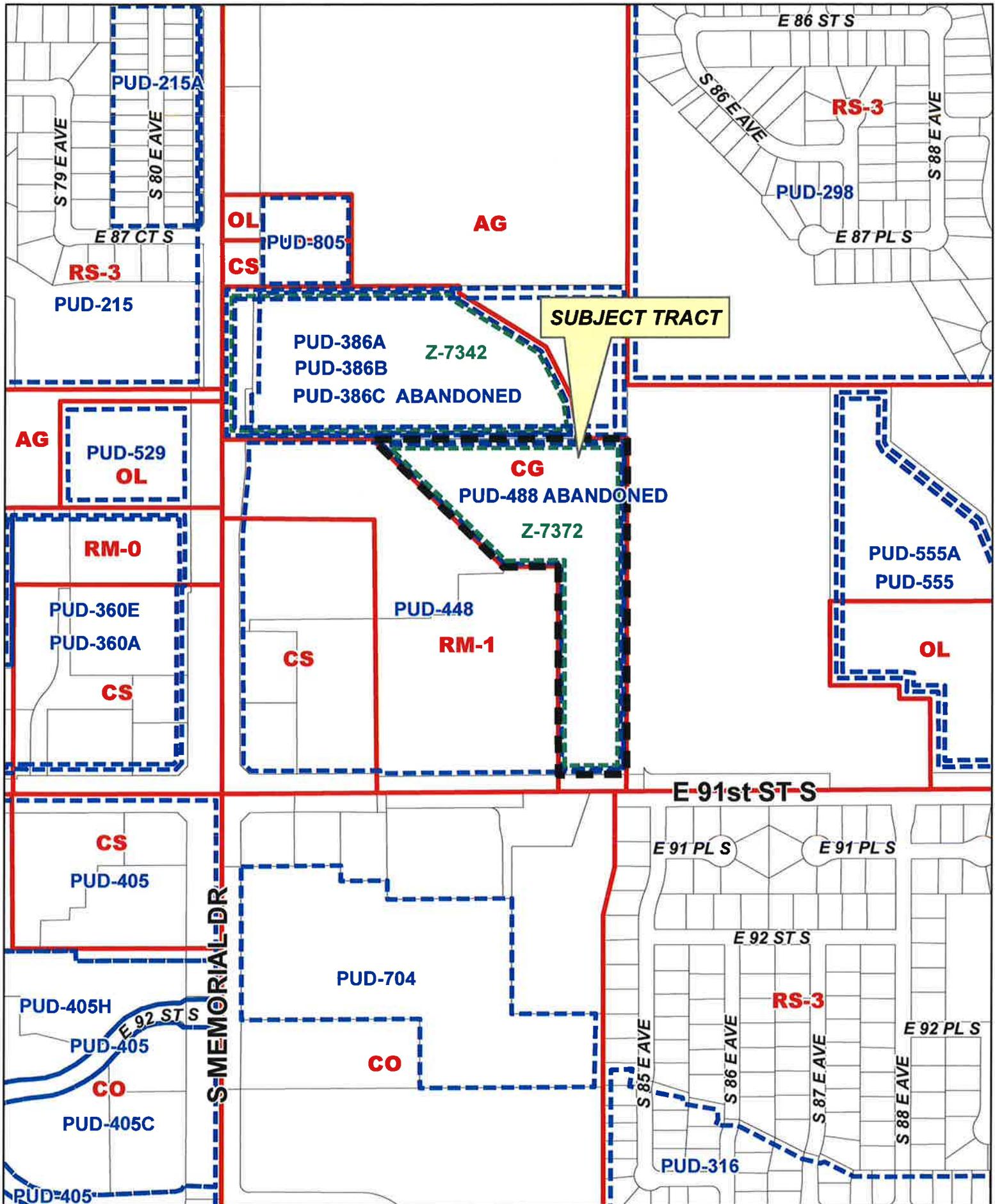
East of the northeast corner of East 91st Street South and South Memorial Avenue

The plat consists of 1 Lot, 1 Block, on 9.66 ± acres.

The property is zoned CG with an optional development plan and the proposed lots conform to the standards of that development plan. The plat has been approved by all utilities. Final plat approval is conditioned upon the following requirements:

1. Depict all easements abutting Memorial Imports Phase II that were created by the plat of Square Ninety-One or otherwise depicted by the plat of Square Ninety-One
2. Provide written permission from the owner of the existing 90' pipeline ROW for the location of the storm sewer easement

Staff recommends **approval** of the minor subdivision plat with those conditions.



18-13 13

**MEMORIAL IMPORTS
PHASE II**

13.3





S MEMORIAL DR

E 91st STS

E 86 STS

E 87 PLS

E 91 PLS

E 91 PLS

E 92 STS

S 85 EAVE

S 86 EAVE

S 87 EAVE

S 88 EAVE

E 92 PLS

S 80 EAVE

E 87 CTS

S 79 EAVE

E 92 STS



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

Aerial Photo Date: February 2016

Subject Tract

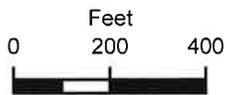
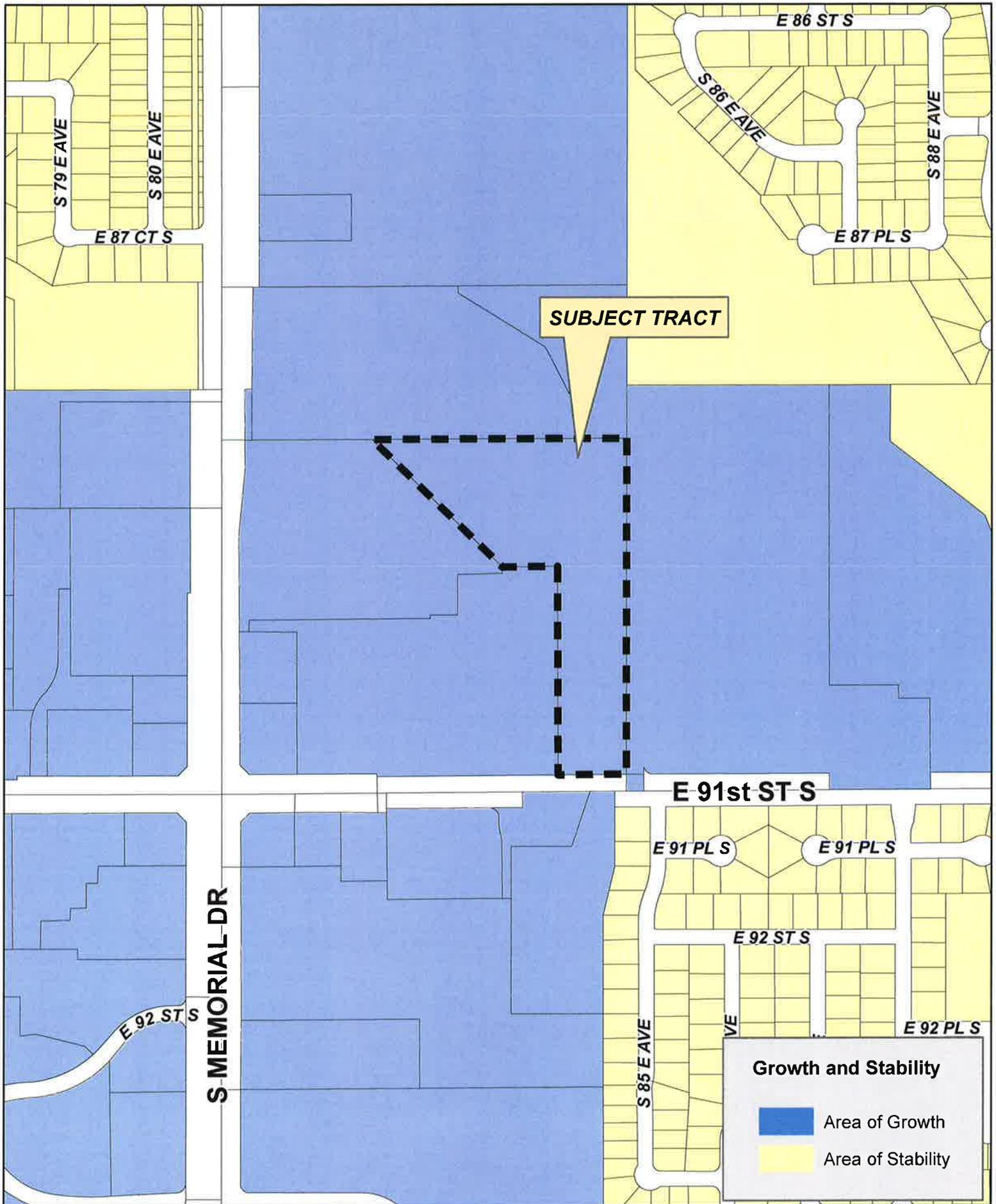


0 200 400 Feet

18-13 13

MEMORIAL IMPORTS PHASE II

13.4

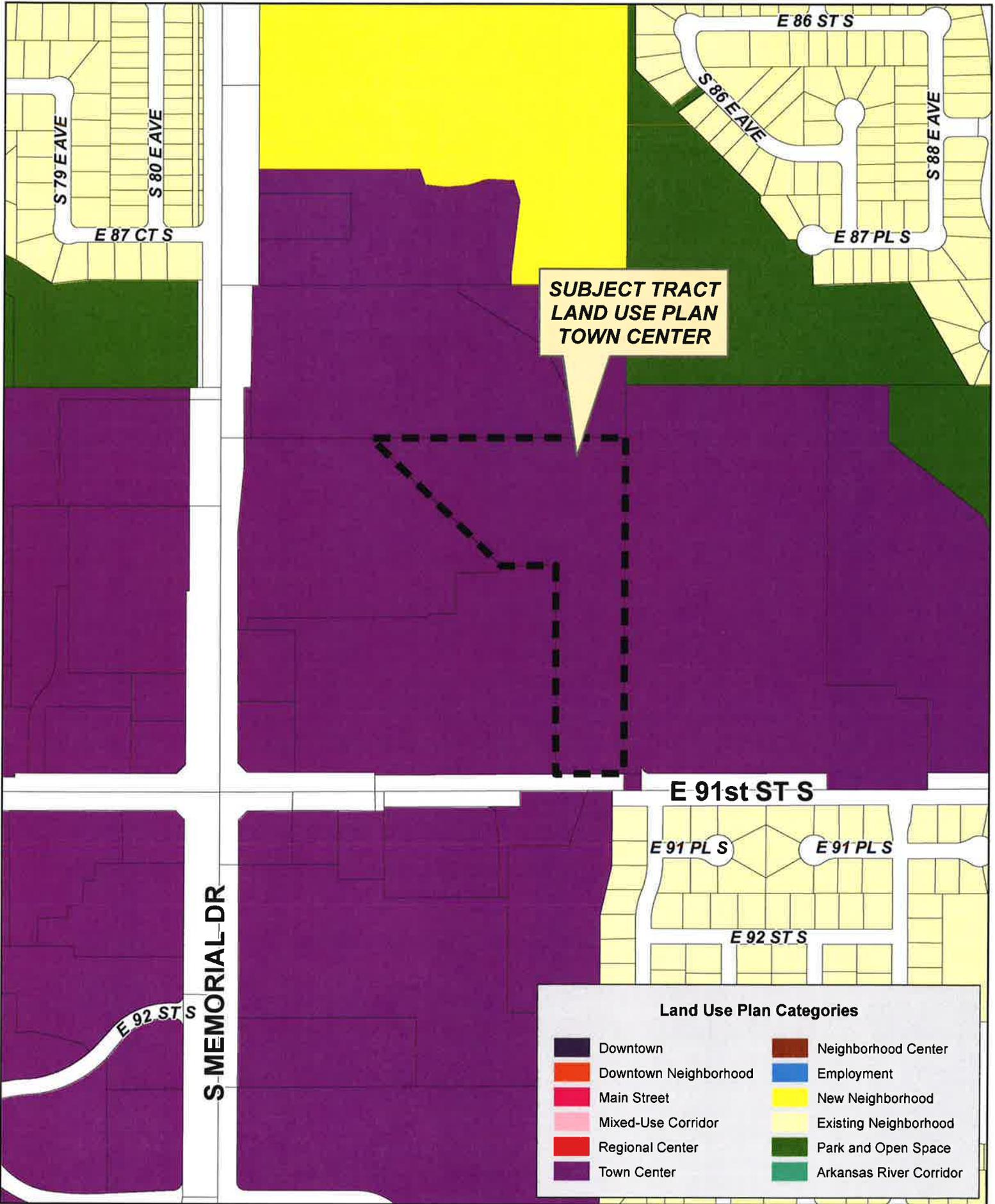


18-13 13

**MEMORIAL IMPORTS
PHASE II**

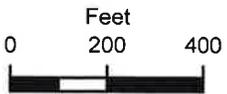
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**SUBJECT TRACT
LAND USE PLAN
TOWN CENTER**

Land Use Plan Categories			
	Downtown		Neighborhood Center
	Downtown Neighborhood		Employment
	Main Street		New Neighborhood
	Mixed-Use Corridor		Existing Neighborhood
	Regional Center		Park and Open Space
	Town Center		Arkansas River Corridor



18-13 13

**MEMORIAL IMPORTS
PHASE II**

13.6



MINOR SUBDIVISION PLAT

Memorial Imports - Phase II

A REPLAT OF 'LOT 4, BLOCK 1 SQUARE NINETY-ONE' (PLAT # 4775)
OPTIONAL DEVELOPMENT PLAN (Z-7372)

PART OF THE W/2 OF THE SW/4 OF SECTION THIRTEEN (13), TOWNSHIP 18 NORTH, RANGE 13 EAST, OF THE INDIAN BASE AND MERIDIAN, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

OWNER: MEMORIAL IMPORTS INVESTMENTS, LLC
8303 South Memorial Drive
Tulsa, Oklahoma, 74133
GREG KACH, MANAGER

ENGINEER: KKT ARCHITECTS, INC.
2200 South Ulta Place
Tulsa, Oklahoma, 74114
Phone: (918) 744-4270
A. NICOLE WATTS, P.E. NO. 21911
OK CA NO. 5025, EXPIRES 03/31/2018
email: nicole.watts@kktarchitects.com

SURVEYOR: Bennett Surveying Company
P.O. BOX 948
Chouteau, Oklahoma, 74337
Phone: (918) 476-7484
CLIFF BENNETT
OK CA NO. 4022, EXPIRES 03/31/2018
email: cliff@bennettsurveying.com

BASIS OF BEARINGS

THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM NORTH ZONE (8301), NORTH AMERICAN DATUM (NAD83), WITH THE NORTH LINE OF BLOCK 1 SQUARE NINETY-ONE AS HAVING A BEARING OF N86°59'54"E

NOTES

- THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS
- ADDRESSES SHOWN ON THIS PLAT ARE ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.

FLOOD ZONE NOTE

THE NORTH AND EAST SIDES OF THE PROPERTY IS IN THE FLOOD ZONE AREA PER F.I.R.M. MAP NO. 17401H020207, AS LAST REVISED OCTOBER 18, 2012. BASE FLOOD ELEVATION (BFE) 865.0 NAVD 88. THIS PROPERTY DESCRIBED HEREON IS LOCATED WITHIN THE REGULATORY FLOOD ZONE, AS PER CITY OF TULSA REGULATORY FLOOD PLAIN ATLAS DATED JANUARY 2015. WATER SURFACE ELEVATION (WSE) 865.4 NAVD 88.

MONUMENTATION

ALL CORNERS TO BE SET WITH A 3/8" IRON PIN WITH YELLOW CAP UNLESS OTHERWISE NOTED

ABBREVIATIONS

ACC ACCESS
BL BUILDING LINE
E 1/2 1/2" OR ACCESS
POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT
ROW RIGHT-OF-WAY
UE UTILITY EASEMENT

ADDRESS

8301 EAST 91ST STREET SOUTH
TULSA, OKLAHOMA 74133

LAND AREA

SUBDIVISION CONTAINS 1 LOT IN 1 BLOCK
SUBDIVISION CONTAINS 420.737 80SF (8.86 AC)
LOT 1, BLOCK 1 CONTAINS 420.737 80SF (8.86 AC)

EASEMENTS LINE TABLE

LABEL	LENGTH	BEARING
STORM EASEMENT A		
L1	30.23	S89°30'21"W
L2	20.00	S00°00'00"W
L3	30.23	N89°59'31"W
L4	20.00	N00°00'00"E
STORM EASEMENT B		
L5	135.90	S83°12'58"E
L6	48.12	N28°30'07"E
L7	24.42	N68°59'55"E
L8	20.00	S00°23'12"W
L9	12.96	S89°38'52"W
L10	42.25	N28°30'07"W
L11	102.85	S63°12'58"W
L12	44.22	S80°00'00"W
WATERLINE EASEMENT		
L13	13.00	N00°00'00"E
L14	119.50	N60°00'00"W

NOTE

ALL EASEMENTS AND BUILDING LINES LABELED AS ESTABLISHED BY PLAT NO. 4775 ARE REDELEGATED BY THIS PLAT.

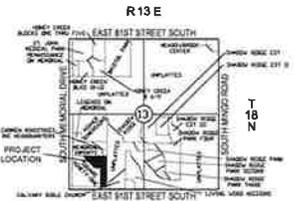
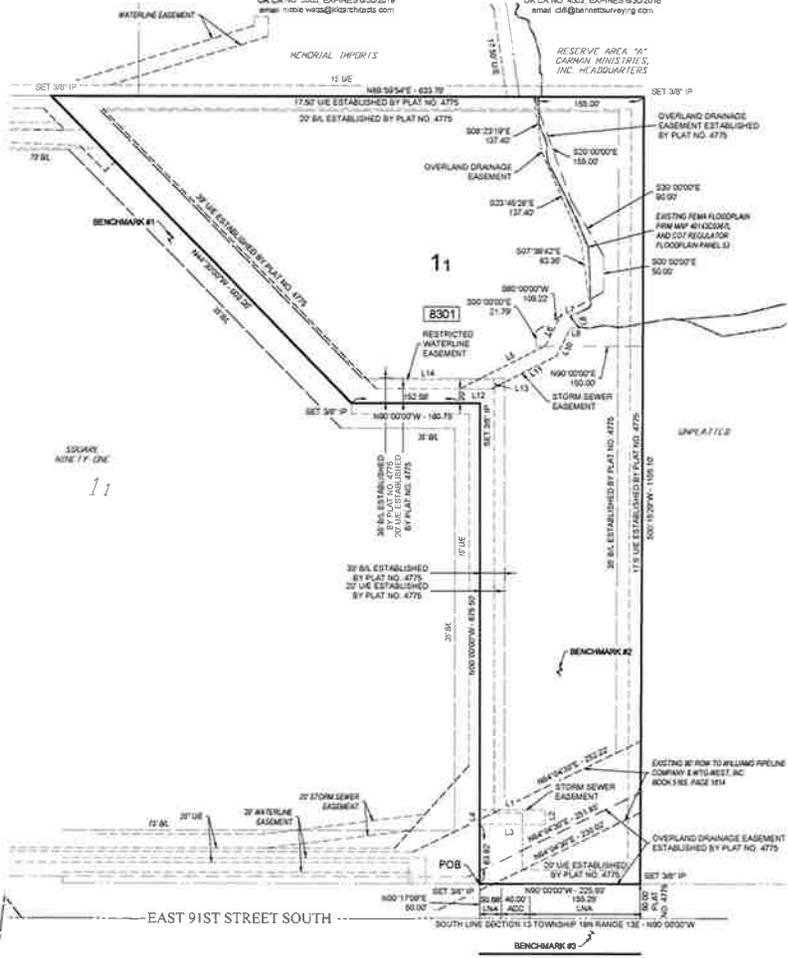
LEGEND

- PROPERTY BOUNDARY
- PROPOSED EASEMENT
- EXISTING EASEMENT
- FEMA FLOODPLAIN

Benchmark #1 →
CONCRETE BOX
ELEVATION = 701.38 (NAVD88)

Benchmark #2 →
CONCRETE BOX
ELEVATION = 706.20 (NAVD88)

Benchmark #3 →
CONCRETE BOX
ELEVATION = 687.79 (NAVD88)



Location Map
Scale: 1" = 80'

FINAL PLAT
ENDORSEMENT OF APPROVAL

Tulsa Metropolitan Area Planning Commission

Approval Date: _____

_____ TMAPC/INGOC

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 if not filed in the Office of the County Clerk before that date.

CERTIFICATE

I hereby certify that all real estate taxes involved in this plat have been paid as reflected by the current tax rolls. Security as required has been provided in the amount of \$_____ per that receipt no. _____ to be applied to 20____ taxes. This certificate is NOT to be construed as payment of 20____ taxes in full but to given in order that this plat may be filed on record. 20____ taxes may exceed the amount of the security deposit.

Dated: _____

_____ DENNIS SEMLER
Tulsa County Treasurer

By: _____
Deputy

TMAPC Nathan Foster
2018.01.31
08:30:43 -06'00'

13.7

MINOR SUBDIVISION PLAT

Memorial Imports - Phase II

A REPLAT OF 'LOT 4, BLOCK 1 SQUARE NINETY-ONE' (PLAT # 4775)
OPTIONAL DEVELOPMENT PLAN (2-7372)

PART OF THE W/2 OF THE SW/4 OF SECTION THIRTEEN (13), TOWNSHIP 18 NORTH, RANGE 13 EAST, OF THE INDIAN BASE AND MERIDIAN. AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA.

DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

THAT MEMORIAL IMPORTS INVESTMENTS, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER SOME TIMES CALLED "OWNER," IS THE OWNER IN THE SEVERAL OF THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, TO WIT:

ALL OF LOT 4, BLOCK 1 SQUARE NINETY-ONE, AN ADDITION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A TRACT OF LAND THAT IS PART OF THE SOUTH WEST QUARTER (SW/4) OF THE THIRTIETH QUARTER (SW/4) SECTION THIRTEEN (13), TOWNSHIP EIGHT (18), RANGE TWENTY (20) OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE SURVEY THEREOF, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION THIRTEEN, THENCE NORTH 90°00'00" EAST FOR 109.20 FEET; THENCE NORTH 00°00'00" EAST FOR 50.00 FEET TO THE POINT OF BEGINNING; SAID POINT OF BEGINNING ALSO BEING THE SOUTHWEST CORNER OF THE LOT 1 BLOCK 1 SQUARE NINETY-ONE, THENCE NORTH 00°00'00" EAST FOR 97.50 FEET; THENCE NORTH 90°00'00" WEST FOR 140.15 FEET; THENCE NORTH 44°30'00" WEST FOR 60.22 FEET; THENCE NORTH 89°39'54" EAST FOR 83.79 FEET; THENCE SOUTH 00°15'28" WEST FOR 1,106.00 FEET; THENCE NORTH 90°00'00" WEST FOR 225.90 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

THE OWNER HAS CAUSED THE SAME TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO ONE LOT IN ONE BLOCK AS SHOWN BY THE ACCOMPANYING PLAT AND SURVEY THEREOF, AND WHICH IS PART HEREOF; AND THE OWNER HAS GIVEN TO SAID PLAT THE NAME OF "MEMORIAL IMPORTS - PHASE II," A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, (WHEREVER THE WORD "SUBDIVISION" APPEARS HEREIN THE SAME SHALL CONSTITUTE "PHASE II," A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE.) NOW, THEREFORE, THE OWNER, FOR THE PURPOSE OF PROVIDING FOR THE ORDERLY DEVELOPMENT OF THE SUBDIVISION AND FOR THE PURPOSE OF IMPOSING ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSORS, GRANTEES AND ASSIGNS, THE BENEFICIARIES OF THE COVENANTS SET FORTH IN SECTION I, BELOW, WITH RESPECT TO SUCH COVENANTS ONLY, DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS, WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND WHICH SHALL BE ENFORCEABLE BY THE CITY AND BY THE OWNER OR OWNERS OF ANY PROPERTY WITHIN THE SUBDIVISION AND BY THE BENEFICIARIES OF THE COVENANTS SET FORTH IN SECTION I, BELOW, WITH RESPECT TO SUCH COVENANTS ONLY AND WHICH SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH.

SECTION I. UTILITY EASEMENTS

THE OWNER DEDICATES TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED ON THE ACCOMPANYING PLAT AS 'U/E' OR 'UTILITY EASEMENT' FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING AND REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE PIPES, WIRES, CONDUITS, PIPES, VALVES, METERS, MANHOLES AND EQUIPMENT FOR EACH OF SUCH UTILITIES AND ANY OTHER APPLIANCES THEREOF, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES STATED, PROVIDED THE OWNER RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAID AND REPAIR OR REPLACE WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, REPAIRING AND RE-LAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS SPECIFIED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICE TO AREAS DEPECTED ON THE PLAT. THE OWNER HEREBY IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, AND BY THE SUPPLIER OF AN AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS SPECIFIED ON THE ACCOMPANYING PLAT NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH STATED USES AND PURPOSES OF THE UTILITY EASEMENTS SHALL BE PLACED, ERRECTED, INSTALLED OR MAINTAINED, PROVIDED NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DIVERS, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING FENCES WHICH DO NOT CONSTITUTE AN OBSTRUCTION.

1.1 WATER, SANITARY SEWER, AND STORM SEWER SERVICE

1.1.1 THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS LOCATED ON THE OWNER'S LOT.

1.1.2 WITHIN THE UTILITY EASEMENT, RESTRICTED WATERLINE EASEMENT, STORM SEWER EASEMENT, AND SANITARY SEWER EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER OR ANY CONSTRUCTION ACTIVITY WHICH IN THE JUDGMENT OF THE CITY OF TULSA WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS SHALL BE PROHIBITED.

1.1.3 THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS, BUT THE OWNER OF THE LOT SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OF THE LOT, HIS AGENTS OR CONTRACTORS.

1.1.4 THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS, RESTRICTED WATERLINE EASEMENTS, STORM SEWER EASEMENTS, AND OVERLAND DRAINAGE EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REPAIRING ANY PORTION OF UNDERGROUND WATER, SANITARY SEWER, OR STORM SEWER FACILITIES.

1.1.5 THE FOREGOING COVENANTS SET FORTH IN THE ABOVE PARAGRAPHS SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF THE LOT AGREES TO BE BOUND.

1.2 PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF ANY LOT DEPICTED ON THE ACCOMPANYING PLAT SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO LANDSCAPING AND PAVING OCCASIONED BY INSTALLATION OR NECESSARY MAINTENANCE OF UNDERGROUND WATER, SANITARY SEWER, STORM SEWER, NATURAL GAS, COMMUNICATION, CABLE TELEVISION OR ELECTRIC FACILITIES WITHIN THE EASEMENT AREAS DEPICTED UPON THE ACCOMPANYING PLAT; PROVIDED THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

1.3 CERTIFICATE OF OCCUPANT RESTRICTIONS

NO CERTIFICATE OF OCCUPANCY FOR A BUILDING WITHIN THE SUBDIVISION SHALL BE ISSUED BY THE CITY OF TULSA, OKLAHOMA UNTIL CONSTRUCTION OF THE REQUIRED INFRASTRUCTURE (STREETS, WATER, SANITARY SEWER, STORM SEWER SYSTEMS, AND SIDEWALKS) SERVING THE ENTIRE SUBDIVISION HAS BEEN COMPLETED AND ACCEPTED BY THE CITY. NOTWITHSTANDING THE FOREGOING, THE CITY MAY AUTHORIZE THE ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY IF, IN THE CITY'S SOLE DISCRETION, THE CIRCUMSTANCES SUPPORT THE ISSUANCE THEREOF NOTWITHSTANDING THE FOREGOING. THE CITY MAY AUTHORIZE THE PHASING OF THE CONSTRUCTION OF INFRASTRUCTURE WITHIN THE SUBDIVISION, AND IF PHASING IS AUTHORIZED, A CERTIFICATE OF OCCUPANCY FOR A BUILDING WITHIN AN AUTHORIZED PHASE MAY ISSUE UPON THE COMPLETION AND ACCEPTANCE OF THE INFRASTRUCTURE SERVING THE PARTICULAR PHASE, BUILDING CONSTRUCTION OCCURRING PRIOR TO THE CITY'S ACCEPTANCE OF THE INFRASTRUCTURE SHALL BE AT THE RISK OF THE OWNER OF THE LOT, NOTWITHSTANDING THE ISSUANCE OF A BUILDING PERMIT OR OF A TEMPORARY CERTIFICATE OF OCCUPANCY.

1.4 UNDERGROUND SERVICE

1.4.1 OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED ALONG ALL PERIMETER EASEMENTS OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY UNDERGROUND CABLE AND SERVICES THROUGHOUT THE SUBDIVISION. ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICES AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE GENERAL UTILITY EASEMENTS.

1.4.2 UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH ARE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN, SERVICE PEDestal, OR TRANSFORMER TO THE POINT OF USAGE OR TERMINUS BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE AS MAY BE LOCATED UPON THE LOT. PROVIDED THAT UPON THE INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE AND NON-EXCLUSIVE EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDestal, OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.

1.4.3 THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICES, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.

1.4.4 THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON THE OWNER'S LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. EACH SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER OF THE LOT SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER OR HIS AGENTS OR CONTRACTORS.

1.4.5 THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH 1.4 SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HERETO.

1.5 GAS SERVICE

1.5.1 THE SUPPLIER OF GAS SERVICE THROUGH ITS AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR AS PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, REMOVING, REPAIRING OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.

1.5.2 THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED IN THEIR LOT AND SHALL PREVENT THE ALTERATION, CHANGE, OR ANY OTHER CONSTRUCTION ACTIVITY THAT WOULD INTERFERE WITH THE GAS SERVICE. THE SUPPLIER OF THE GAS SERVICE SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF SUCH FACILITIES, BUT THE OWNER OF THE LOT SHALL PAY FOR DAMAGE OR RELOCATION OF FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OF THE LOT, OR HIS AGENTS OR CONTRACTORS.

1.5.3 THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH 1.5 SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HERETO.

1.6 LOT SURFACE DRAINAGE

THE LOT SHALL RECEIVE AND DRAIN, IN AN UNRESTRICTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION. NO OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY ABOVE OR BELOW GROUND OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS UPON AND ACROSS THE LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF TULSA, OKLAHOMA.

1.7 LIMITS OF NO ACCESS

THE UNDERSIGNED OWNER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO EAST 51ST STREET SOUTH

WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" (L.N.A.) ON THE ACCOMPANYING PLAT, WHICH "LIMITS OF NO ACCESS" MAY BE AMENDED OR RELEASED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSOR, AND WITH THE APPROVAL OF THE CITY OF TULSA, OKLAHOMA, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA PERTAINING THERETO, AND THE LIMITS OF NO ACCESS HERETO ESTABLISHED SHALL BE ENFORCEABLE BY THE CITY OF TULSA.

1.8 SIDEWALKS

SIDEWALKS SHALL BE CONSTRUCTED AND MAINTAINED BY THE OWNER ALONG THE NORTH SIDE OF EAST 51ST STREET SOUTH IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS. SIDEWALKS SHALL CONFORM TO CITY OF TULSA ENGINEERING DESIGN STANDARDS.

1.9 STORM SEWER EASEMENT

1.9.1 THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC PERPETUAL EASEMENTS ON, OVER, AND ACROSS THOSE AREAS DEPICTED ON THE ACCOMPANYING PLATS "STORM SEWER EASEMENT" FOR THE PURPOSES OF PERMITTING THE COLLECTION, CONVEYANCE AND DISCHARGE OF STORMWATER RUNOFF FROM THE VARIOUS LOTS WITHIN THE SUBDIVISION AND FOR THE PURPOSES OF CONSTRUCTING, MAINTAINING, REPAIRING, REMOVING AND REPLACING STORM SEWERS, AND ANY APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE STORM SEWER EASEMENTS FOR THE USES AND PURPOSES STATED.

1.9.2 STORM SEWER LINES AND APPURTENANCE FACILITIES LOCATED WITHIN STORM SEWER EASEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS.

1.9.3 NO FENCE, WALL, BUILDING OR OTHER ABOVE GROUND OR UNDERGROUND OBSTRUCTION SHALL BE PLACED OR MAINTAINED IN STORM SEWER EASEMENTS NOR SHALL THERE BE ANY ALTERATION OF GRADE IN THE EASEMENT AREAS UNLESS APPROVED BY THE CITY OF TULSA, OKLAHOMA, PROVIDED THE PLANTING OF TURF SHALL NOT REQUIRE APPROVAL OF THE CITY OF TULSA.

1.9.4 THE ABOVE GROUND AREA OF ANY STORM SEWER EASEMENT SHALL BE MAINTAINED BY THE OWNER OF THE LOT WITHIN WHICH THE EASEMENT IS LOCATED, AND MAINTENANCE SHALL BE IN ACCORDANCE WITH STANDARDS APPROVED BY THE CITY OF TULSA, OKLAHOMA. IN THE EVENT THE LOT OWNER FAILS TO PROPERLY MAINTAIN THE STORM SEWER EASEMENT, THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, MAY ENTER UPON A STORM SEWER EASEMENT, OR THE ALTERATION OF THE GRADE THEREIN, BY THE CITY OF TULSA, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER THE EASEMENT AND PERFORM MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE, AND THE COSTS THEREOF SHALL BE PAID BY THE LOT OWNER. IN THE EVENT THE LOT OWNER FAILS TO PAY THE COST OF MAINTENANCE AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, THE CITY OF TULSA, OKLAHOMA MAY FILE IN THE RECORDS OF THE TULSA COUNTY CLERK A COPY OF THE STATEMENT OF COSTS, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE LOT. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FOLECROSED BY THE CITY OF TULSA, OKLAHOMA.

1.10 RESTRICTED WATERLINE EASEMENT

THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC A PERPETUAL EASEMENT ON, OVER AND ACROSS THOSE AREAS DEPICTED ON THE ACCOMPANYING PLAT AS RESTRICTED WATERLINE EASEMENT FOR THE PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING AND/OR REMOVING WATERLINES TOGETHER WITH ALL FITTINGS INCLUDING THE PIPES, VALVES, METERS AND EQUIPMENT AND OTHER APPURTENANCES HERETO TOGETHER WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE EASEMENT FOR THE USES AND PURPOSES AGRSSED.

1.11 OVERLAND DRAINAGE EASEMENT

1.11.1 THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC PERPETUAL EASEMENTS ON, OVER, AND ACROSS THOSE AREAS DEPICTED ON THE ACCOMPANYING PLAT AS "OVERLAND DRAINAGE EASEMENT" FOR THE PURPOSES OF PERMITTING THE OVERLAND FLOW, CONVEYANCE, AND DISCHARGE OF STORMWATER RUNOFF FROM THE VARIOUS LOTS WITHIN THE SUBDIVISION AND FROM PROPERTIES OUTSIDE THE SUBDIVISION.

1.11.2 DRAINAGE FACILITIES LOCATED WITHIN THE OVERLAND DRAINAGE EASEMENT SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF TULSA, OKLAHOMA OR ITS SUCCESSORS.

1.11.3 NO FENCE, WALL, BUILDING OR OTHER OBSTRUCTION SHALL BE PLACED OR MAINTAINED IN THE OVERLAND DRAINAGE EASEMENT NOR SHALL THERE BE ANY ALTERATION OF GRADE IN THE EASEMENT AREAS UNLESS APPROVED BY THE CITY OF TULSA, OKLAHOMA, PROVIDED THE PLANTING OF TURF SHALL NOT REQUIRE THE APPROVAL OF THE CITY OF TULSA.

1.11.4 ANY OVERLAND DRAINAGE EASEMENTS SHALL BE MAINTAINED BY THE OWNER OF THE LOT WITHIN WHICH THE EASEMENT IS LOCATED AT THE OWNERS EXPENSE, AND MAINTENANCE SHALL BE IN ACCORDANCE WITH STANDARDS PRESCRIBED BY THE CITY OF TULSA, OKLAHOMA. IN THE EVENT THE LOT OWNER FAILS TO PROPERLY MAINTAIN THE OVERLAND DRAINAGE EASEMENT OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN AN OVERLAND DRAINAGE EASEMENT, THE CITY OF TULSA, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER THE EASEMENT AND PERFORM MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE, AND THE COSTS THEREOF SHALL BE PAID BY THE LOT OWNER. IN THE EVENT THE LOT OWNER FAILS TO PAY THE COST OF MAINTENANCE AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, THE CITY OF TULSA, OKLAHOMA MAY FILE IN THE RECORDS OF THE TULSA COUNTY CLERK A COPY OF THE STATEMENT OF COSTS, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE LOT. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FOLECROSED BY THE CITY OF TULSA, OKLAHOMA.

SECTION II. OPTIONAL DEVELOPMENT PLAN

WHEREAS, THE PROPERTY WITHIN THE SUBDIVISION WAS MADE SUBJECT TO AN OPTIONAL DEVELOPMENT PLAN IN ACCORDANCE WITH THE TERMS OF SECTION 70.040 OF THE TULSA ZONING CODE OF 2015, AND THE CITY OF TULSA, OKLAHOMA, HAS ADOPTED THE METROPOLITAN AREA PLANNING COMMISSION (THE "IMPAC") JOURNAL 18, 2017 IN CASE NO. 71373, AND WAS APPROVED BY THE TULSA CITY COUNCIL ON FEBRUARY 20, 2017, THE IMPLEMENTING ORDINANCE NO. 23868 BEING ADOPTED ON MARCH 8, 2017.

WHEREAS, THE OWNER DESIRES TO ESTABLISH RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR AN ORDERLY DEVELOPMENT OF THE PROPERTY IN ACCORDANCE WITH THE APPROVED OPTIONAL DEVELOPMENT PLAN FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSORS IN TULSA, AND THE CITY OF TULSA, OKLAHOMA;

WHEREAS, THE OWNER DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE ENFORCEABLE BY THE OWNER AND ITS SUCCESSORS IN TITLE AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, AS HEREINAFTER SET FORTH;

USE AND DEVELOPMENT OF THE PROPERTY WITHIN THE SUBDIVISION SHALL BE SUBJECT TO THE FOLLOWING DEVELOPMENT STANDARDS:

2.1 USE LIMITATION

USE OF THE PROPERTY WITHIN THE SUBDIVISION IS LIMITED TO THE FOLLOWING USES:

- 2.1.1 ALL USES AND CUSTOMARY ACCESSORY USES AS ALLOWED BY RIGHT FOR RESIDENTIAL USE IN A C-2 ZONING DISTRICT.
2.1.2 PUBLIC, CIVIC, AND INSTITUTIONAL USES WITH ALL SUBCATEGORIES AND SPECIFIC USES PERMITTED IN THE C-2 ZONING DISTRICT, WITH THE EXCEPTION OF DETENTION AND CORRECTIONAL FACILITIES.
2.1.3 COMMERCIAL USES SHALL BE LIMITED TO AMBULANCE SERVICE AND ALL SPECIFIC USES; BROADCAST OR RECORDING STUDIO, COMMERCIAL SERVICE AND ALL SPECIFIC USES; FINANCIAL SERVICES AND ALL SPECIFIC USES; OFFICE AND ALL SPECIFIC USES WITH THE EXCEPTION FOR PLASMA CENTERS, NON-ACCESSORY PARKING, RESTAURANTS AND BARS WITH ALL SPECIFIC USES; RETAIL SALES WITH ALL SPECIFIC USES; STUDIO, ARTIST OR INSTITUTIONAL SERVICE; TRADE SCHOOL; VEHICLE SALES AND SERVICE WITH THE EXCEPTION OF LUBRICATION STATIONS AND VEHICLE PART AND SUPPLY SALES.

2.2 SIGN STANDARDS

SIGNAGE SHALL CONFORM TO ALL CITY OF TULSA STANDARDS DEFINED IN THE TULSA ZONING CODE WITH THE FOLLOWING ADDITIONAL REQUIREMENTS:

- 2.2.1 ALL FREESTANDING SIGNAGE SHALL BE MONUMENT STYLE, SINGLE POLE SIGNS ARE PROHIBITED.
2.2.2 ALL FREESTANDING SIGNAGE SHALL NOT EXCEED 14 FEET IN HEIGHT.
2.2.3 MAXIMUM DISPLAY SURFACE AREA SHALL BE LIMITED TO LESS THAN 200 SQUARE FEET FOR THE AGGREGATE SIGN TOTAL; HOWEVER, THE MAXIMUM SIZE FOR A SINGLE SIGN SHALL NOT EXCEED 132 SQUARE FEET OF DISPLAY SURFACE AREA.

2.3 INTERNAL ILLUMINATION FOR ANY GROUND OR WALL SIGNS IS PROHIBITED.

2.3.5 DYNAMIC DISPLAY SIGNAGE IS PROHIBITED.

2.3.6 WALL SIGNAGE ON EAST FACING WALLS IS PROHIBITED.

2.4 LIGHTING

WITHIN 100 FEET OF THE EAST BOUNDARY OF THE SUBDIVISION AND WITHIN 100 FEET OF THE PLANNED EAST STREET RIGHT-OF-WAY, THE MAXIMUM HEIGHT OF ALL WALL OR POLE MOUNTED LIGHTING SHALL NOT EXCEED 16 FEET ABOVE THE GROUND DIRECTLY BELOW THE LIGHT, WHERE LIGHTING IS PROPOSED FURTHER THAN 100 FEET FROM SAID RIGHT-OF-WAY AND BOUNDARY THE LIGHT MAY BE TALLER THAN 16 FEET AS ALLOWED WITH A PHOTOMETRIC PLAN MEETING THE STANDARDS OF THE TULSA ZONING CODE. UNDER NO CIRCUMSTANCE WILL ANY LIGHT BE PERMITTED GREATER THAN 30 FEET ABOVE THE GROUND DIRECTLY BELOW THE LIGHT; ALL LIGHTINGS SHALL BE POINTED DOWN AND AWAY FROM THE BOUNDARIES OF THE SUBDIVISION.

2.4 LANDSCAPING

THE EXISTING TREE CANOPY ON THE SOUTH 150 FEET OF THE SUBDIVISION SHALL BE PRESERVED. THE FOLLOWING REQUIREMENTS APPLY WITHIN THAT AREA ONLY:

- 2.4.1 THE LANDSCAPE AND SITE PLAN APPROVAL MUST ILLUSTRATE THE DISTURBED AREA AND INCLUDE AN EXISTING TREE SURVEY SHOWING ANY TREE OVER 3" CALIPER.
2.4.2 THE APPROVED LANDSCAPE PLAN AND SITE PLAN MUST ILLUSTRATE TREE PROTECTION DETAILS AND REPLACE ANY TREE THAT IS REMOVED WITH "TWO TREES NOT LESS THAN A 2.5" CALIPER AND WITH A MINIMUM HEIGHT OF 22 FEET.
2.4.3 IN THE EVENT ALL TREES ARE REMOVED, THEN THE ENTIRE AREA MUST BE REFORESTED PRIOR TO RECEIPT OF A BUILDING PERMIT WITHIN A MINIMUM OF 45 DAYS THAT MEET A MINIMUM 3" CALIPER TREE AND HEIGHT OF 22 FEET.

SECTION III. TERM, AMENDMENT AND ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I, UTILITY EASEMENTS, AND OF SECTION II, OPTIONAL DEVELOPMENT PLAN RESTRICTIONS ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS RESTAINING THERETO AND WHETHER OR NOT THESE COVENANTS WITHIN SECTIONS I AND II SHALL INURE TO THE BENEFIT OF AND BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA. IF THE UNDERSIGNED OWNER, OR SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION I OR SECTION II, THE SUPPLIER OF UTILITY SERVICE OR THE CITY OF TULSA, OKLAHOMA, MAY BRING AN ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT HIM OR THEM FROM SO

DOING OR TO ENFORCE COMPLIANCE WITH THE COVENANT OR TO RECOVER DAMAGES. IN AN JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED WITH THIS DEED OF DEDICATION, THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW IS HEREBY WAIVED.

3.3 AMENDMENT

THESE RESTRICTIONS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERSPECTIVE BUT IN ANY EVENT SHALL BE IN FORCE AND EFFECT FOR A TERM OF NOT LESS THAN THIRTY (30) YEARS FROM THE DATE OF THE RECORDING OF THIS DEED OF DEDICATION UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

3.4 SEVERABILITY

INVALIDATION OF ANY RESTRICTION SET FORTH HEREIN, OR ANY PART THEREOF, BY AN ORDER, JUDGMENT, OR DECREE OF ANY COURT, OR OTHERWISE, SHALL NOT INVALIDATE OR AFFECT ANY OF THE OTHER RESTRICTIONS OR ANY PART THEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, THE OWNER HAS CAUSED THESE PRESENTS TO BE EXECUTED THIS DAY OF 2018.

MEMORIAL IMPORTS INVESTMENTS, LLC
AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: GREG KACH, MANAGER

STATE OF OKLAHOMA)
) SS
COUNTY OF TULSA)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY REVIEWED EACH OF THE ABOVE INSTRUMENTS AND KNOW TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THE NAME OF MEMORIAL IMPORTS INVESTMENTS, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, TO THE FOREGOING INSTRUMENT AS ITS MANAGER AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND AGREED THAT THE FREE AND VOLUNTARY ACT AND DEED OF SUCH COMPANY FOR THE USES AND PURPOSES THEREIN SET FORTH:

MY COMMISSION EXPIRES NOTARY PUBLIC

CERTIFICATE OF SURVEY

I, R. WADE BENNETT, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY REVIEWED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND HEREIN DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT IS A TRUE REPRESENTATION OF A SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING.

WITNESS MY HAND AND SEAL THIS DAY OF 2018.

BY: R. WADE BENNETT

REGISTERED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1556

STATE OF OKLAHOMA)

) SS

COUNTY OF TULSA)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY OF 2018, PERSONALLY APPEARED R. WADE BENNETT TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THE NAME OF THE MAKER THEREOF TO THE 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. THE DAY AND YEAR READ ABOVE WRITTEN.

MY COMMISSION EXPIRES NOTARY PUBLIC

Memorial Imports - Phase II

SHEET 1 OF 2

DRAWN & PREPARED BY JANUARY PALMIRA

138



Tulsa Metropolitan Area
Planning Commission

Case Number: PUD-166-N

Hearing Date: February 21, 2018

Case Report Prepared by:

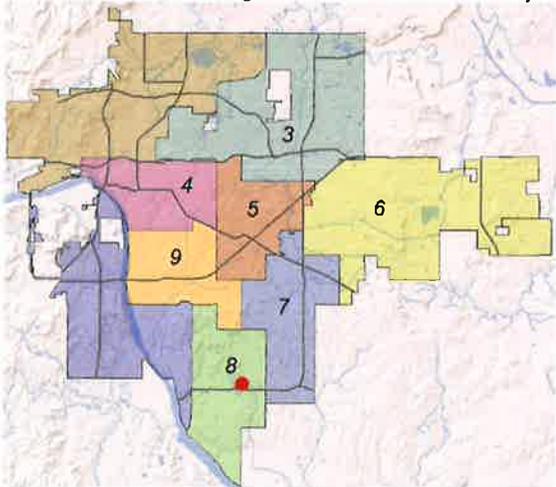
Jay Hoyt

Owner and Applicant Information:

Applicant: Josh McFarland

Property Owner: HOGAN REAL ESTATE
INVESTMENTS - 93RD LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Retail

Proposed Use: Retail

Concept summary: Increase allowable floor area to 8,700 sf.

Tract Size: 0.95 ± acres

Location: NE/c of S. Sheridan Rd. & E. 93rd St. S.

Zoning:

Existing Zoning: PUD-166I, PUD-166, RS-3,
RM-1

Proposed Zoning: PUD-166-N

Comprehensive Plan:

Land Use Map: Town Center

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 8323
CZM: 57

Atlas: 1906

City Council District: 8

Councilor Name: Phil Lakin Jr.

County Commission District: 3

Commissioner Name: Ron Peters

14.1

SECTION I: PUD-166-N

DEVELOPMENT CONCEPT: The applicant proposes to increase the allowable floor area from 7,000 sf to 8,700 sf to permit a new retail center. This request is considered a major amendment due to the requested increase exceeding 15% in additional floor area allowed by minor amendments.

EXHIBITS:

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

DETAILED STAFF RECOMMENDATION:

The applicants proposal is consistent with the Tulsa Comprehensive Plan, and;

The applicant's proposal is consistent with the provisions of the PUD chapter of the Tulsa Zoning Code, and;

The development standards identified in this PUD are non-injurious to the existing proximate neighborhood, therefore;

Staff recommends Approval of PUD-166-N to increase allowable floor area to 8,700 sf.

PUD-166-N DEVELOPMENT STANDARDS: Allowable floor area shall be 8,700 sf. No other standards are proposed to be amended at this time. All remaining development standards of PUD-166-M will remain in effect.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: *The subject parcel is designated as a Town Center and an Area of Growth.*

Land Use Vision:

Land Use Plan map designation: Town Center

Town Centers are medium-scale, one to five story mixed-use areas intended to serve a larger area of neighborhoods than Neighborhood Centers, with retail, dining, and services and employment. They can include apartments, condominiums, and townhouses with small lot single family homes at the edges. A Town Center also may contain offices that employ nearby residents. Town centers also serve as the main transit hub for surrounding neighborhoods, and can include plazas and squares for markets and events. These are pedestrian-oriented centers designed so visitors can park once and walk to number of destinations.

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 Sheridan Road is designated as a Secondary Arterial

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently occupied by Fiesta Pools and Spas and associated structures

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP RW</u>	<u>Exist. # Lanes</u>
South Sheridan Road	Secondary Arterial	100 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	RM-1/PUD-166-J	Town Center	Growth	Carwash / Self-Storage
South	RS-3	Existing Neighborhood	Stability	Single-Family
East	RM-1/RS-3/PUD-166-D	Town Center	Growth	Daycare
West	RM-1/PUD-206-B	Town Center	Growth	Retail / Post Office

14.3

SECTION III: Relevant Zoning History

ZONING ORDINANCE:

- Ordinance number 18757 dated June 27, 1996, amended zoning for the subject property. (PUD-166-I)
- Ordinance number 17856 dated January 21, 1993, amended zoning for the subject property. (PUD-166-E)
- Ordinance number 15081 dated May 1, 1981, amended zoning for the subject property. (PUD-166-A)
- Ordinance number 13592 dated March 30, 1976, amended zoning (AG & RS-3 to RM-1 & RS-3) for the subject property. (Z-4828 and PUD-166)
- Ordinance number 12642 dated November 7, 1972, amended zoning (AG to RS-3) for the subject property. (Z-4243)
- Ordinance number 11833 dated June 26, 1970, established zoning for the subject property.

Subject Property:

PUD-166-M November 2017: All concurred in **approval** of a proposed Major Amendment to **allow** restaurant, retail, and office uses in addition to previously approved uses and **to prohibit** bars, liquor stores, tattoo establishments, and sexually-oriented businesses, on property located on the northeast corner of South Sheridan Road and East 93rd Street South.

PUD-166-I June 1996: All concurred in **approval** of a proposed Major Amendment to expand permitted retail uses in the PUD and on the subject tract. The uses approved were for a garden center, artists' supply, book store, camera and photographic supplies, clothing and accessories, dress making, florist, interior decorating and wallpaper, shoe store, sporting goods stores, and swimming pools and spa store, all subject to existing standards and subject to no outside storage of supplies to be visible from South Sheridan Road or from East 93rd Street on a tract of land located on the subject property.

PUD-166-E January 1993: All concurred in **approval** of a proposed Major Amendment to PUD-166 on a .95[±] acre tract of land to make a garden center the only permitted use on the subject property.

PUD-166 September 1975: All concurred in **approval**, with conditions, of a proposed Planned Unit Development on a 96[±] acre tract of land, with 13 acres commercial and 83 acres residential under PUD controls. Permitted were 126,500 square feet of commercial floor area on a roughly 588' x 1,125' tract on the corner (Area "A"), and 168 apartment units on an adjacent 515' x 893' tract to the south (Area "B"). The balance of the PUD permitted 121 apartments east of the southeast corner (Area C) and 117 single-family units on the interior (Area D) on property located on the southeast corner of East 91st Street South and South Sheridan Road.

Z-4828 September 1975: All concurred in **approval** of a request to rezone a 28[±] acre tract of land at the southeast corner of E. 91st Street South & S. Sheridan Road (excluding existing CS) from AG and RS-3 to 13 acres RM-1, extending 600' east and 450' south of the existing CS, and to 15 acres of RS-3 on the balance, on the subject property.

Z-4243 July 1972: All concurred in **denial** of a request for rezoning a 29.6[±] acre tract of land on the SE corner of 91st Street South and Sheridan Road from AG to CS and **approval** of RS-3; All concurred in **approval** of a request for rezoning a 66.5[±] acre tract of land on the southeast from AG to RS-3.

Surrounding Property:

14.4

PUD-166-L May 2000: All concurred in **denial** of a proposed Major Amendment to PUD-166 on a .77± acre tract of land for a 50' square enclosed pool yard for swimming pools and spa store on property located on the northeast corner of East 93rd Street South and South Sheridan Road.

PUD-166-K October 1997: All concurred in **approval** of a proposed Major Amendment to PUD-166 on a .92± acre tract of land for a retail dry cleaning and laundry facility, subject to conditions, on property located on the southeast corner of East 91st Street South and South Sheridan Road.

PUD-166-J January 1997: Request for a major amendment to allow a cellular tower within the PUD development was **approved**.

PUD-206-B May 1996: All concurred in **approval** of a major amendment to the PUD to allow a U.S. Post office within Development A of the PUD.

PUD-166-H December 1995: All concurred in **approval** of a proposed Major Amendment to PUD-166 on a .92± acre tract of land to increase the allowable square feet of CS zoning within the RM-1 development area on property located on the southeast corner of East 91st Street South and South Sheridan Road.

PUD-166-G April 1995: A request to add Use Units 16 and 17 in Development Area 2-2; redistribute the square footage allowed; and increase the allowable signage within this PUD area. All amendments were **approved** with conditions, on property located south of the southeast corner of East 91st Street South and South Sheridan Road.

PUD-166-F August 1993: All concurred in **approval** of a proposed Major Amendment to divide Development Area 2 into three separate areas to permit a mini-storage and car wash, on property located north of the northeast corner of South Sheridan Road and east 93rd Street South.

PUD-166-D August 1986: All concurred in **approval** of a proposed Major Amendment to PUD-166 on a 11.12± acre tract of land to divide 11.12 acres into four areas with Area 2 being approved for CS uses, with the exception of Use Units 17 and 20; installation and maintenance of screening and landscaping materials were a condition of approval, on property located north of the northeast corner of South Sheridan Road and east 93rd Street South.

PUD-336 September 1983: All concurred in **approval** of a request to rezone a 5.8± acre tract of land from AG to RM-1 for multi-family use on property located east of the southeast corner of East 91st Street South and South Sheridan Road.

PUD-166-C July 1983: All concurred in **approval** to allow a tire store on property within the same PUD.

PUD-166-B April 1983: All concurred in **approval** of a proposed Major Amendment to PUD-166 on a 6.69± acre tract of land to allow 168 dwelling units, on property located on the SE corner of South 91st Street and South Sheridan Road.

PUD-166-A April 1981: All concurred in **approval** to amend PUD-166 to allow a 9,000 square-foot office building on the SE corner of South 91st Street and South Sheridan Road.

PUD-206 November 1977: All concurred, subject to conditions, in **approval** of a proposed Major Amendment on a 60± acre tract of land to allow 200,000 square-feet of commercial, 200 multi-family units, 174 duplexes and 148 single-family units. Approximately 4.9 acres will serve as open area and

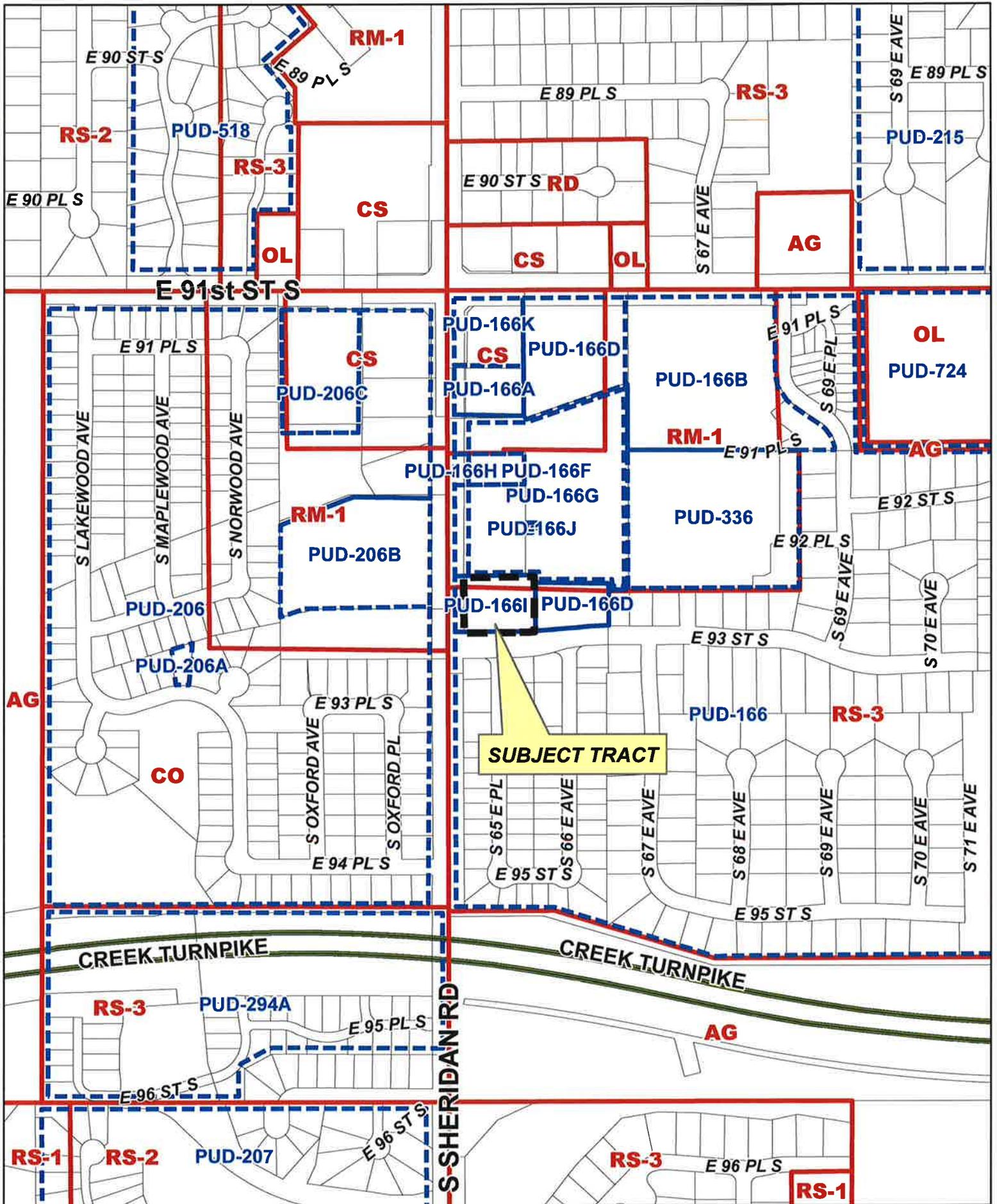
14.5

detention for storm water runoff, on property located at the southwest corner of South 91st Street and South Sheridan Road.

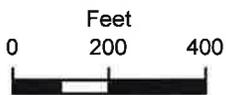
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REVISED 2/14/2018



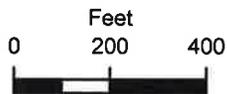
PUD-166-N



18-13 23

14.7





Subject Tract

PUD-166-N

18-13 23

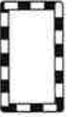
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Aerial Photo Date: February 2016





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Subject
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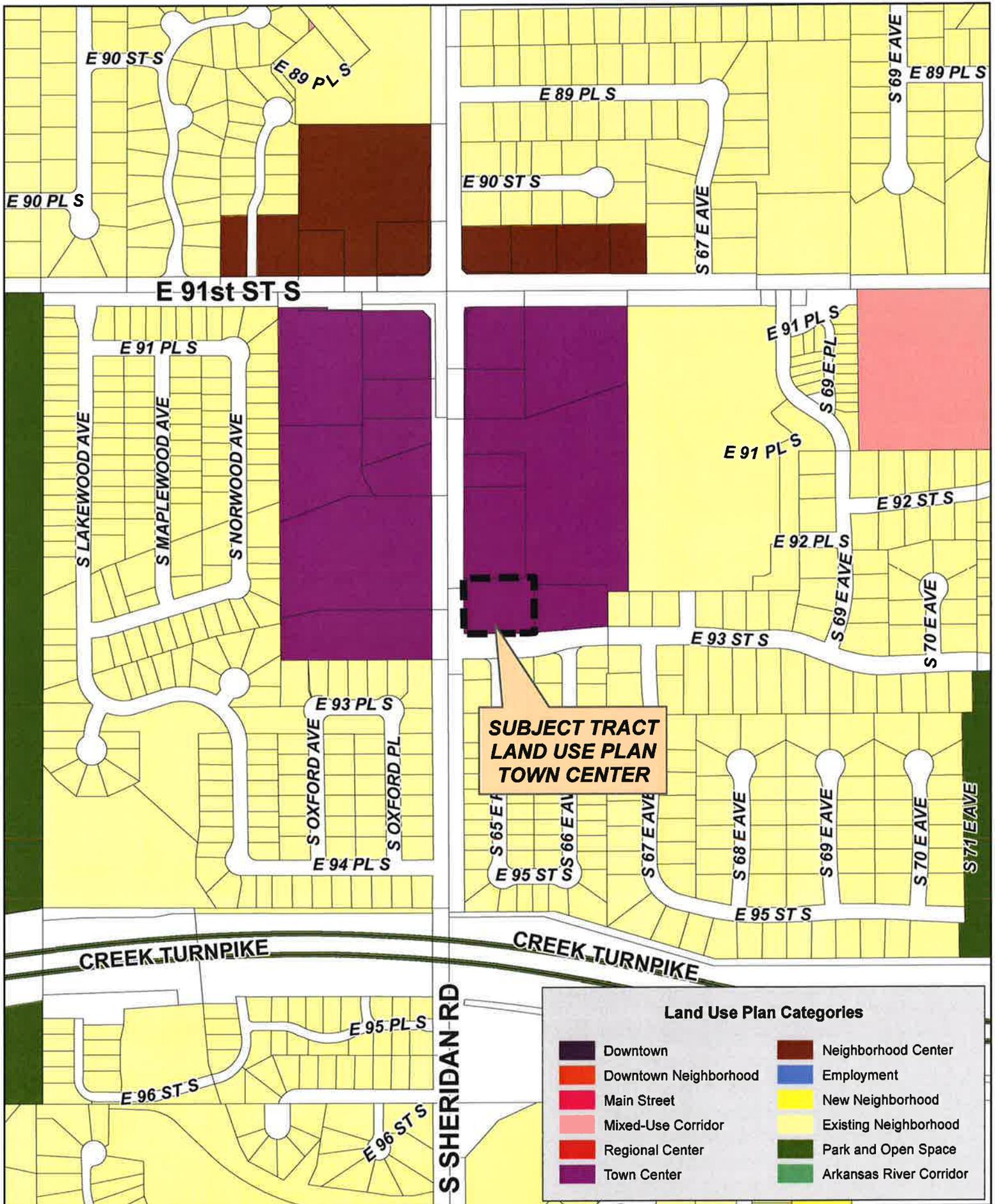
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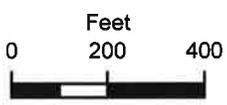
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Aerial Photo Date: February 2016



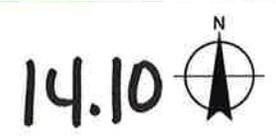


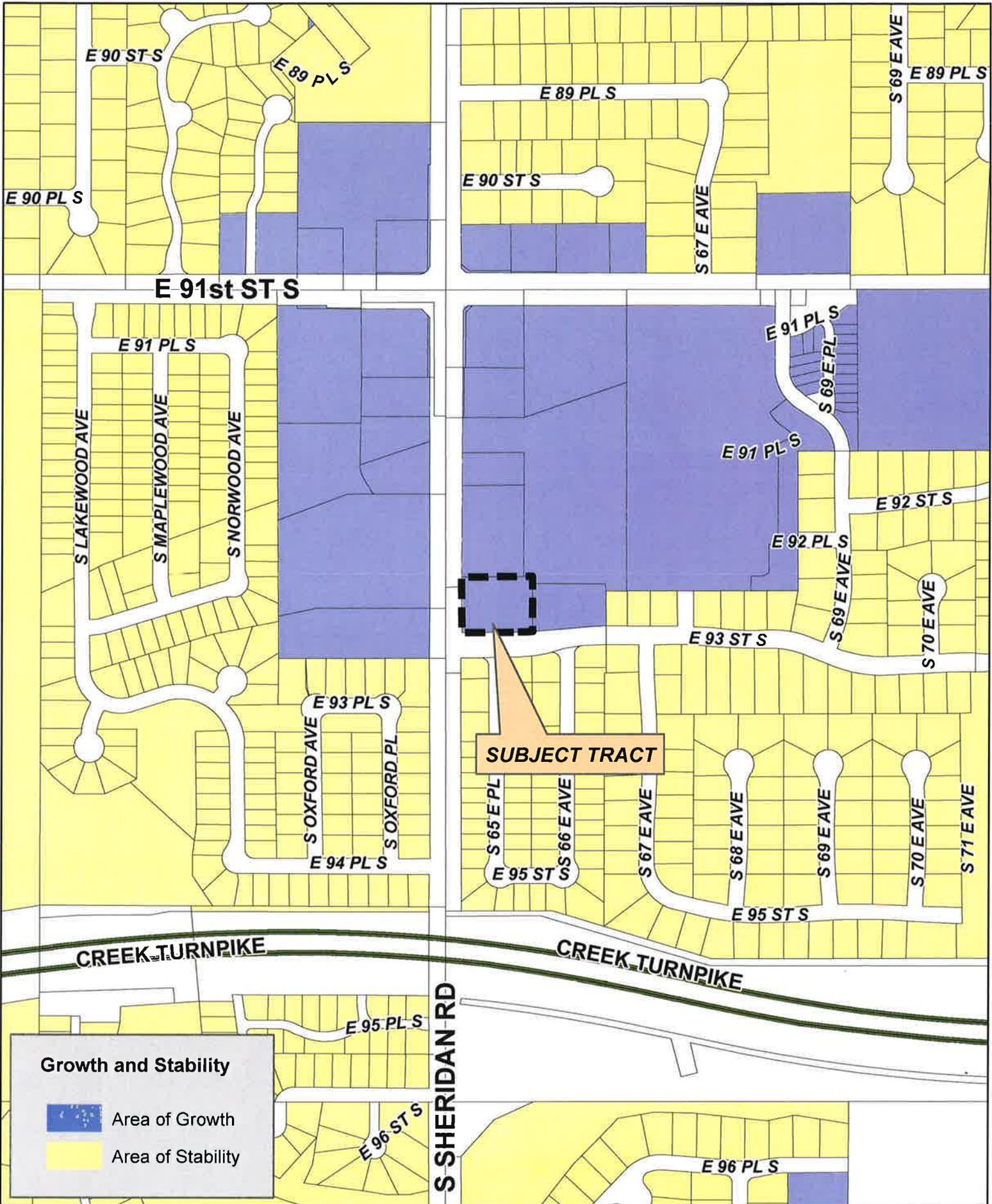
**SUBJECT TRACT
LAND USE PLAN
TOWN CENTER**



PUD-166-N

18-13 23





SUBJECT TRACT

PUD-166-N

18-13 23

14.11





Tulsa Metropolitan Area
Planning Commission

Case Number: CZ-468

Hearing Date: February 21, 2018

Case Report Prepared by:

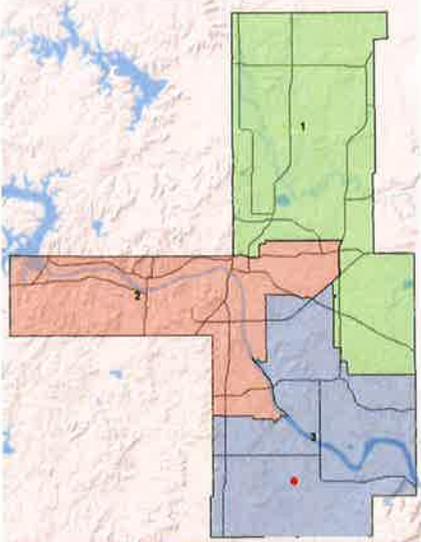
Jay Hoyt

Owner and Applicant Information:

Applicant: Tulsa County

Property Owner: BOARD OF COUNTY
COMMISSIONERS TULSA CO

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



Applicant Proposal:

Present Use: vacant

Proposed Use: Highway Maintenance Facility

Concept summary: Rezone from AG to IL to permit
a new highway maintenance facility

Tract Size: 10 ± acres

Location: NE/c of S. Yale Ave. & E. 171st St. S.

Zoning:

Existing Zoning: AG

Proposed Zoning: IL

Comprehensive Plan:

Land Use Map: N/A

Stability and Growth Map: N/A

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 7327

CZM: 67

Atlas: N/A

County Commission District:

Commissioner Name: Ron Peters

15.1

SECTION I: CZ-468

DEVELOPMENT CONCEPT: Rezone subject lot from AG to IL in order to permit a new highway maintenance facility. This use would be considered Use Unit 4 – Public Protection & Utility Facilities.

EXHIBITS:

INCOG Case map
INCOG Aerial (small scale)
INCOG Aerial (large scale)
Proposed Site Plan

DETAILED STAFF RECOMMENDATION:

Given the proposed use and context of the subject lot, IL zoning would be appropriate and would be non-injurious to the existing proximate properties and;

CZ-468 is consistent with the anticipated future development pattern of the surrounding property therefore;

Staff recommends Approval of CZ-468 to rezone property from AG to IL.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: This area is outside of the City of Tulsa Comprehensive Plan area.

Land Use Vision:

Land Use Plan map designation: N/A

Areas of Stability and Growth designation: N/A

Transportation Vision:

Major Street and Highway Plan: E 171st St S is a Primary Arterial. S Yale Ave is a Secondary Arterial.

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is primarily vacant agricultural land. A utility shed currently exist on site. A pond lies along the eastern boundary of the lot.

Environmental Considerations: None

15.2

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP RW</u>	<u>Exist. # Lanes</u>
E 171 st St S	Primary Arterial	120 feet	2
S Yale Ave	Secondary Arterial	100 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning</u>	<u>Existing Land Use Designation</u>	<u>Area of Stability or Growth</u>	<u>Existing Use</u>
North	AG	N/A	N/A	Vacant / Cell Tower
South	AG	N/A	N/A	Vacant
East	OL	N/A	N/A	Preschool / Church
West	AG	N/A	N/A	Single Family

SECTION III: Relevant Zoning History

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

Subject Property: No relevant history.

Surrounding Property:

CBOA-2150-A May 2011: The Board of Adjustment **approved** an *Amended Site Plan* as approved by CBOA-1484, for a daycare center accessory to a church use, on property located east of the northeast corner of East 171st Street South and South Yale Avenue.

CBOA-2150 March 2005: The Board of Adjustment **approved** an *Amended Site Plan* as approved by CBOA-1484, for expansion for a children's church facility, on property located east of the northeast corner of East 171st Street South and South Yale Avenue.

CBOA-1917 November 2001: The Board of Adjustment **approved** a *variance* of lot width from 200' to 165' for lot-split L-19313 (Tract A); a *variance* of lot area from 2 acres to 1.47 acres (Tract B); a *variance* of land area from 2.2 acres to 1.95 acres if roadway dedication is required on 171st Street and Yale Avenue (Tract B), subject to easement by right-of-way dedication, on property located on the northwest corner of South Yale Avenue and East 171st Street South. A request was made to **reconsider** CBOA-1917 in December of 2001, the Board of Adjustment **continued** the case until January 2002. On January 15, 2002, the **motion to reconsider the case** went before the Board of Adjustment but the **motion died** for lack of a second and would not be reconsidered.

CBOA-1780 October 2000: The Board of Adjustment **approved** an *Amended Site Plan* per the original approval, CBOA-1484, on property located east of the northeast corner of East 171st Street South and South Yale Avenue.

15.3

CBOA-1484 March 1997: The Board of Adjustment **approved** a *special exception* to permit church use in an OL and AG zoned district; subject to the plan submitted being approved in concept only; subject to the first phase building location be approved as submitted and the applicant return to the Board with any future development to seek approval of compliance with the conceptual plan; subject to the maximum height of any building within this development being 26' maximum (heights defined in the County Zoning Code), on property located east of the northeast corner of East 171st Street South and South Yale Avenue.

CBOA-1283 August 1994: The Board of Adjustment **approved** a *variance* of the required lot width from 200' to 165' to permit a lot split, on property located north of the northwest corner of East 171st Street South and South Yale Avenue.

CBOA-1265 May 1994: The Board of Adjustment **approved** a *special exception* to permit a school use in an OL zoned district per plan submitted; subject to days and hours of operation being Monday through Thursday, 8:30 a.m. to 3 p.m., and 8:30 a.m. to noon on Friday; subject to a maximum of 10 staff members; subject to the number of students being in compliance with State requirements; and subject to Health Department approval of sewage disposal, on property located east of the northeast corner of East 171st Street South and South Yale Avenue.

CZ-175 July 1989: All concurred in **approval** of a request for rezoning multiple tracts of land that had been de-annexed from City of Bixby on April 10, 1989, Ordinance #613. According to Tulsa County Zoning Code, properties de-annexed from a city automatically are zoned AG. Tulsa County requested to have the tracts rezoned to the same zoning they were prior to the Bixby annexation on March 13, 1989, Ordinance #610. Included in this rezoning is the property located east of the northeast corner of East 171st Street South and South Yale Avenue.

CBOA-804 March 1988: The Board of Adjustment **approved**, per conditions, a *special exception* to permit a multi-family dwelling in an OL zoned district, on property located east of the northeast corner of East 171st Street South and South Yale Avenue.

CBOA-614 November 1985: The Board of Adjustment **approved** a *variance*, (Section 220(c) – height exception – Use Unit 1204), of the 60' height limitation to 240' to permit a transmitting/receiving tower; subject to construction materials being used as represented by the applicant, on property located north of the northeast corner of East 171st Street South and South Yale Avenue.

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AG

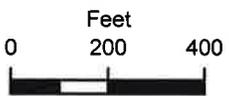
SUBJECT TRACT

OL

E 171st ST S

S YALE AVE

AG



CZ-468

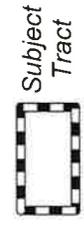
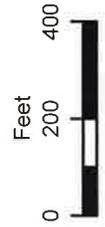
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E 171st St S

S YALE AVE



CZ-468

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

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Aerial Photo Date: February 2016

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

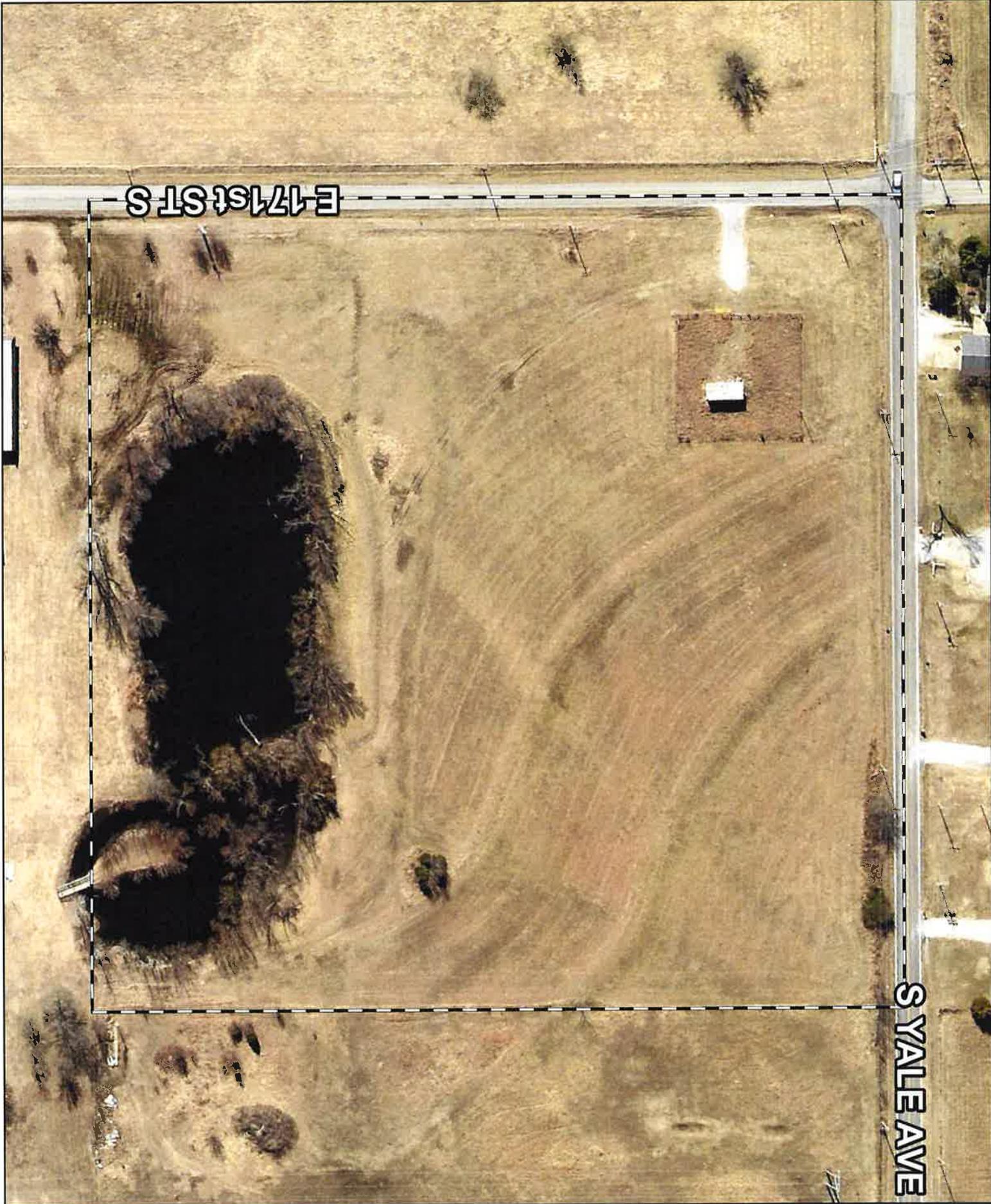
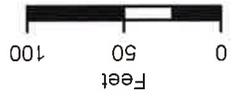
Aerial Photo Date: February 2016

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CZ-468

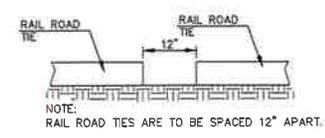
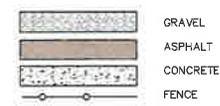
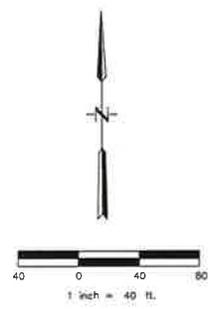
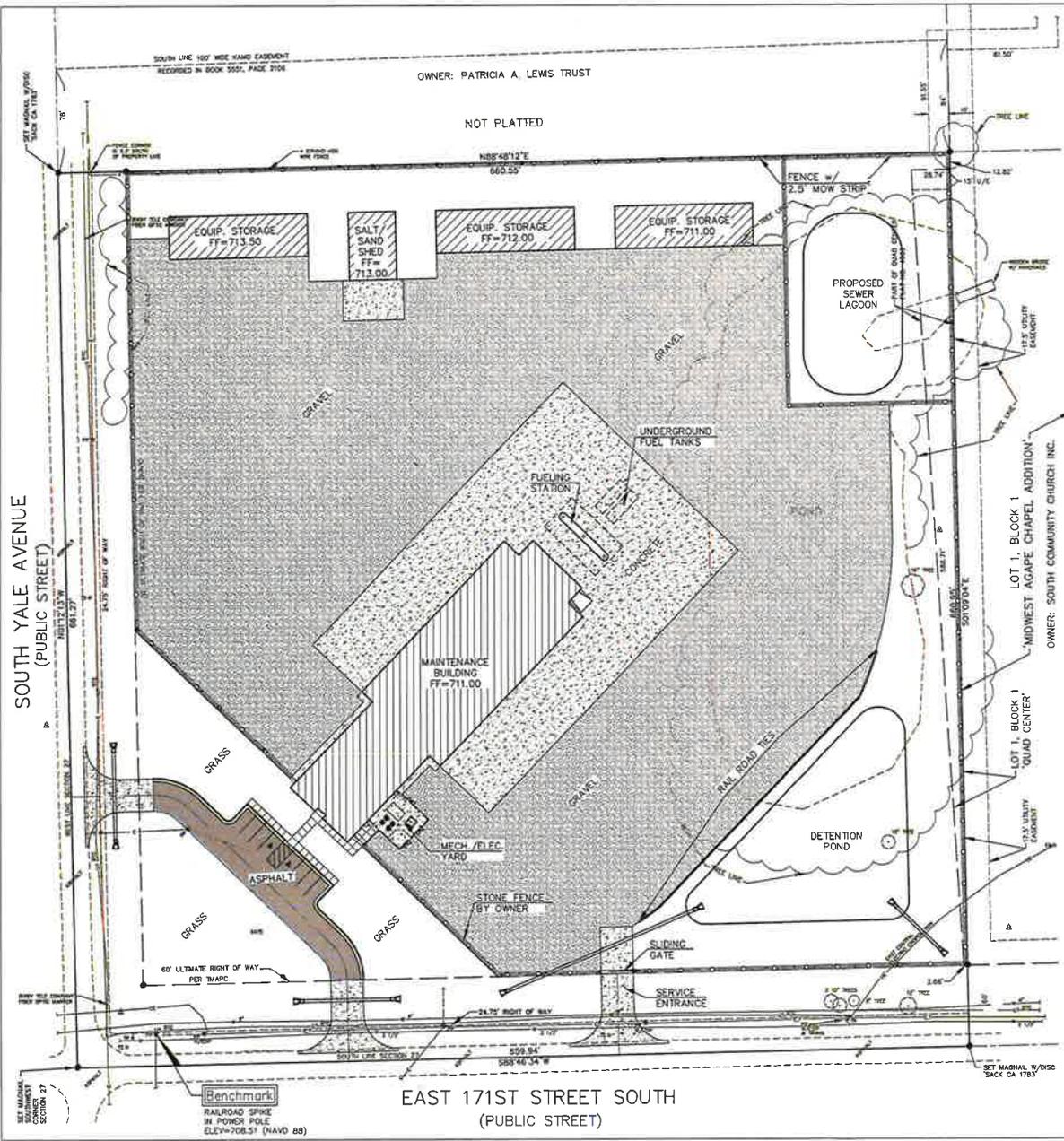
17-13 27

Subject Tract



E 171st St S

S YALE AVE



BKL
 Incorporated
 ENGINEERS & ARCHITECTS
 C.A. 508 (ARCH) RENEWAL DATE: 05-30-2019
 C.A. 382 (PE) RENEWAL DATE: 06-30-2019

WSA
 WARREN SMITH & ASSOCIATES
 CONSULTING ENGINEERS, P.C.
 C.A. 508 (ARCH) RENEWAL DATE: 05-30-2019
 C.A. 382 (PE) RENEWAL DATE: 06-30-2019

TULSA CO. MAINTENANCE FACILITIES DISTRICTS 1 & 3

DISTRICT 3 PROPOSED SITE PLAN

PROJECT NUMBER: 633
 DATE: NOVEMBER 31, 2015

PROJECT MANAGER: KIM REEVE
 DESIGNERS: KIM REEVE
 INTERIORS: JENNIFER HAMMOCK
 STRUCTURAL: STACY LOEFFLER
 M.E.P.: WES SMITH
 SITE: GEORGE ROCHELLE
 DRAWN BY: STEVEN CAIN

REVISIONS:

PRELIMINARY NOT FOR CONSTRUCTION

15.8

C2-02



Tulsa Metropolitan Area Planning Commission

Case Number: Z-7421 with optional development plan

Hearing Date: February 21, 2018
(Continued from November 15, 2017 and January 17, 2018)

Case Report Prepared by:

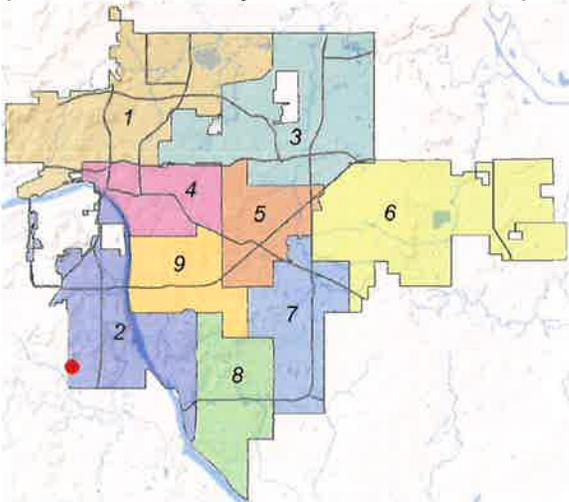
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Wallace Engineering / Janelle Moore

Property Owner: Copper Creek LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: vacant

Proposed Use: residential

Concept summary: Rezoning request for single family residential development. The long-term plan for this project will include a gated community with private streets. The applicant anticipates amending the optional development plan to include that provision with the subdivision regulations are modified.

Tract Size: 15 ± acres

Location: E of SE/c of S. 33rd W. Ave. & W. 81st St. S.

Zoning:

Existing Zoning: AG

Proposed Zoning: RS-2 with optional development plan

Comprehensive Plan:

Small Area Plan: West Highlands Small Area Plan

Land Use Map: Existing Neighborhood

Stability and Growth Map: Area of Stability

Staff Recommendation:

The applicant originally requested RS-3 zoning and has amended his request for RS-2 zoning with an optional development plan. Staff does not support the details in the optional development plan identified in the 2/13/2018 email attached.

Staff recommends approval for RS-2 zoning with the optional development plan as outlined in Section II of the following report.

Staff Data:

TRS: 8215

CZM: 51

Atlas: 0

City Council District: 2

Councilor Name: Jeannie Cue

County Commission District: 2

Commissioner Name: Karen Keith

16.1

SECTION I: Z-7421

DEVELOPMENT CONCEPT: The applicant has requested a rezoning to support a proposed single family residential development. The long-term concept is to develop a private street gated community. The City of Tulsa subdivision regulations do not allow private streets outside of a Planned Unit Development. When those regulations are modified an amendment to the optional development will be required.

EXHIBITS:

- INCOG Case map
- INCOG Aerial
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map
- Applicant Optional Development Plan:
 - Conceptual Plan
 - Offsite sanitary sewer extension concept
- Neighbors Correspondence:
 - Bart James small area plan analysis

SECTION II: Optional Development Plan Standards

Z-7421 with the optional development plan standards will conform to the provision of the Tulsa Zoning Code for development in an RS-2 zoning district and all its supplemental regulations except as further refined below:

Uses allowed:

- A. Permitted Uses: The subject property may only be used as follows:
 - a. Residential Use category
 - i. Single Household
- B. Public, Civic and Institutional
 - a. Natural Resource Preservation
 - b. Minor Utilities and Public Service Facilities

Residential building types allowed: The subject property may only be used as follows:

- A. Single Household
 - a. Detached House

Lot and Building Regulations:

Minimum Lot Area:	13,500 square feet
Minimum Average Lot Width:	100 feet
Minimum Street Frontage	30 feet
Minimum Building Setbacks	
Street	
Arterial	35 feet
Other streets	35 feet*
Side (Interior)	15 feet
Rear	25 feet
Minimum open space per lot	5,000 square feet
Maximum building height	35 feet

*For detached houses and accessory buildings on corner lots street setbacks for non-arterial streets shall also be 35 feet.

Provide pedestrian connectivity and meaningful open space as illustrated on the conceptual plan submitted.

The right-of-way or reserve area width may not be less than 50 feet as defined in the City of Tulsa subdivision regulations. The minimum building setbacks defined above shall be measured from the street reserve area boundary or right-of-way line.

DETAILED STAFF RECOMMENDATION:

Z-7421 request RS-2 zoning with an optional development plan for a single family residential development. Single family residential uses in this location are consistent with the Existing Neighborhood land use designation in the Comprehensive Plan and in the West Highlands Small Area Plan and,

RS-2 zoning with the optional development plan at this specific location may not be consistent with the provisions identified in an Area of Stability as outlined in the Tulsa Comprehensive Plan, however the optional development plan provides standards for wider side yards and larger front setbacks that are consistent with the large lot neighborhood character expected in the small area plan and,

RS-2 zoning with the optional development plan standards allows a lot density that may still not be consistent with the existing land use pattern in the area. That pattern was established years ago without sanitary sewer availability but the existing zoning in those areas would allow property to be developed with RS-3 lots with a minimum of 6900 square feet when connected to a sanitary sewer system. The City of Tulsa has recently completed sanitary sewer construction south of this site that would allow much greater density on property that is currently zoned RS-3 and,

Single family residential uses are consistent with the land use vision of the West Highlands Small Area Plan however the density allowed by RS-2 zoning with the optional development plan outlined above is contradictory to the rural residential uses recommended by the West Highlands Small area plan and may be considered injurious to the surrounding property owners and,

The lot setbacks and building regulations included in the optional development plan meet or exceed the standards defined in a RS-2 zoning which is consistent with the optional development plan limitations allowed in the Tulsa Zoning Code therefore,

Staff recommends approval of Z-7421 to rezone property from AG to RS-2 with the optional development plan outlined in Section II.

SECTION III: Supporting Documentation

Bulk and Area Summary chart illustrating differences in zoning categories

Zoning category	Lot Area (sq. ft.)	Lot width (ft.)	Street Setback (ft.)	Rear Setback (ft.)	Side Setback (ft.)	Open Space (sq. ft)
Z-7421 RS-2 w/ODP	13,500	100	35	25	15/15	5,000
RS-2	9,000	75	30	25	5/5	5,000
AG	87,120	200	25	40	10/5	None required
RE	22,500	150	35	25	15	12,000
RS-1	13,500	100	35	25	5/5	7,000
RS-3	6,900	60	25	20	5/5	4,000

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Within the West Highlands Small Area plan a development concept illustrates a single family residential development with a variety of lot sizes, greenspace wildlife corridor for local fauna and a perimeter greenspace buffer that summarize the goals for a context sensitive neighborhood. Without using an optional development plan or recommending a larger lot zoning designation staff does not have any regulatory method to support the visioning concepts illustrated in the plan.

Land Use Vision:

Land Use Plan map designation: Existing Neighborhood

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

Areas of Stability and Growth designation: Area of Stability

The Areas of Stability includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability.

The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

Transportation Vision:

Major Street and Highway Plan: None that would affect site development

16.4

Trail System Master Plan Considerations: None that affect site development

Small Area Plan: West Highlands Small Area Plan (Adopted 2014)

The recommendations of the small area plan include many references to supporting residential single family uses within a rural context and a rural residential zoning use. Revisions to the Tulsa Zoning Code have not implemented those concepts.

Special District Considerations: None except those design considerations recommended in the West Highlands Small Area Plan

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site abuts property on the south that does not have a public connection to any street. The preliminary plat will require stub street construction that will allow access to the arterial streets anticipating future development. Street connectivity is an important consideration in the West Highlands Small Area Plan and in the Tulsa Comprehensive Plan.

The density illustrated on the conceptual plan can only be supported by a connection to a public sewer system.

Environmental Considerations: The southwest corner of the site is included in the City of Tulsa regulatory floodplain. Development of that portion of the tract will require adequate engineering analysis during the design process to meet or exceed City standards for development in the floodplain.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP RW</u>	<u>Exist. # Lanes</u>
West 81 st Street South	Secondary Arterial	100 feet	2

Utilities:

The subject tract has municipal water available.

A City of Tulsa sanitary sewer extension will be required to serve this site from approximately ½ mile south of the south boundary of the site.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-3	Existing Neighborhood	Stability	Large lot single family homes
East	AG	Existing Neighborhood	Stability	One single family home
South	AG	Existing Neighborhood	Stability	Undeveloped
West	RS-3	Existing Neighborhood	Stability	Single family homes

16.5

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11827 dated June 26, 1970, established zoning for the subject property.

Subject Property:

BOA-11166 September 1980: The Board of Adjustment **approved** a *special exception* to permit the location of a mobile home in an AG District for a period of 10-years, or until such time as the dairy ceases to operate, whichever comes first (Section 310 – Principal Uses Permitted in the Agriculture District – Section 1209 – Mobile homes) on the subject property.

Surrounding Property:

BOA-21242 March 2011: The Board of Adjustment **approved** the *variance* of the maximum permitted size of a detached accessory building in the RS-3 district (Section 402.B.1.d) from 1,235 Sq. ft. finding that the proposed structure is to replace what was destroyed by a tornado last year, and the tract is 2.51 acres in size on property located south of the southeast corner of South 33rd West Avenue and West 81st Street South and abutting the subject property.

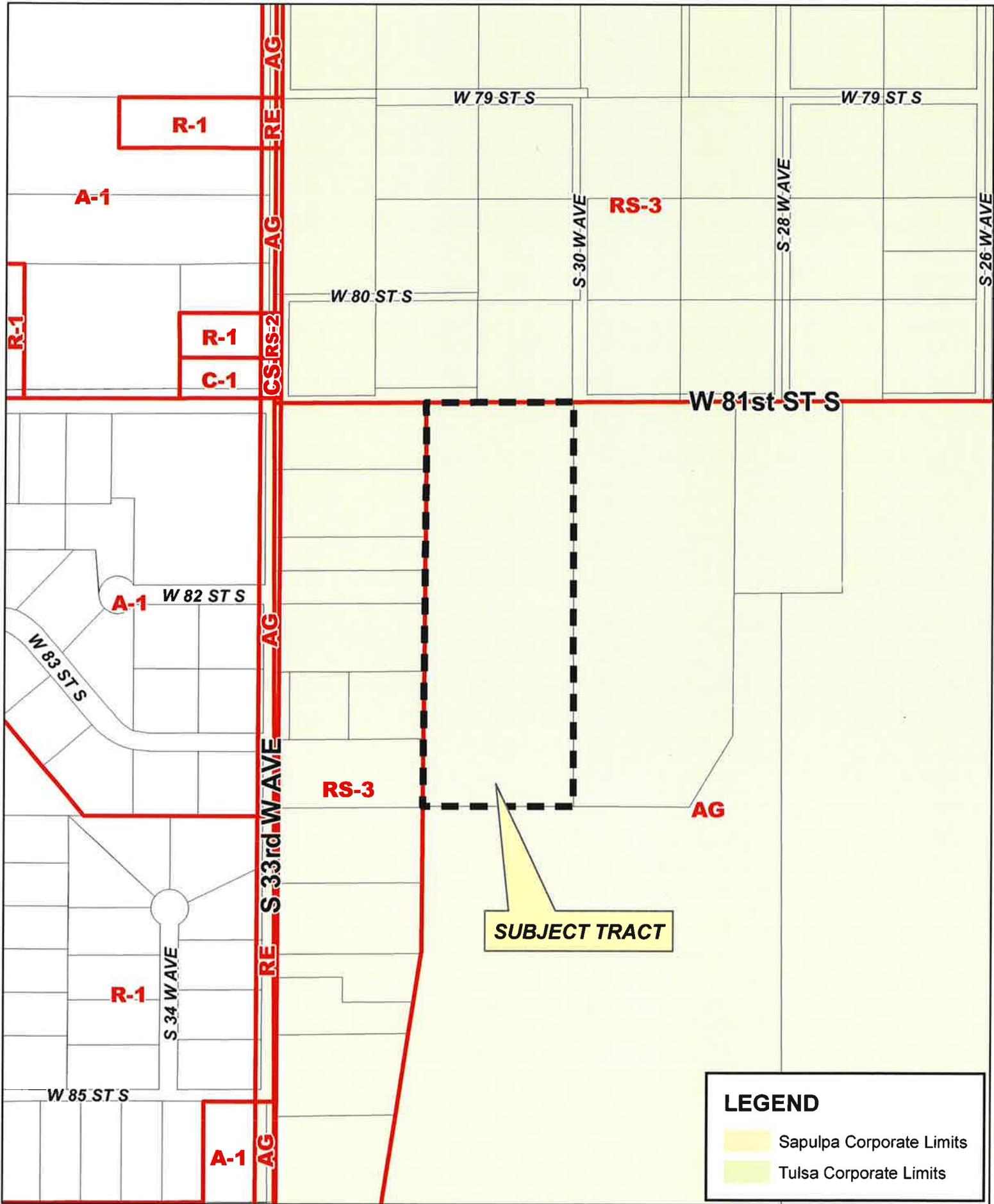
BOA-20256 April 1997: The Board of Adjustment **approved** a *variance* of the maximum size of an accessory building in an RS-3 District; and a *variance* of the maximum height of the top plate for an accessory building from 10 feet to 12 feet, finding that by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, specifically the large lot size in the RS-3 zoned area; contingent on there being no commercial activities, no living quarters and removal of the existing building, and total square footage of 1,500 for accessory buildings, on property located on the northeast corner of West 81st Street South and South 28th West Avenue.

BOA-17934 February 1998: The Board of Adjustment **denied** a *variance* to all 2 dwelling units on one lot of record; Section 207. One single-family dwelling per lot of record-Use Unit 9 a special exception to allow a manufactured home in an RS-3 zoned district (Section 401). Principal uses permitted in residential districts – Use Unit 9 and a variance of the one year time limit to allow the manufactured home permanently Section 404.E. Special exception uses in residential districts, requirements noting that not hardship was presented on property located east of the northeast corner of South 33rd West Avenue and West 81st Street South.

BOA-15954 February 1992: The Board of Adjustment **denied** a *special exception* to permit a community group home in an RS-3 zoned district – Section 401. Principal uses permitted in the residential districts – Use Unit 5; finding that the proposed use would be detrimental to the neighborhood, and would violate the spirit and intent of the code, on property located east of the corner of South 33rd West Avenue and West 81st Street South.

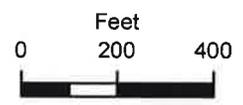
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16.6



LEGEND

- Sapulpa Corporate Limits
- Tulsa Corporate Limits



Z-7421

18-12 15

14.7



W 79 ST S

W 79 ST S

W 80 ST S

S 30 W AVE

S 28 W AVE

S 26 W AVE

W 81st ST S

W 82 ST S

W 83 ST S

S 33rd W AVE

S 34 W AVE

W 85 ST S



Subject Tract

Z-7421

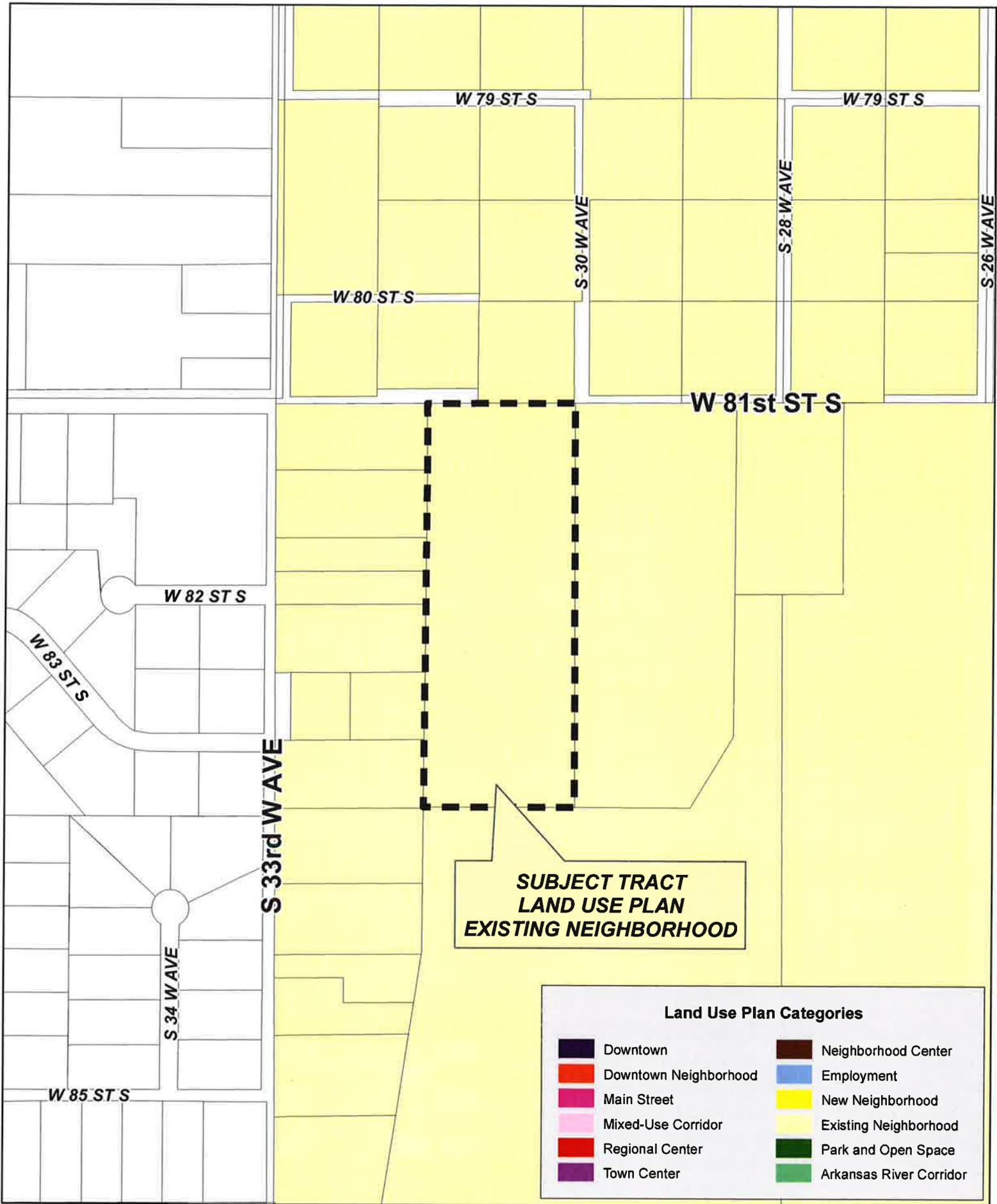
18-12 15

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

Aerial Photo Date: February 2016

16.8

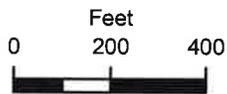


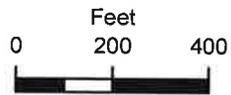
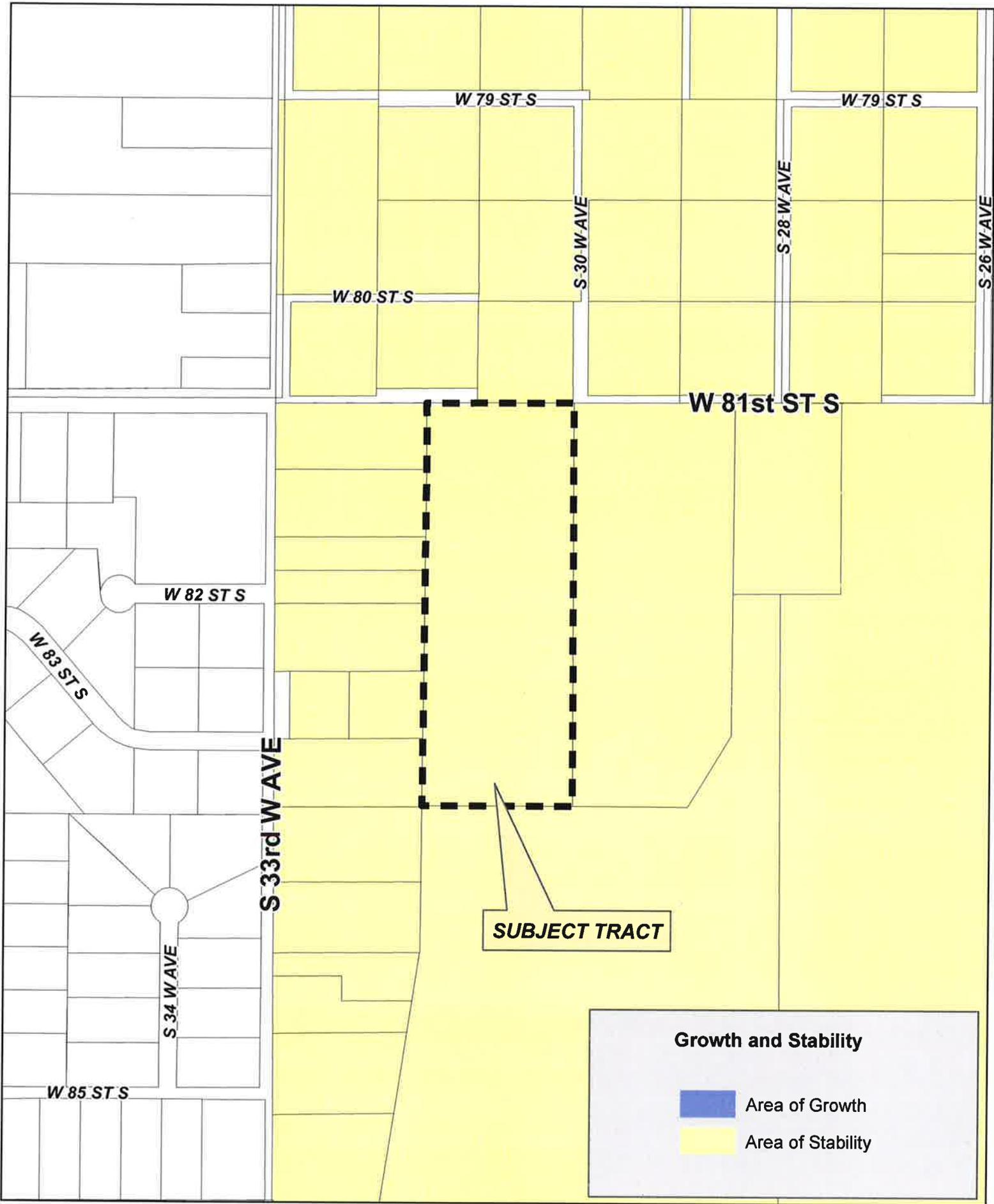


Z-7421

18-12 15

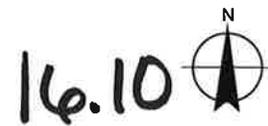
16.9 





Z-7421

18-12 15



Applicant optional development plan exhibit

Note: Text Received by email 2/12/2018 after neighborhood meeting.

As we discussed by phone last week, we had our second community meeting last week. While we would expect to be on a different page from those in the room wanting 1 and 1.5 ac lots, we did have a good discussion and feel we have a good solution to present to TMAPC.

We concluded the meeting committing to two concepts, depending on the end result with the sanitary sewer. At the moment, no one wants us crossing their land with sanitary sewer; therefore, we expect to have to use aerobic sewer system for each lot. This will yield .5 ac lots for a total of 20 lots.

Should someone decide to allow sewer to cross their land, and the City require us to do so, we would need more lot yield to cover those additional cost.

With that in mind, we propose increasing our Minimum Lot Area to 13,500SF, Minimum Lot Width to 90 ft, Minimum Building Side Setback to 10 ft. With the other parameters the same as already proposed. This will allow us to maximize the effort to address the communities request on size of lot and look and feel of the lots. And still yield 28 to 29 lots to cover the additional cost for off site sewer improvements to the community.

16.11

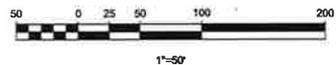
16.12

12/28/2017 3:32:59 PM \\civill-server\projects\1740117 Copper Creek 15 ac - Chris Key\Ogn\Copper Creek Exhibit Half Size.dgn
1740117 1740117 Copper Creek 15 ac - Chris Key\Ogn\Copper Creek Exhibit Half Size.dgn



LEGEND

	BA-1
	AG-0
	RS-0

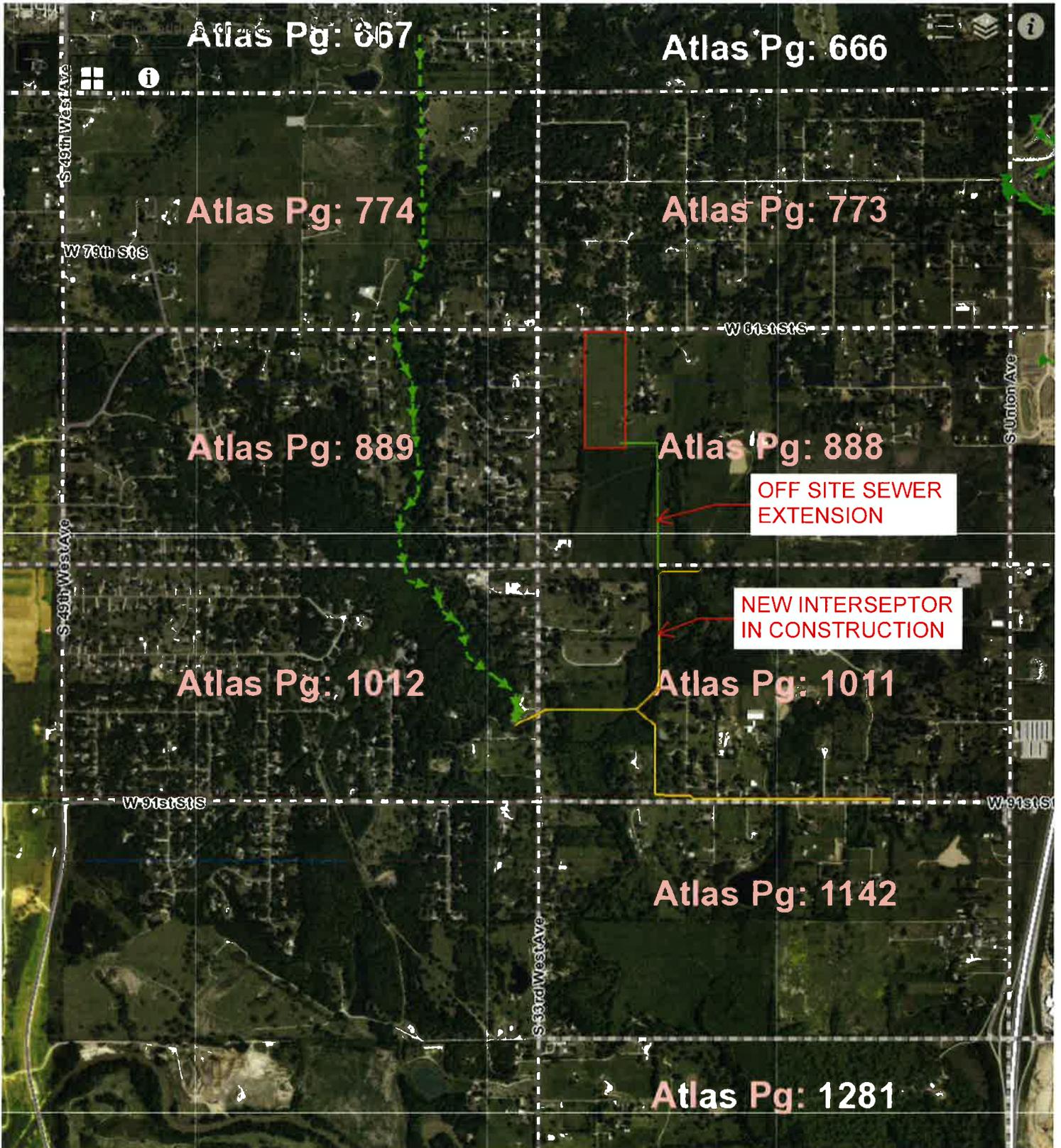


COPPER CREEK SUBDIVISION
CONCEPTUAL SITE PLAN

S 30TH W AVE

WEST 91ST S

wallace
Wallace Engineering
Vancouver, WA
Prepared for the Consultant
2017-12-28
1740117-001-001-001



16.13

Neighborhood Presentation

16.14

BART C. JAMES

ATTORNEY AT LAW

7910 SOUTH 101ST EAST AVENUE
TULSA, OKLAHOMA 74133

TELEPHONE: (918) 392-4949

FACSIMILE: (918) 495-1624

JKJTULSA@JKJCO.COM

TULSA METROPOLITAN AREA PLANNING COMMISSION

CASE # Z-7421

Copper Creek Subdivision

February 21, 2018

16.15

Bart James

MEMORANDUM

FROM: Bart James, Attorney for:
Terry and Mary Beth Dolan
Matthew and Patricia Dingmon

DATE: February 7, 2018

SUBJECT: Annotated Maps of Sections 10 & 15 in Township 18 North, Range 12 East

The annotated maps attached hereto were compiled from the available public records from the Tulsa County Assessor's office. The map depicting Section 10 in Township 18 North and Range 12 East contains the square mile between 71st Street South and 81st Street South, and between Union and 33rd West Ave. The map depicting Section 15 in Township 18 North and Range 12 East contains the square mile between 81st Street South and 91st Street South, and between South Union Ave and 33rd West Ave.

In the full resolution maps, all of the lots smaller than 1 full acre are outlined in red, with their corresponding size in acres noted in the comment box pointing to the lots. Orientation of the annotated lot size within the comment box corresponds to the orientation of the lots. Where one comment box points to multiple lots, the lot size on the left of the comment box correlates with the westerly lot situated on the left within the map. Where the lots are juxtaposed north and south, the upper value in the comment box pointing to the lots correlates with the northerly lot situated higher on the page within the map.

In both full resolution maps, all of the lots smaller than 0.5 acre are circled in blue.

Where appropriate, those lots that are smaller than 1 full acre, but share a common owner, are described accordingly in the correlating comment box. Any lots that are owned by a public utility company or by a government agency are also described as such in the correlating comment box.

Alternative labeling in the lower resolution maps shows all lots smaller than 0.5 acre highlighted with solid blue, while all lots between 0.5 acre and 1 full acre are shown with blue stripes.

Please let us know if you need additional information.

Bart C. James, 7910 South 101st East Avenue, Tulsa, Oklahoma 74133
Telephone 918-392-4949, Fax 918-495-1624

H:\00-DATA\D-Data\Data-Dolan\Copper Creek Subdivision\Memo - Annotated Maps.S10&15 T18N R12E.Small Lots.wpd

16.16

0.59,
0.59, 0.96 Ac

0.92 Ac

0.76 Ac

Radio
Substation,
Ac: .15

0.53, 0.53 Ac

Single
Owner,
Ac: .41, .41

0.75,
0.75 Ac

Creek County
RWD #2, Ac: 0.22

Single
Owner,
Ac:
2.22,
0.49

0.92 Ac.

0.82 Ac.

0.58,
0.92 Ac.

0.98 Ac

0.65,
0.65 Ac

Less than 1 acre

Less than 0.5 acre

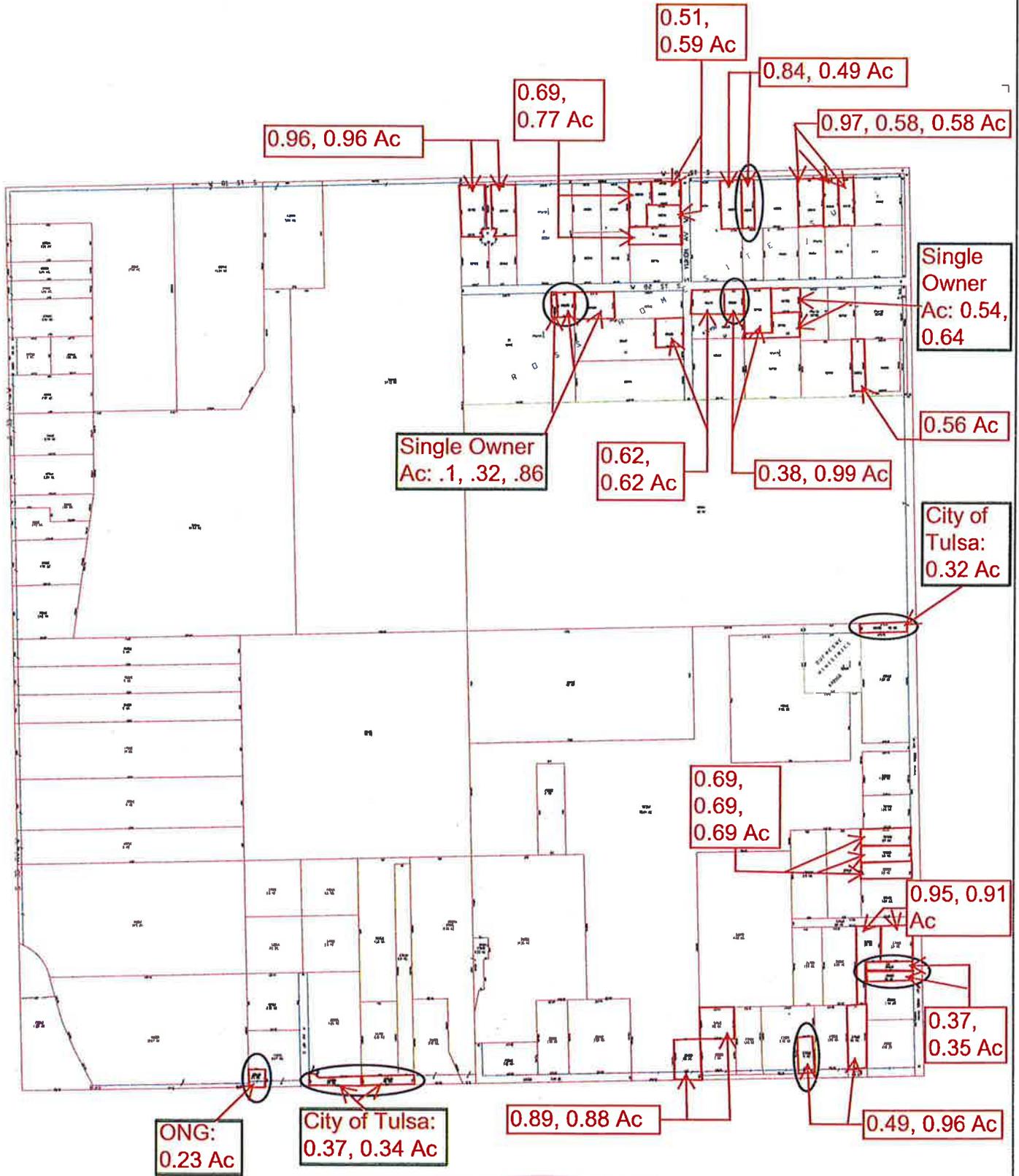
--- 1/4" = 100' (not shown)
 --- SUBD boundary
 --- 1/4" = 100' (not shown)
 --- 1/4" = 100' (not shown)

SEC 10 T18N R12E

Ken Yazel
 TULSA COUNTY ASSESSOR

 All parcels shown are based on the latest available tax rolls and other public records. The parcels have been assessed at a value of \$100 per acre. The parcels are shown for general information only. The parcels are not shown for any other purpose. The parcels are not shown for any other purpose. The parcels are not shown for any other purpose.

16.17



Less than 1 acre

Less than 0.5 acre

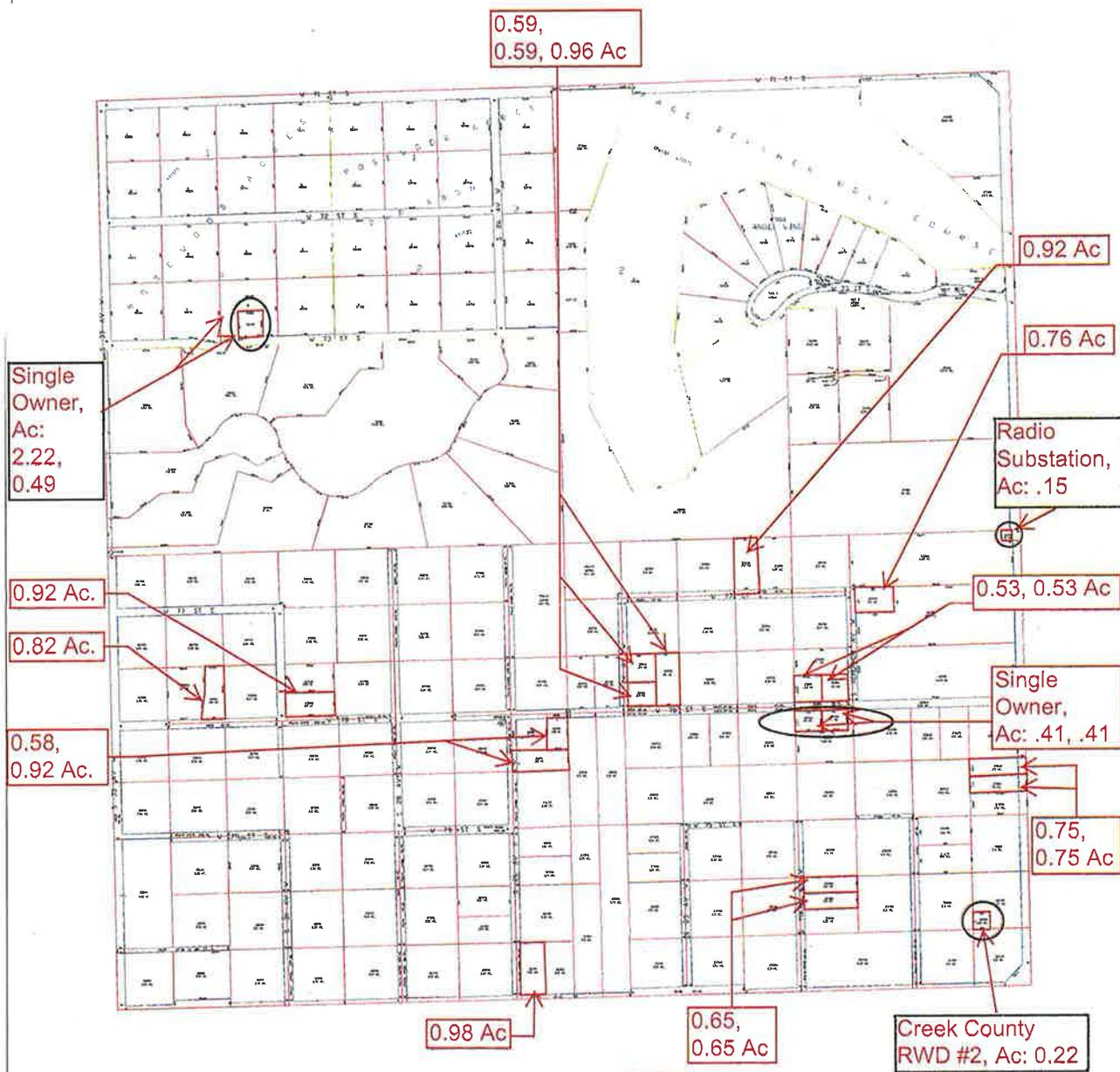
SEC 15 T18N R12E

Ken Yazel
TULSA COUNTY ASSESSOR

Property lines are shown with solid lines and other data records. The graphic scale is provided as a reference only. It is intended to be used in conjunction with the accompanying data records. The information shown on this map is for informational purposes only and should not be used for legal purposes. The information shown on this map is not intended to be used for legal purposes.

16.18

16.19



Less than 1 acre

Less than 0.5 acre

- Subdivision
- Section
- Township
- Range
- Meridian
- Section
- Township
- Range
- Meridian

SEC 10 T18N R12E

Ken Yazel
TULSA COUNTY ASSESSOR

THIS MAP IS A PRELIMINARY MAP AND IS NOT A GUARANTEE OF THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE ASSessor'S OFFICE IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE USER OF THIS MAP SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.



Less than 1 acre



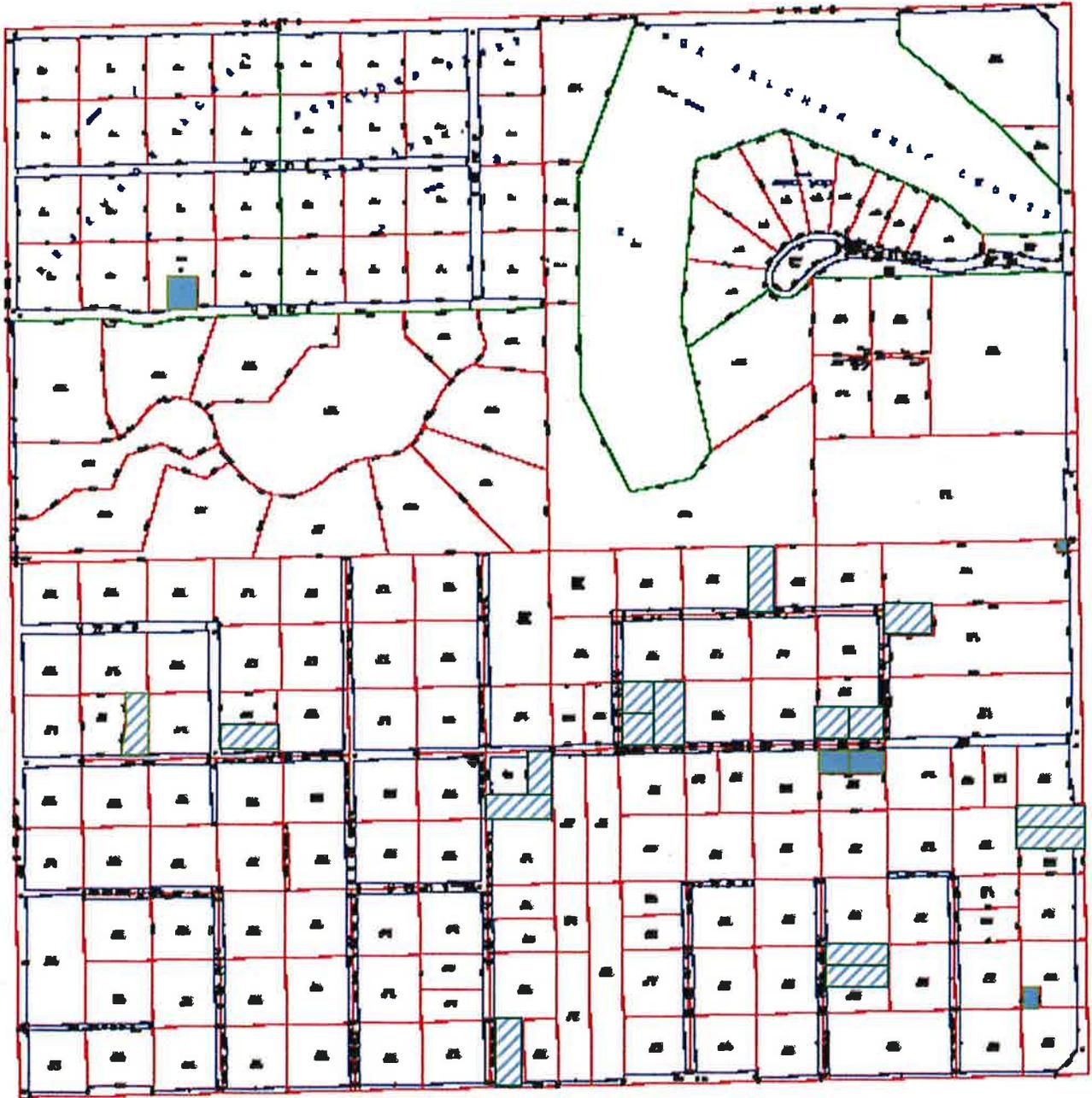
Less than 0.5 acre



SECT 19 T18N R12E

Ken Yazel
TULSA COUNTY ASSESSOR

16.21



Less than 1 acre



Less than 0.5 acre



SEC 10 T18N R12E

Ken Yazel
TULSA COUNTY ASSESSOR
1000 EAST 17TH AVENUE, SUITE 200, TULSA, OK 74106

16-22

Bart James

MEMORANDUM

FROM: Bart James, Attorney for:
Terry and Mary Beth Dolan
Matthew and Patricia Dingmon

DATE: February 14, 2018

SUBJECT: West Highlands/Tulsa Hills - Small Area Plan - Excerpts

The attached pages contain excerpts from the West Highlands/Tulsa Hills Small Area Plan prepared by the City of Tulsa Planning Department. Duplicate copies of the relevant considerations and highlighted recommendations are included at the front.

The Small Area Plan Recommendations highlighted include the following;

Considerations

Lot sizes, lot splits, and incongruent development	(Page 50)
Rural atmosphere and development	(Page 59)
Development concept (< 1 Unit / Acre)	(Page 76)

Recommendations

1.1 - Land-use to reflect stakeholders' vision	(Page 82)
4.5 - Design Elements for New Construction	(Page 86)
4.6 - Rural-residential zoning and lot sizes	(Page 86)
16.4 - Coordinate plan implementation	(Page 90)

Implementation Matrix

1.1 - Land-use to reflect stakeholders' vision	(Page 91)
4.5 - Design Elements for New Construction	(Page 93)
4.6 - Rural-residential zoning and lot sizes	(Page 93)
16.4 - Coordinate plan implementation	(Page 99)

The compiled excerpts include the following sections of the Small Area Plan;

1. - Introduction & Index	(Pages A I - III)
2. - Executive Summary	(Pages 1-2)
3. - Community Participation	(Pages 3-4)
4. - Housing	(Pages 43-45)
5. - Recommendations	(Pages 82-90)
6. - Implementation Matrix	(Pages 91-99)

Please let us know if you need additional information.

Bart C. James, 7910 South 101st East Avenue, Tulsa, Oklahoma 74133
Telephone 918-392-4949, Fax 918-495-1624

Existing Conditions

PART VII: LEGACIES AND URBAN DESIGN

Open space is concentrated in the northern and southern portions of the plan area, with some concentrations east and west of the plan area. Some of this open land - particularly golf courses and parks - should be considered stable; other areas have potential for future development.

Not reflected on this map is how large (5 to 10 acre) properties contribute to the area's open-space character, particularly in the area directly west of Union Avenue, between 91st Street and 71st Street.

One key stakeholder concern is how lot splits compromise the area's existing character. Figure 7:2 shows how some historic lot splits, which occurred before present scrutiny, have created irregular "flag lots" from the original 2.5 acre subdivided parcels. These lot configurations create issues related to address

assignments and extension and location of utilities and basic services. Given that much of the area west of Union Avenue is currently zoned RS-3, the minimum lot size allowed is small. Therefore, lot splits occur in which new lots are often much smaller than a neighbor's parcel. This creates incongruent development on local streets.

Figure 7:2: Split lots, with "flag lot" split highlighted.



Figure 7:3: Benefits of open space



Left is W. 33rd Avenue, looking north over rolling hills, in what appears to be a pleasant country scene. SWOT participants cited the rural character, along with the ability to keep large animals (such as horses), as strengths of the plan area.

Vision maps

Two maps – one for land use, and one for trail and road improvements – identify desired built-environment improvements, transportation treatments and connectivity improvements. They reflect the conclusions from the Big Ideas boards generated from the visioning workshop, and also a refinement of those boards following citizen feedback, further discussions and research.

By articulating a vision of what the plan area should be, staff then drafted specific policy recommendations that work towards making that vision real.

How did we get to the Vision?

Figures 2:1 and 2:2 - the two vision maps - are honed from the Big Idea boards, which were the distillation of citizen input from the Vision Workshop. As referenced in the Community Participation chapter, that workshop was an all-day event, facilitated by design professionals from the Eastern Oklahoma Chapter of the American Institute of Architects. Everyone spent an entire Saturday afternoon working out local stakeholder concerns.

The following themes arose from the workshop.

MAINTAIN THE "RURAL" ATMOSPHERE, BUT STILL ALLOW FOR COMPATIBLE DEVELOPMENT

Besides existing apartment complexes and the single-family subdivisions, lot sizes in the plan area tend to be one acre or larger. Many longtime residents of the area – who formed a large, vocal section of regular public-meeting participants – have long enjoyed large acreages, minimal noise and minimal traffic. These factors lend to the "rural" atmosphere. Workshop

attendees desired that development be respectful of the existing atmosphere, and preferably be concentrated east of US-75.

TRAILS

The area's open spaces, rolling hills, woods and views all contribute to its natural beauty. Every workshop visioning group drew examples of how a trail system would look in the plan area. Some groups wanted trails which would allow horses.

LOCAL-LEVEL RETAIL SERVICES

Many participants brought up the possibility of a grocery store, yet acknowledged that increasing local-level services would also increase development pressure. Putting neighborhood centers at major corners was suggested.

TRANSPORT CONNECTIVITY

Stakeholders appreciated how well-connected the area is to the rest of Tulsa, particularly to downtown via US-75. They consistently mentioned the desire for non-automobile connectivity (including buses), and sought to have the trail system connect various sites in the area, like Tulsa Hills, the neighborhoods and Jenks West Elementary School. One group even suggested light rail.

From the maps, and from citizen input from that event and past meetings, the AIA design team and Planning staff shaped the vision.

First, using their design expertise, the AIA team developed potential treatments – e.g., residential subdivisions, multi-family housing and trails – that might resonate with stakeholders.

16.24

The purpose of this concept is to show how a context-sensitive single-family neighborhood could be integrated into an area of stability, or other sites east of US-75.

The roughly 80-acre site faces Union Avenue near the intersection of 83rd Street.

This concept purposefully includes a variety of subdivision designs, conceptually represented as four distinct “quadrants.” This illustrates the various ways single family development could occur in the entire 6-square-mile plan area, and shows how PLANiTULSA’s housing-choice recommendation could be implemented.

The strategies include the following:

LARGER SINGLE-FAMILY LOTS Lots range in size from one-quarter to one acre. All four “quadrants” have varying lot sizes, except the northwest, where lots are solely one-acre. Total residences on this entire site are 67, which is less than one unit per acre. This density parallels that in the residential areas between 81st Street and 71st Street, west of Union Avenue. The lower number of lots per acre would minimize developer costs for sewer, electrical and other infrastructure.

GREENSPACE AND TREES Trees are liberally planted along all streets, on lawns and in other open-space areas.

SCREENING AND BUFFERING The entire site has a 40-foot perimeter buffer, and the east side (which faces Union Avenue) is screened by an even wider buffer and thicker tree planting.

CONNECTIVITY AND MAINTAINING INTEGRITY OF GRID SYSTEM For both public safety and traffic maintenance reasons, the site has multiple entry and exit points. The road running east-west through the center of the site would connect to a future north-south residential collector street, planned in the Major Street and Highway Plan, and will include sidewalks.

OPEN-SPACE WILDLIFE CORRIDOR A creek bed which currently runs through the site will be retained. That open space also mitigates the stormwater runoff impact caused by new construction.

OPEN SPACE PRESERVATION In addition to the wildlife corridor, at least two large sections will remain undeveloped.

Located on a former mining site and landfill, the site would require thorough environmental analysis prior to development. The site’s current status does not mean this design concept is irrelevant, because this concept illustrates design principles applicable throughout the entire plan area.

Recommendations

Part I: Recommendations

All avenues are West and all streets are South. Thus, for example, “71st Street” refers to West 71st Street South; “33rd Avenue” refers to South 33rd Avenue West.

For a brief illustration of the land-use category changes, see Figure 1; for Stability/Growth maps, Figure 2.

The PLANiTULSA land-use categories (also known as the “building blocks”) identify future appropriate land use, transportation, employment and housing density and the basic design characteristics of the area. Zoning, as a regulatory tool referenced in this plan, identifies current uses allowed by right for properties. Future requests for zoning changes will be evaluated for their appropriateness relative to the land-use categories adopted in this plan.

PRIORITY 1

Proposed land uses balance West Highlands/Tulsa Hills stakeholder vision with PLANiTULSA vision

Goal 1-

Promote stability in parts of the plan area west of Union Avenue through changes to the Tulsa Comprehensive Plan's Land-use and Areas of Stability/Growth maps.

- 1.1 Amend the Tulsa Comprehensive Plan's Land-Use and Areas of Stability/Growth maps to reflect small area plan stakeholders' vision (for reference consult Figures 1 and 2 on pages 84 and 85).

Goal 2 -

Promote development of complete neighborhoods, defined in the Comprehensive Plan (p. LU-18) as “neighborhoods that blend... amenities, connectivity, and housing options together.”

- 2.1 Ensure implementation of PLANiTULSA Complete Streets policies for the Union

Avenue multi-modal corridor and the 71st Street commuter corridor.

- 2.2 Ensure Jenks West Elementary Schools are connected to surrounding neighborhoods via appropriate sidewalk and road investments.
- 2.3 Ensure construction of footpaths/ sidewalks to connect areas within and outside of neighborhoods in all new single-family subdivisions, unless subdivisions comply with future conservation subdivision and/or low-impact development guidelines.
- 2.4 In new developments east of Union Avenue, support zoning changes from agricultural zoning to corridor, commercial, office, mixed-use and/ or residential zoning (should a private request be filed).
- 2.5 Support residential multi-family development that mixes smaller multi-family buildings (e.g, duplexes and quadplexes) into single-family neighborhoods.
- 2.6 Support zoning changes and zoning adjustments that support senior housing.
- 2.7 Support a change to the zoning code that enables a property owner to construct and rent an accessory dwelling unit (commonly known as “mother-in-law flat”) on their residential-zoned property. Support Board of Adjustment applications asking for such uses in this area.

16.28

Recommendations

PART I: RECOMMENDATIONS

- 4.2 Facilitate partnerships between neighborhood stakeholders, developers and regional land trusts such as Land Legacy.
- 4.3 Develop easily-understood, coherent standards for conservation subdivisions which will allow developers to apply conservation subdivision design for new home construction, while minimizing the need to apply for new zoning.
- 4.4 Develop and implement code updates to more easily allow low-impact development (LID) practices, by identifying current elements of zoning, building and other regulatory codes that do not allow LID practices. Ensure developer incentives, such as a streamlined development review process.
- 4.5 **Develop a matrix (or checklist), to be used by City of Tulsa Planning staff, of rural design elements which can be used to easily measure how well new construction integrates with bucolic aesthetic. These design elements should pertain less to actual design of homes, and more to the units' siting, greenspace preservation, screening and the use of other non-structural design materials, such as fencing materials.**
- 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.**

- 4.7 Support planting of shade trees in public right-of-way during road construction.

Goal 5 -

Improve park and open space amenities

- 5.1 Develop small gateway mini-park at the northeast corner of Elwood Avenue and 71st Street, and a placemaking landmark near the intersection of US-75 and 71st Street.

Goal 6 -

Improve flood control

- 6.1 Encourage development of natural drainage areas where appropriate. Examples include natural stream bed restoration and greenspace preservation.
- 6.2 Strictly enforce stormwater requirements in new development, particularly in parts of the plan area with more severe contours (such as the greenfields near Turkey Mountain).
- 6.3 Make necessary road and drainage improvements to prevent closure of area around the 81st Street and Elwood Avenue intersection during rain events. Once completed, re-evaluated Park and Open Space land-use designation for parcels within that flood plain. Assure that any development in those parcels does not exacerbate flooding issues.
- 6.4 Support usage of permeable pavement materials.

Recommendations

PART I: RECOMMENDATIONS

Goal 15 -

Use land-use and design solutions to mitigate and deter criminal behavior.

- 15.1 Construct lighting improvements in West Highlands neighborhood.
- 15.2 Encourage that new multi-family developments abide by Crime Prevention Through Environmental Design (CPTED) best practices (where appropriate) including, but not limited to, ample tree planting, common areas in visible locations, ensuring difficult roof access from the exterior, open fencing, thorny bushes next to the home, and other amenities to ensure the developments' attractiveness in the long run (e.g., durable building materials, tree plantings).

- 16.4 Coordinate monitoring of small area plan implementation with the citywide PLANiTULSA monitoring program.

PRIORITY 6

Ensure implementation of recommendations of West Highlands/Tulsa Hills small area plan.

Goal 16 -

Establish benchmarks to measure plan's success in implementing the vision.

- 16.1 City of Tulsa Planning Division staff establish objective and/or quantitative benchmarks.
- 16.2 Revisit this plan every five (5) years to review progress in implementing these recommendations to achieve the plan's vision.
- 16.3 Revise the plan as necessary if benchmarks and indicators show insufficient progress towards vision.

Recommendations

Part II: Implementation Matrix

PRIORITY 1

Reference #	Page #	Implementation Measure	Phase	Potential Funding Source	Likely Responsible Entity	Cost
Goal 1	82	Promote stability through changes of the Comprehensive Plan's Land-Use and Areas of Stability/Growth maps.				
1.1	82	Amend the Comprehensive Plan's Areas of Stability/Growth and Comprehensive Land Use maps.	Immediate	-	TMAPC staff	-
Goal 2	82	Promote development of complete neighborhoods.				
2.1	82	Ensure implementation of PLANITULSA Complete Streets policies for the Union Avenue multi-modal corridor and the 71st Street commuter corridor.	Ongoing	-	CoT Engineering, CoT Planning	-
2.3	82	Ensure sidewalk construction in new residential construction, unless they comply with LID, conservation subdivision, or other regulations meant to preserve open space; ensure sidewalks within development connect to sidewalks/trails outside development in public right-of-way.	Ongoing	Private developer	Private sector developers, TMAPC staff	-
2.4	82	In new development east of Union Avenue, support private zoning changes from Agricultural zoning to Corridor, Commercial, Office, Mixed-Use, Industrial, and/or Residential zoning (taking into account each parcel's future land-use designation).	Ongoing	-	Private sector, TMAPC staff, City Council	-
2.5	82	Support residential multi-family development that mixes smaller multi-family buildings (e.g. duplexes and quadplexes) into single family neighborhoods.	Ongoing	-	TMAPC staff	-
2.6	82	Support zoning changes and zoning adjustments that support senior housing.	Ongoing	-	TMAPC staff	-
2.7	82	Support zoning which allows accessory dwelling units.	Ongoing	-	TMAPC staff	-

Recommendations

PART II: IMPLEMENTATION MATRIX

PRIORITY 1

Reference #	Page #	Implementation Measure	Phase	Potential Funding Source	Likely Responsible Entity	Cost
3.8	83	Multi-family development should have smaller structures mixed into residential or commercial neighborhoods.	Ongoing	-	TMAPC staff, City Council	-

PRIORITY 2

Reference #	Page #	Implementation Measure	Phase	Potential Funding Source	Likely Responsible Entity	Cost
Goal 4	83	Integrate new construction with the natural environment and the area's existing bucolic aesthetic.				
4.1	83	New construction in New and Existing Neighborhood building blocks, and Town and Neighborhood Centers, should have three trees per 1,500 feet of street yard.	Ongoing	-	Private sector, TMAPC	-
4.2	86	Facilitate partnerships between neighborhood stakeholders, developers and regional land trusts.	Ongoing	-	CoT Planning, NAs, Private sector	-
4.7	86	Support planting of shade trees in public right-of-way during road construction.	Ongoing	-	CoT	t.b.d.
4.3	86	Develop easily-understood conservation subdivision requirements, with incentives and enforcement mechanism.	1-3 years	CoT	CoT Planning, TMAPC staff	-
4.5	86	Develop matrix of rural design elements for scoring new development, to be used by Planning Division representative in development review.	1-5 years	-	CoT Planning	-
4.6	86	Amend zoning code to have a district which allows a limited number of livestock and horses as a use by right.	1-5 years	CoT	CoT Planning, TMAPC staff	-

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MARCH 2014

Recommendations

PRIORITY 5

Reference #	Page #	Implementation Measure	Phase	Potential Funding Source	Likely Responsible Entity	Cost
Goal 13	89	Increase transportation safety for all modes of travel and all types of travelers.				
13.1	89	Construct multi-use, bicycle- and pedestrian-friendly improvements of 71st Street bridge over US-75.	15-20 years	CoT	CoT Engineering	\$5,000,000
Goal 14	89	Maintain neighborhood's current low-crime status.				
14.1, 14.2	89	Facilitate communication between neighborhood stakeholders and Tulsa Police Department, so as to share statistics and ensure police presence in neighborhood.	Ongoing	-	CoT Planning, TPD, NAs	-
Goal 15	90	Use land-use and design solutions to mitigate and deter criminal behavior.				
15.2	90	Encourage new developments abide by Crime Prevention Through Environmental Design best practices.	Ongoing	-	CoT Planning, TMAPC staff	-
15.1	90	Construct lighting improvements in West Highlands neighborhood.	5-10 years	CoT	CoT Engineering	\$4,000,000

PRIORITY 6

Reference #	Page #	Implementation Measure	Phase	Potential Funding Source	Likely Responsible Entity	Cost
Goal 16	90	Establish benchmarks to measure plan's success in implementing the vision.				
16.1	90	Establish objective and/or quantitative benchmarks.	1 year	-	CoT Planning	-
16.2	90	Revisit the plan every five years to review progress in implementing recommendations.	5-20 years	-	CoT Planning	-
16.3	90	Revise the plan as necessary if benchmarks show insufficient progress.	5-20 years	-	CoT Planning, TMAPC staff	-
16.4	90	Coordinate monitoring of small area plan implementation with the citywide PLANITULSA monitoring program	5-20 years	-	CoT Planning	-

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West Highlands/Tulsa Hills Small Area Plan



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Executive Summary

Introduction

The West Highlands/Tulsa Hills small area plan (SAP) is a guide for the future development of the extreme southwest corner of the City of Tulsa. The small area planning process, outlined in the appendix of the Tulsa Comprehensive Plan, includes a citizen engagement process, extensive research of existing conditions and thorough vetting of plan recommendations by citizens as well as relevant city departments and stakeholders.

Following this process – including two years of active public participation – this plan’s recommendations were adopted by the Tulsa Metropolitan Area Planning Commission on March 19, 2014 and approved by the Tulsa City Council thereafter. Accordingly, this plan amends the Tulsa Comprehensive Plan and its recommendations are the City of Tulsa’s policy guide for land-development in the plan area.

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Executive Summary

West Highlands/Tulsa Hills is a rapidly growing part of Tulsa: what was largely open space and rolling hills only a decade ago now contains a regional shopping center. Recent single- and multi-family developments have brought more residents to the area, spurring demand for more public and private services.

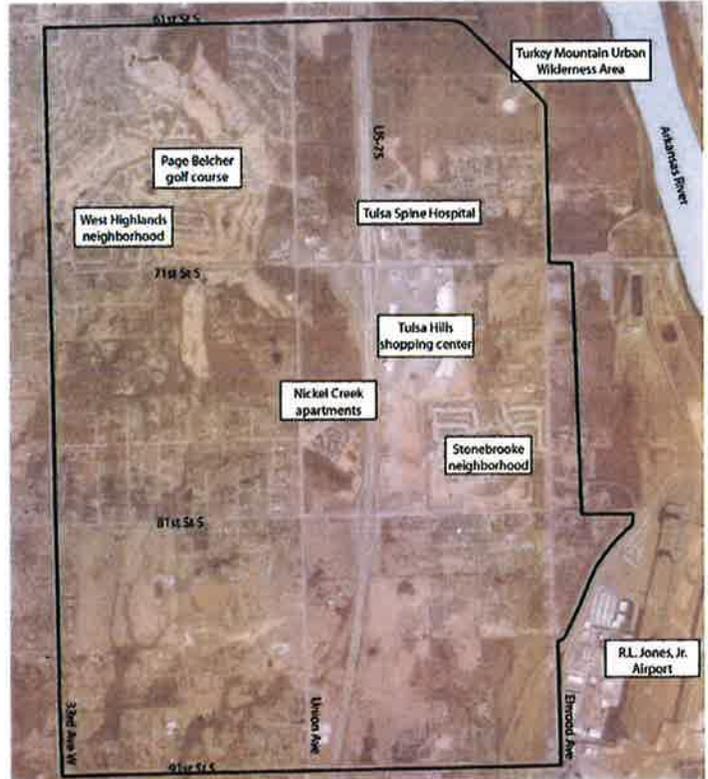
This plan aims for development predictability and attempts to balance future demand for land development with respect for existing aesthetics, open-space preservation, transportation improvements and other key concerns of local stakeholders (residents, business owners, and others). The goal is that West Highlands/Tulsa Hills remains as attractive an area in which to live, locate and invest 20 years from now as it is today.

This plan's recommendations for future development fall into six categories, identified in the Tulsa Comprehensive Plan:

- Land Use & Environmental Features
- Transportation
- Economic Development
- Housing
- Parks and Open Space
- Legacies and Urban Design

Following thorough research in each of these categories, staff engaged the stakeholders to envision their ideal future for the area. Following additional research and vetting from other agencies, this stakeholder-led future vision formed the foundation of the plan's recommendations. These recommendations identify key regulatory changes, capital improvements and public-private partnerships that will help make the stakeholder-led vision a reality.

Plan area boundary is illustrated in large format on page 12 and described in text on page 104.



Community Participation

Introduction

One major principle of Our Vision for Tulsa, the Comprehensive Plan's Vision statement, is a "commitment to transparent, equitable decision-making" (p. 8). Public participation is necessary for an equitable planning process, along with being one of the key steps of the small area planning process outlined in the Comprehensive Plan. The West Highlands/Tulsa Hills planning process was marked, along the way, with regular public meetings facilitated by Planning staff to hear public concerns, solicit stakeholders' future visions and vet research findings and plan recommendations.

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Community Participation

Community Participation

Part I: Citizen Advisory Team

A Citizen Advisory Team (CAT) served throughout the process as the core of the plan's community participants. CAT members, invited to serve by the District 2 City Councilor Jeannie Cue, included neighborhood representatives, property holders, persons with business and real estate interests and other citizens with a stake in the future of the area. CAT members were expected to regularly attend meetings and transmit information about the planning process to their respective constituents and neighbors. In addition, the general public was encouraged to participate, as all meetings and activities were open to the public.

CAT Members

Tena Alexander
Jason Beasley
Jan Butler
Bob Butler
Jody Cole
Matt Crain
Jana Davis
Rick DeVore
Jane Duenner
Dean Englund
Curtis Faust
John Harper
Joel Lacourse
Christian Osse
Rich Perkins
Sylvia Powell
Kaye Price
Arthur Richey
Gail Rose
Richard Ryan

20 different CAT members

+

227 public stakeholders

Existing Conditions

Part V: Housing

Background

West Highlands/Tulsa Hills' housing stock is diverse in quality, size and style.

More than a third of the plan area's occupied housing units are rentals. Table 5:1's figures are from 2010, before the completion of much of Nickel Creek and Tuscan Hills. The number of occupied rental units has increased dramatically since 2010, meaning that the plan area's rental rate is close to the City's (if not higher). Of the 7.8 percent of units which are vacant, over half (as of the 2010 Census) were units waiting to be rented (and not, for example, units waiting to be sold). The plan area's vacancy rate is lower than the City's.

The majority of the plan area's housing units are standalone single-family homes.

Most plan area homeowners are still paying their mortgages. Their homes are more valuable than the average Tulsa home, and that cost is reflected in higher monthly housing costs (which includes mortgage/rent payments, utility bills and maintenance costs).

Table 5:1: Basic housing data

	Plan Area	City
Total Units	2,140	185,127
%Rentals*	34.3	46.3
%Vacant	7.8	11.4
%Apartments	11.8	32.5
%Townhomes	0.9	3.0
%Standalone homes	87.3	63.2

*% of occupied units

Source: 2010 Census, 2010 American Community Survey 5-year estimates

Table 5:2: Plan area homes have more rooms

	Plan Area	City
No bedroom	0.0%	1.6%
1 bedroom	6.4%	18.1%
2 bedrooms	12.7%	27.2%
3 bedrooms	59.9%	39.6%
4 bedrooms	19.9%	11.2%
5 or more bedrooms	1.1%	2.3%

Source: 2010 Census

Table 5:3: Plan area housing is higher-priced

	Plan Area	City
Median rent	\$790	\$676
Homeowner median monthly cost	\$1,140	\$909
%Occupied units paying mortgage	71.5	65.7
Median home value	\$151,100	\$117,000

Source: 2010 American Community Survey 5-year estimates

16.41

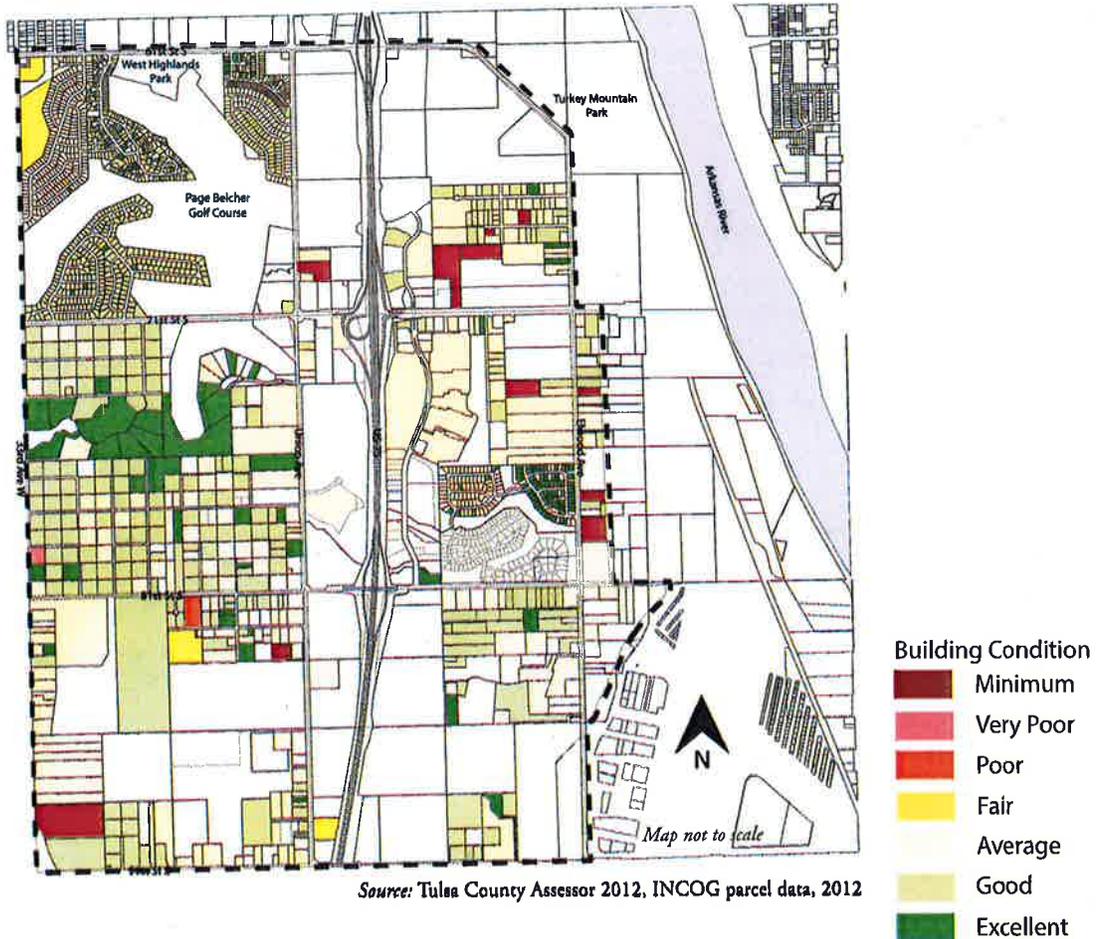
Housing context and history

The City of Tulsa annexed the plan area in 1966, which initiated the growth and development phase of this part of the City. Figure 1:4 (p. 15) indicates that the large majority of West Highlands/Tulsa Hills homes were built in the 1960's and 1970's, shortly after annexation.

Stonebrooke, built between 2006 and 2013, was the first new, large single-family residential subdivision constructed in roughly 40 years.

Local housing stock offers a wide range of choices for residents including small homes on larger lots, modest older apartments, modest single-family split levels, luxury apartments with contemporary on-site amenities and large executive homes. Part VII of this chapter addresses architectural styles within the context of urban design.

Figure 5:1: Building condition



Housing condition

Housing or building condition is a subjective determination made by the County Assessor's staff and reflected in the Assessor's parcel data. The qualitative assessment is based on the County Assessor's observations and evaluation of the property relative to neighboring structures. Figure 5:1 (p. 44) indicates that building condition in the plan area is generally good or average.

Conclusions

WH/TH homes are diverse in terms of architecture, size and cost. Homes are on average more expensive than homes in the rest of the city.

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Existing Conditions

PART VII: LEGACIES AND URBAN DESIGN

Open space is concentrated in the northern and southern portions of the plan area, with some concentrations east and west of the plan area. Some of this open land - particularly golf courses and parks - should be considered stable; other areas have potential for future development.

Not reflected on this map is how large (5 to 10 acre) properties contribute to the area's open-space character, particularly in the area directly west of Union Avenue, between 91st Street and 71st Street.

One key stakeholder concern is how lot splits compromise the area's existing character. Figure 7:2 shows how some historic lot splits, which occurred before present scrutiny, have created irregular "flag lots" from the original 2.5 acre subdivided parcels. These lot configurations create issues related to address

assignments and extension and location of utilities and basic services. Given that much of the area west of Union Avenue is currently zoned RS-3, the minimum lot size allowed is small. Therefore, lot splits occur in which new lots are often much smaller than a neighbor's parcel. This creates incongruent development on local streets.

Figure 7:2: Split lots, with "flag lot" split highlighted.



Figure 7:3: Benefits of open space



Left is W. 33rd Avenue, looking north over rolling hills, in what appears to be a pleasant country scene. SWOT participants cited the rural character, along with the ability to keep large animals (such as horses), as strengths of the plan area.

Vision maps

Two maps – one for land use, and one for trail and road improvements – identify desired built-environment improvements, transportation treatments and connectivity improvements. They reflect the conclusions from the Big Ideas boards generated from the visioning workshop, and also a refinement of those boards following citizen feedback, further discussions and research.

By articulating a vision of what the plan area should be, staff then drafted specific policy recommendations that work towards making that vision real.

How did we get to the Vision?

Figures 2:1 and 2:2 - the two vision maps - are honed from the Big Idea boards, which were the distillation of citizen input from the Vision Workshop. As referenced in the Community Participation chapter, that workshop was an all-day event, facilitated by design professionals from the Eastern Oklahoma Chapter of the American Institute of Architects. Everyone spent an entire Saturday afternoon working out local stakeholder concerns.

The following themes arose from the workshop.

MAINTAIN THE "RURAL" ATMOSPHERE, BUT STILL ALLOW FOR COMPATIBLE DEVELOPMENT

Besides existing apartment complexes and the single-family subdivisions, lot sizes in the plan area tend to be one acre or larger. Many longtime residents of the area – who formed a large, vocal section of regular public-meeting participants – have long enjoyed large acreages, minimal noise and minimal traffic. These factors lend to the "rural" atmosphere. Workshop

attendees desired that development be respectful of the existing atmosphere, and preferably be concentrated east of US-75.

TRAILS

The area's open spaces, rolling hills, woods and views all contribute to its natural beauty. Every workshop visioning group drew examples of how a trail system would look in the plan area. Some groups wanted trails which would allow horses.

LOCAL-LEVEL RETAIL SERVICES

Many participants brought up the possibility of a grocery store, yet acknowledged that increasing local-level services would also increase development pressure. Putting neighborhood centers at major corners was suggested.

TRANSPORT CONNECTIVITY

Stakeholders appreciated how well-connected the area is to the rest of Tulsa, particularly to downtown via US-75. They consistently mentioned the desire for non-automobile connectivity (including buses), and sought to have the trail system connect various sites in the area, like Tulsa Hills, the neighborhoods and Jenks West Elementary School. One group even suggested light rail.

From the maps, and from citizen input from that event and past meetings, the AIA design team and Planning staff shaped the vision.

First, using their design expertise, the AIA team developed potential treatments – e.g., residential subdivisions, multi-family housing and trails – that might resonate with stakeholders.

16.45

The purpose of this concept is to show how a context-sensitive single-family neighborhood could be integrated into an area of stability, or other sites east of US-75.

The roughly 80-acre site faces Union Avenue near the intersection of 83rd Street.

This concept purposefully includes a variety of subdivision designs, conceptually represented as four distinct “quadrants.” This illustrates the various ways single family development could occur in the entire 6-square-mile plan area, and shows how PLANiTULSA’s housing-choice recommendation could be implemented.

The strategies include the following:

LARGER SINGLE-FAMILY LOTS Lots range in size from one-quarter to one acre. All four “quadrants” have varying lot sizes, except the northwest, where lots are solely one-acre. Total residences on this entire site are 67, which is less than one unit per acre. This density parallels that in the residential areas between 81st Street and 71st Street, west of Union Avenue. The lower number of lots per acre would minimize developer costs for sewer, electrical and other infrastructure.

GREENSPACE AND TREES Trees are liberally planted along all streets, on lawns and in other open-space areas.

SCREENING AND BUFFERING The entire site has a 40-foot perimeter buffer, and the east side (which faces Union Avenue) is screened by an even wider buffer and thicker tree planting.

CONNECTIVITY AND MAINTAINING INTEGRITY OF GRID SYSTEM For both public safety and traffic maintenance reasons, the site has multiple entry and exit points. The road running east-west through the center of the site would connect to a future north-south residential collector street, planned in the Major Street and Highway Plan, and will include sidewalks.

OPEN-SPACE WILDLIFE CORRIDOR A creek bed which currently runs through the site will be retained. That open space also mitigates the stormwater runoff impact caused by new construction.

OPEN SPACE PRESERVATION In addition to the wildlife corridor, at least two large sections will remain undeveloped.

Located on a former mining site and landfill, the site would require thorough environmental analysis prior to development. The site’s current status does not mean this design concept is irrelevant, because this concept illustrates design principles applicable throughout the entire plan area.

Recommendations

Part I: Recommendations

All avenues are West and all streets are South. Thus, for example, “71st Street” refers to West 71st Street South; “33rd Avenue” refers to South 33rd Avenue West.

For a brief illustration of the land-use category changes, see Figure 1; for Stability/Growth maps, Figure 2.

The PLANiTULSA land-use categories (also known as the “building blocks”) identify future appropriate land use, transportation, employment and housing density and the basic design characteristics of the area. Zoning, as a regulatory tool referenced in this plan, identifies current uses allowed by right for properties. Future requests for zoning changes will be evaluated for their appropriateness relative to the land-use categories adopted in this plan.

PRIORITY 1

Proposed land uses balance West Highlands/Tulsa Hills stakeholder vision with PLANiTULSA vision

Goal 1-

Promote stability in parts of the plan area west of Union Avenue through changes to the Tulsa Comprehensive Plan's Land-use and Areas of Stability/Growth maps.

- 1.1 Amend the Tulsa Comprehensive Plan's Land-Use and Areas of Stability/Growth maps to reflect small area plan stakeholders' vision (for reference consult Figures 1 and 2 on pages 84 and 85).**

Goal 2 -

Promote development of complete neighborhoods, defined in the Comprehensive Plan (p. LU-18) as “neighborhoods that blend...amenities, connectivity, and housing options together.”

- 2.1 Ensure implementation of PLANiTULSA Complete Streets policies for the Union**

Avenue multi-modal corridor and the 71st Street commuter corridor.

- 2.2 Ensure Jenks West Elementary Schools are connected to surrounding neighborhoods via appropriate sidewalk and road investments.**
- 2.3 Ensure construction of footpaths/sidewalks to connect areas within and outside of neighborhoods in all new single-family subdivisions, unless subdivisions comply with future conservation subdivision and/or low-impact development guidelines.**
- 2.4 In new developments east of Union Avenue, support zoning changes from agricultural zoning to corridor, commercial, office, mixed-use and/or residential zoning (should a private request be filed).**
- 2.5 Support residential multi-family development that mixes smaller multi-family buildings (e.g. duplexes and quadplexes) into single-family neighborhoods.**
- 2.6 Support zoning changes and zoning adjustments that support senior housing.**
- 2.7 Support a change to the zoning code that enables a property owner to construct and rent an accessory dwelling unit (commonly known as “mother-in-law flat”) on their residential-zoned property. Support Board of Adjustment applications asking for such uses in this area.**

Goal 3 -

Ensure a sound transition between US-75 and the stable neighborhoods west of Union Avenue.

- 3.1 Encourage substantial buffering in CO-zoned lands between US-75 and Union Avenue, including but not limited to dense tree or native plantings along Union Avenue, commensurate with degree of land-use intensity.
- 3.2 Employ transition-sensitive design strategies within CO-zoned sites between Union Avenue and US-75, such as:
 - Building higher-density structures nearer to US-75 (or the middle of the site), and lower-density structures near Union Avenue;
 - Massing buildings more densely adjacent to US-75 or the middle of the site, and less densely near Union Avenue; and
 - Siting taller structures in areas with lower elevations, if possible.
- 3.3 In order to minimize traffic, encourage CO-zoned projects along Union Avenue corridor to include points of access on multiple roads (see Figure 3 for an example).
- 3.4 Take deliberate measures to preserve existing healthy, substantive trees and integrate them into site plans.
- 3.5 Encourage multi-family residential developers to build structures that will retain long-term value. Strategies include, but are not limited to:
 - Building in-unit structured parking,
 - Use of durable, attractive building materials and

- Planning for on-site, well-maintained amenities such as gyms, pools, attractive landscaping and/or open space.

- 3.6 To allow for transition-sensitive development of both residences and offices between Union Avenue and US-75, support zoning changes to corridor, commercial, office, mixed-use and/or residential zoning (should a private request be filed).
- 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.
- 3.8 Multi-family development should have smaller structures mixed into residential or commercial neighborhoods.

PRIORITY 2

Prioritize the preservation of open space and the natural environment in future development.

Goal 4-

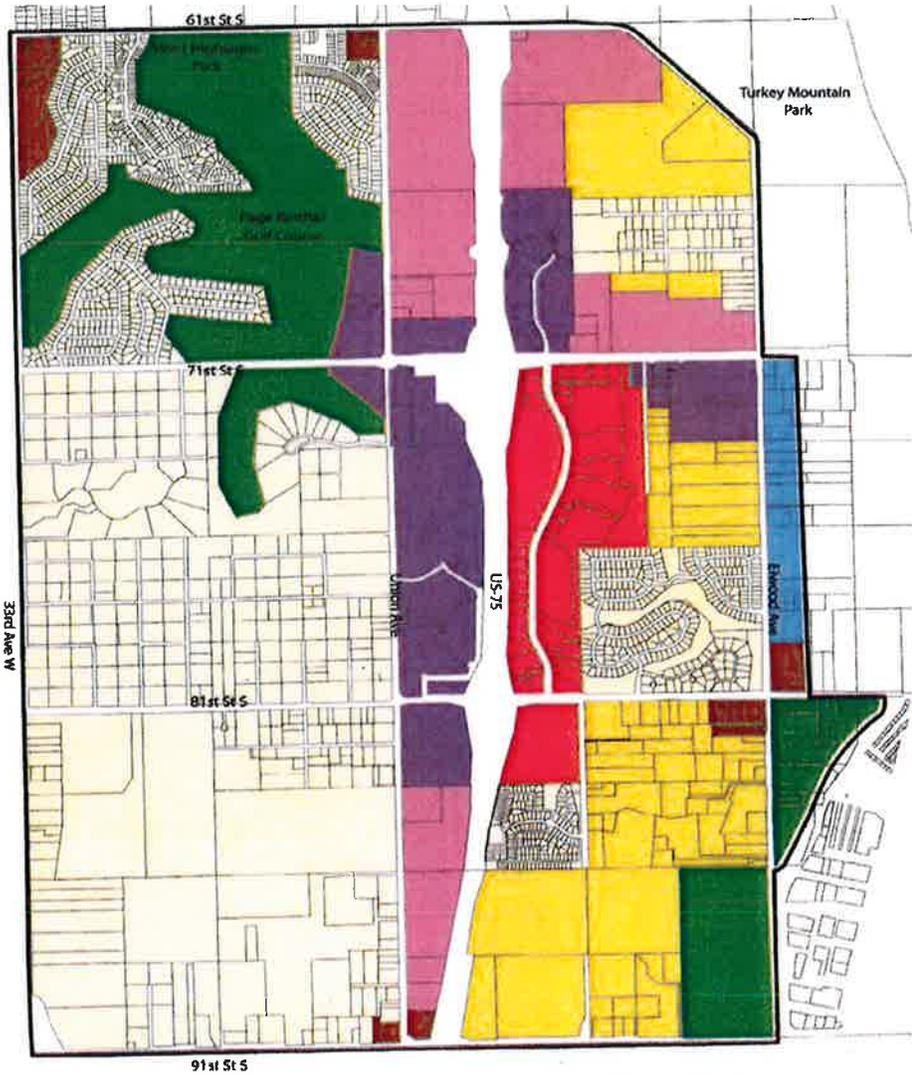
Integrate new construction with the natural environment and the area's existing bucolic aesthetic.

- 4.1 For new construction in New and Existing Neighborhood land-use areas, and Town and Neighborhood Centers, each 1,500 square feet of street yard should have three trees. The Zoning Code (Section 1002.C.1) currently requires only one (1) tree.

Recommendations

PART I: RECOMMENDATIONS

Figure 1: Comprehensive land-use map



Prior land-use map



Source: COT Planning Division; Shape data: INCOG 2013

- | | | | |
|---|---------------------|--|-----------------------|
|  | Neighborhood center |  | Open space and park |
|  | Town center |  | Employment center |
|  | Regional center |  | Existing neighborhood |
|  | Mixed-use corridor |  | New neighborhood |

Figure 2: Areas of Stability and Growth map



Prior stability/growth map



Recommendations

PART I: RECOMMENDATIONS

- 4.2 Facilitate partnerships between neighborhood stakeholders, developers and regional land trusts such as Land Legacy.
- 4.3 Develop easily-understood, coherent standards for conservation subdivisions which will allow developers to apply conservation subdivision design for new home construction, while minimizing the need to apply for new zoning.
- 4.4 Develop and implement code updates to more easily allow low-impact development (LID) practices, by identifying current elements of zoning, building and other regulatory codes that do not allow LID practices. Ensure developer incentives, such as a streamlined development review process.
- 4.5 Develop a matrix (or checklist), to be used by City of Tulsa Planning staff, of rural design elements which can be used to easily measure how well new construction integrates with bucolic aesthetic. These design elements should pertain less to actual design of homes, and more to the units' siting, greenspace preservation, screening and the use of other non-structural design materials, such as fencing materials.
- 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.
- 4.7 Support planting of shade trees in public right-of-way during road construction.
- Goal 5 -
Improve park and open space amenities*
- 5.1 Develop small gateway mini-park at the northeast corner of Elwood Avenue and 71st Street, and a placemaking landmark near the intersection of US-75 and 71st Street.
- Goal 6 -
Improve flood control*
- 6.1 Encourage development of natural drainage areas where appropriate. Examples include natural stream bed restoration and greenspace preservation.
- 6.2 Strictly enforce stormwater requirements in new development, particularly in parts of the plan area with more severe contours (such as the greenfields near Turkey Mountain).
- 6.3 Make necessary road and drainage improvements to prevent closure of area around the 81st Street and Elwood Avenue intersection during rain events. Once completed, re-evaluated Park and Open Space land-use designation for parcels within that flood plain. Assure that any development in those parcels does not exacerbate flooding issues.
- 6.4 Support usage of permeable pavement materials.

PRIORITY 3

Sustain area's economic growth through the future.

Goal 7 -

Promote and maintain attractiveness of Tulsa Hills retail area.

- 7.1 Encourage and allow infill development (including new construction in the parking lots) of Tulsa Hills.
- 7.2 Add decorative place-making elements to 71st Street bridge over US-75.
- 7.3 Encourage more lenient parking requirements for all development, aiming for average daily use as the required amount of parking. Support more lenient parking requirements in zoning code update, and encourage lot sharing.

Goal 8 -

Encourage neighborhood-level economic development.

- 8.1 Encourage regulatory changes necessary for a private-sector-led farmers' market within plan area.

Goal 9 -

Develop the key industry clusters identified in the 2010 Plan within and near plan area.

- 9.1 Encourage locating medical industry facilities along Olympia Avenue between 71st Street and 61st Street. So as to encourage development, support zoning changes to categories which allow for medical uses.
- 9.2 Acknowledge, strengthen and support the vicinity's regional outdoor amenities,

namely Turkey Mountain, Page Belcher Golf Course and other golf courses. Coordinate with future Turkey Mountain Urban Wilderness Area master plan.

- 9.3 With Tulsa Regional Chamber and the City's Economic Development staff, facilitate application of facilities for state job creation tax credits, should any organization in or near the plan area hire enough workers to qualify.

PRIORITY 4

Improve local connections to the metropolitan transportation system.

Goal 10 -

Program trail and pedestrian/bicycle improvements throughout area.

- 10.1 Ensure sidewalk or multi-use trail construction along all secondary arterials and residential collector streets, as marked in Tulsa Metropolitan Area Major Street and Highway Plan (MSHP).
- 10.2 Establish necessary easement agreements and construct a trail which connects the intersection of Union Avenue and 61st Street to the Riverparks trail system at Turkey Mountain. Add multi-use, bicycle- and pedestrian-friendly improvements to 61st Street bridge over US-75. Amend the trails plan accordingly.
- 10.3 Construct new multi-use trail connection along Union Avenue, connecting the proposed Mooser Creek trail to 91st Street.

Recommendations

PART I: RECOMMENDATIONS

- 10.4 Place well-marked pedestrian crossings at major intersections, and particularly on 91st Street near Jenks West Elementary School.
- 10.5 Ensure safe bicycle transit on the 61st and 71st Street bridges.
- 10.6 Amend the *Destination 2030 Long Range Transportation Plan* to include all recommended improvements. Include all improvements in other relevant transportation plans.
- 10.7 Ensure trail stub-outs in subdivisions of parcels in which trails are planned.

Goal 11 -

Program mass-transit improvements to better connect plan area to regional mass-transit system.

- 11.1 Construct a park and ride facility in the area around or within Tulsa Hills. This facility will be encouraged to be a stop for the current Glenpool park and ride service.
- 11.2 Synchronize the 870 and 471 bus lines to the proposed Bus Rapid Transit line on the Peoria corridor (when implemented).
- 11.3 Ensure complete access to any new transit facility via sidewalks and other pedestrian connections within site.
- 11.4 Support already planned future commuter rail improvements.

Goal 12 -

Maintain excellent automobile connectivity.

- 12.1 Ensure better access management strategies for higher-density projects built along Union Avenue (see Figure 3 as an example), including constructing additional ingress/egress points along east-west streets.
- 12.2 Program future widening of Union Avenue, in order to handle current and future traffic capacities and comply with MSHP. Coordinate widening with City of Jenks.
- 12.3 Program the extension of Olympia Avenue from 71st to 61st Street (should private development occur).
- 12.4 As shown in MSHP, plan the extension of Maybelle Avenue from 81st Street to 91st Street (should private development occur).
- 12.5 As shown in MSHP, plan the extension of a north-south residential collector street between Union Avenue and 33rd Avenue, to connect 81st Street and 91st Street (should private development occur).
- 12.6 As shown in MSHP, plan the extension of an east-west residential collector street located between 81st Street and 91st Street, to connect Union Avenue and 33rd Avenue (should private development occur).

- 12.7 As shown in MSHP, plan a new residential collector branching south from 61st Street to connect to the extended Olympia Avenue (should private development occur).
- 12.8 Plan for residential collector street to be implemented parallel to Union Avenue, between Union Avenue and US-75 and stretching from 61st Street to 71st Street in CO-zoned and other parcels (should private development occur).
- 12.9 Amend MSHP to show Olympia Avenue extending to 61st Street, and the new planned corridor collector from

61st and 71st Street, between Union Avenue and US-75 (should private development occur).

- 12.10 Implement widenings recommended in *Connections 2035*.
- 12.11 Encourage adequate infrastructure be in place as new development occurs.
- 12.12 Construct signaling and left-turn improvements on intersection of 71st Street and Elwood Avenue.

PRIORITY 5

Protect public safety and welfare.

Goal 13 -

Increase transportation safety for all modes of travel and all types of travelers.

- 13.1 Construct multi-modal travel improvements – namely, sidewalks and/or trails – along 71st Street.

Goal 14 -

Maintain neighborhood's current low-crime status.

- 14.1 Facilitate communication between neighborhood groups and Tulsa Police Department, Riverside Division, in order to maintain visible police presence and public safety.
- 14.2 Facilitate sharing of police information between Riverside Division police officers and local neighborhood groups.

Figure 3: Apartment residents presently have street access to both 81st Street and Union Avenue



Source: COT Planning Division; Shape data: INCOG 2013

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Recommendations

PART I: RECOMMENDATIONS

Goal 15 -

Use land-use and design solutions to mitigate and deter criminal behavior.

- 15.1 Construct lighting improvements in West Highlands neighborhood.
- 15.2 Encourage that new multi-family developments abide by Crime Prevention Through Environmental Design (CPTED) best practices (where appropriate) including, but not limited to, ample tree planting, common areas in visible locations, ensuring difficult roof access from the exterior, open fencing, thorny bushes next to the home, and other amenities to ensure the developments' attractiveness in the long run (e.g., durable building materials, tree plantings).

- 16.4 Coordinate monitoring of small area plan implementation with the citywide PLANiTULSA monitoring program.

PRIORITY 6

Ensure implementation of recommendations of West Highlands/Tulsa Hills small area plan.

Goal 16 -

Establish benchmarks to measure plan's success in implementing the vision.

- 16.1 City of Tulsa Planning Division staff establish objective and/or quantitative benchmarks.
- 16.2 Revisit this plan every five (5) years to review progress in implementing these recommendations to achieve the plan's vision.
- 16.3 Revise the plan as necessary if benchmarks and indicators show insufficient progress towards vision.

Recommendations

Part II: Implementation Matrix

PRIORITY 1

Reference #	Page #	Implementation Measure	Phase	Potential Funding Source	Likely Responsible Entity	Cost
Goal 1	82	Promote stability through changes of the Comprehensive Plan's Land-Use and Areas of Stability/Growth maps.				
1.1	82	Amend the Comprehensive Plan's Areas of Stability/Growth and Comprehensive Land Use maps.	Immediate	-	TMAPC staff	-
Goal 2	82	Promote development of complete neighborhoods.				
2.1	82	Ensure implementation of PLANITULSA Complete Streets policies for the Union Avenue multi-modal corridor and the 71st Street commuter corridor.	Ongoing	-	CoT Engineering, CoT Planning	-
2.3	82	Ensure sidewalk construction in new residential construction, unless they comply with LID, conservation subdivision, or other regulations meant to preserve open space; ensure sidewalks within development connect to sidewalks/trails outside development in public right-of-way.	Ongoing	Private developer	Private sector developers, TMAPC staff	-
2.4	82	In new development east of Union Avenue, support private zoning changes from Agricultural zoning to Corridor, Commercial, Office, Mixed-Use, Industrial, and/or Residential zoning (taking into account each parcel's future land-use designation).	Ongoing	-	Private sector, TMAPC staff, City Council	-
2.5	82	Support residential multi-family development that mixes smaller multi-family buildings (e.g. duplexes and quadplexes) into single family neighborhoods.	Ongoing	-	TMAPC staff	-
2.6	82	Support zoning changes and zoning adjustments that support senior housing.	Ongoing	-	TMAPC staff	-
2.7	82	Support zoning which allows accessory dwelling units.	Ongoing	-	TMAPC staff	-

Recommendations

PART II: IMPLEMENTATION MATRIX

PRIORITY 1

Reference #	Page #	Implementation Measure	Phase	Potential Funding Source	Likely Responsible Entity	Cost
2.2	82	Ensure Jenks West Elementary Schools are connected to surrounding neighborhoods via appropriate sidewalk and road investments.	3-10 years	Public/private	Private sector, TMAPC staff, CoT	-
Goal 3	83	Ensure a sound transition between US-75 and the stable neighborhoods west of Union Avenue.				
3.1	83	Encourage substantial buffering in CO-zoned lands between US-75 and Union Avenue, including but not limited to dense tree or native plantings along Union Avenue, commensurate with degree of land-use intensity.	Ongoing	-	TMAPC staff, CoT Planning	-
3.2	83	Employ transition-sensitive design strategies within CO-zoned sites between Union Avenue and US-75 (see strategies outlined on page 83).	Ongoing	-	Private sector, TMAPC staff, CoT Planning	-
3.3	83	Encourage CO-zoned projects along Union Avenue corridor to include points of access on multiple roads.	Ongoing	-	Private sector, TMAPC staff	-
3.4	83	Take deliberate measures to preserve existing healthy trees on sites, and integrate them into site plans.	Ongoing	-	Private sector, TMAPC staff	-
3.5	83	Encourage multi-family residential developers to build structures that will retain long-term value (see strategies outlined on page 83).	Ongoing	-	Private sector, TMAPC staff	-
3.6	83	Support changes to corridor, mixed-use, commercial, office, and/or residential zoning in the area between US-75 and Union Avenue.	Ongoing	-	TMAPC staff	-
3.7	83	Encourage single-family residential zoning in Areas of Stability west of Union Avenue. Support changes to new "rural-residential" use (see measure 4.6).	Ongoing	-	TMAPC staff, City Council	-

PART II: IMPLEMENTATION MATRIX

PRIORITY 1

Reference #	Page #	Implementation Measure	Phase	Potential Funding Source	Likely Responsible Entity	Cost
3.8	83	Multi-family development should have smaller structures mixed into residential or commercial neighborhoods.	Ongoing	-	TMAPC staff, City Council	-

PRIORITY 2

Reference #	Page #	Implementation Measure	Phase	Potential Funding Source	Likely Responsible Entity	Cost
Goal 4	83	Integrate new construction with the natural environment and the area's existing bucolic aesthetic.				
4.1	83	New construction in New and Existing Neighborhood building blocks, and Town and Neighborhood Centers, should have three trees per 1,500 feet of street yard.	Ongoing	-	Private sector, TMAPC	-
4.2	86	Facilitate partnerships between neighborhood stakeholders, developers and regional land trusts.	Ongoing	-	CoT Planning, NAs, Private sector	-
4.7	86	Support planting of shade trees in public right-of-way during road construction.	Ongoing	-	CoT	t.b.d.
4.3	86	Develop easily-understood conservation subdivision requirements, with incentives and enforcement mechanism.	1-3 years	CoT	CoT Planning, TMAPC staff	-
4.5	86	Develop matrix of rural design elements for scoring new development, to be used by Planning Division representative in development review.	1-5 years	-	CoT Planning	-
4.6	86	Amend zoning code to have a district which allows a limited number of livestock and horses as a use by right.	1-5 years	CoT	CoT Planning, TMAPC staff	-

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Recommendations

PART II: IMPLEMENTATION MATRIX

PRIORITY 2

Reference #	Page #	Implementation Measure	Phase	Potential Funding Source	Likely Responsible Entity	Cost
4.4	86	Write local low-impact design standard requirements, allowing local developers to implement low-impact design best-practices. Include enforcement mechanisms and incentives for those that follow the standards.	2-5 years	-	TMAPC staff, CoT Planning	-
Goal 5	86	Improve park and open space amenities.				
5.1	86	Develop small gateway mini-parks: one near the intersection of 71st Street and Olympia Avenue, and another near the intersection of 71st Street and Elwood Avenue.	1-10 years	CoT, Private-sector developers, Riverparks	CoT Parks, Private-sector developers, Riverparks	\$500,000
Goal 6	86	Improve flood control.				
6.1	86	Encourage development of natural drainage areas, where demonstrably appropriate.	Ongoing	-	CoT Planning, Streets and Stormwater	-
6.2	86	Strictly enforce stormwater requirements in new development.	Ongoing	-	Streets and Stormwater	-
6.4	86	Support usage of permeable pavement materials.	Ongoing	-	CoT, Private developers	-
6.3	86	Program for road and drainage measures for flood mitigation around the intersection of 81st Street and Elwood Avenue. Reexamine parcels' land-use designation post-mitigation, and scrutinize development in parts of parcel which are not in flood plain.	5-10 years	CoT	CoT Engineering	\$20,000,000

PART II: IMPLEMENTATION MATRIX

PRIORITY 3

Reference #	Page #	Implementation Measure	Phase	Potential Funding Source	Likely Responsible Entity	Cost
Goal 7	87	Promote and maintain attractiveness of Tulsa Hills retail area.				
7.1	87	Allow for infill development within Tulsa Hills, by necessary zoning changes or variances.	Ongoing	-	TMAPC staff, CoT Planning	-
7.3	87	Encourage more lenient parking requirements for all development, aiming for average daily use as the required amount of parking. Support more lenient parking requirements in zoning code update.	Ongoing	-	TMAPC staff, CoT Planning	-
7.2	86	Add decorative place-making elements to 71st Street bridge over US-75.	5-10 years	CoT, ODOT	CoT, ODOT	\$1,000,000
Goal 8	87	Encourage neighborhood-level economic development.				
8.1	87	Encourage regulatory changes necessary for private-sector-led farmers' market within plan area.	5-15 years	-	CoT WIN department; NAs	
Goal 9	87	Develop the key industry clusters identified in the 2010 Plan.				
9.1	87	Through zoning changes and other means, encourage siting of medical industry facilities along the extended Olympia Avenue.	Ongoing	-	CoT Planning, TMAPC staff	-
9.2	87	Strengthen and support the regional outdoor amenities. Coordinate with future Turkey Mountain Urban Wilderness Area master plan.	Ongoing	-	CoT Planning, Parks	-
9.3	87	Facilitate applications for state job creation tax credits, should an area organization qualify.	Ongoing	-	CoT Economic Dvlpt, Tulsa Regional Chamber	-

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Recommendations

PART II: IMPLEMENTATION MATRIX

PRIORITY 4

Reference #	Page #	Implementation Measure	Phase	Potential Funding Source	Likely Responsible Entity	Cost
Goal 10	87	Program trail and pedestrian/bicycle improvements.				
10.6	88	Amend <i>Destination 2030</i> Long Range Transportation Plan to include all planned trail extensions.	Immediate	-	INCOG	-
10.1	87	Ensure sidewalk construction along all secondary arterials and residential collectors identified in the Major Street and Highway Plan.	Ongoing	CoT, Private developers	Private-sector developers, CoT Planning	~\$3.5 million, over time
10.5	88	Ensure safe bicycle and pedestrian transit on the 61st and 71st Street bridges.	Ongoing	CoT, ODOT	CoT Engineering	-
10.7	88	Ensure trail stub-outs in subdivisions of parcels in which trails are planned.	Ongoing	-	INCOG	-
10.2	87	Extend Riverparks trail north on Elwood Avenue from current terminus at Turkey Mountain entrance, eventually connecting 61st Street and Union Avenue intersection. Amend trails plan to show these improvements and establish necessary easement agreements.	1-5 years	CoT/ Riverparks/ Private developer	CoT Engineering/ Riverparks/ Private developer	t.b.d.
10.4	88	Place well-marked pedestrian connections across 91st Street so as to ensure safe pedestrian connection to Jenks West Elementary Schools; coordinate cross-jurisdiction funding with City of Jenks.	1-5 years	CoT/City of Jenks	CoT Engineering/ City of Jenks	\$10,000
10.3	87	Construct new pedestrian connection along Union Avenue, connecting 91st Street to proposed Mooser Creek trail.	5-15 years	CoT, Riverparks, Public- Private	CoT Engineering, INCOG	\$2,000,000

PRIORITY 4

Reference #	Page #	Implementation Measure	Phase	Potential Funding Source	Likely Responsible Entity	Cost
Goal 11	88	Program mass-transit improvements to better connect plan area to regional mass-transit system.				
11.3	88	Ensure sidewalk connection to any new transit facility.	Ongoing	-	CoT Planning, TMAPC staff, MTTA	-
11.4	88	Support already planned future commuter rail improvements.	Ongoing	-	CoT, INCOG, MTTA	-
11.2	88	Schedule the 870 and 471 bus lines to connect to the proposed Bus Rapid Transit line on the Peoria/Lewis corridor (when implemented).	2-10 years	MTTA	MTTA	-
11.1	88	Construct park and ride in or near Tulsa Hills.	15-20 years	CoT, MTTA, City of Glenpool	CoT, MTTA, City of Glenpool	\$4,000,000
Goal 12	88	Maintain excellent automobile connectivity.				
12.9	89	Amend MSHP to show Olympia Avenue extending to 71st Street, and the new planned corridor connecting 61st and 71st Streets, between Union Avenue and US-75.	Immediate	-	INCOG	-
12.1	88	Ensure better access-management and circulation strategies in CO-zoned land along Union Avenue.	Ongoing	Private developer	Private-sector developers, TMAPC staff, CoT Planning	-
12.11	89	Encourage adequate infrastructure be in place as new development occurs.	Ongoing	-	TMAPC, CoT PDD	-
12.3	88	Extend Olympia Avenue so that it connects 71st and 61st Streets.	1-5 years	Private developer	Private developer	\$4,000,000
12.4	88	Extend Maybelle Avenue so that it connects 81st and 91st Streets.	5-10 years	Private developer	Private developer	\$4,000,000

16.62

Recommendations

PRIORITY 4

Reference #	Page #	Implementation Measure	Phase	Potential Funding Source	Likely Responsible Entity	Cost
12.7	89	Construct new residential collector, branching south from 61st Street or Elwood, and connecting to Olympia Avenue.	5-10 years	Private developer	Private developer	\$2,000,000
12.8	89	Construct new north-south residential collector, extending from 61st Street to 71st Street, between Union Avenue and US-75.	5-15 years	Private developer	Private developer	\$12,000,000
12.12	89	Construct left-turn improvements along 71st Street at the intersection with Elwood Avenue.	5-15 years	CoT, Private sector	CoT Engineering, Private sector	\$500,000
12.2	88	Widen Union Avenue throughout the plan area; coordinate widening with City of Jenks.	15-20 years	CoT, Private sector	CoT Engineering, Private sector	\$50,000,000
12.5	88	Extend north-south residential collector street, connecting 81st Street and 91st Street in the square mile area west of Union Avenue.	15-20 years	Private developer	Private developer	\$8,000,000
12.6	88	Extend east-west residential collector street, connecting 33rd Avenue to Union Avenue, between 81st Street and 91st Street.	15-20 years	Private developer	Private developer	\$8,000,000
12.10	89	Implement widenings recommended in <i>Connections 2035</i> plan (in addition to Union Avenue widening).	20-25 years	CoT, Private sector	CoT Engineering, Private sector	\$50,000,000

Recommendations

PRIORITY 5

Reference #	Page #	Implementation Measure	Phase	Potential Funding Source	Likely Responsible Entity	Cost
Goal 13	89	Increase transportation safety for all modes of travel and all types of travelers.				
13.1	89	Construct multi-use, bicycle- and pedestrian-friendly improvements of 71st Street bridge over US-75.	15-20 years	CoT	CoT Engineering	\$5,000,000
Goal 14	89	Maintain neighborhood's current low-crime status.				
14.1, 14.2	89	Facilitate communication between neighborhood stakeholders and Tulsa Police Department, so as to share statistics and ensure police presence in neighborhood.	Ongoing	-	CoT Planning, TPD, NAs	-
Goal 15	90	Use land-use and design solutions to mitigate and deter criminal behavior.				
15.2	90	Encourage new developments abide by Crime Prevention Through Environmental Design best practices.	Ongoing	-	CoT Planning, TMAPC staff	-
15.1	90	Construct lighting improvements in West Highlands neighborhood.	5-10 years	CoT	CoT Engineering	\$4,000,000

PRIORITY 6

Reference #	Page #	Implementation Measure	Phase	Potential Funding Source	Likely Responsible Entity	Cost
Goal 16	90	Establish benchmarks to measure plan's success in implementing the vision.				
16.1	90	Establish objective and/or quantitative benchmarks.	1 year	-	CoT Planning	-
16.2	90	Revisit the plan every five years to review progress in implementing recommendations.	5-20 years	-	CoT Planning	-
16.3	90	Revise the plan as necessary if benchmarks show insufficient progress.	5-20 years	-	CoT Planning, TMAPC staff	-
16.4	90	Coordinate monitoring of small area plan implementation with the citywide PLANITULSA monitoring program	5-20 years	-	CoT Planning	-

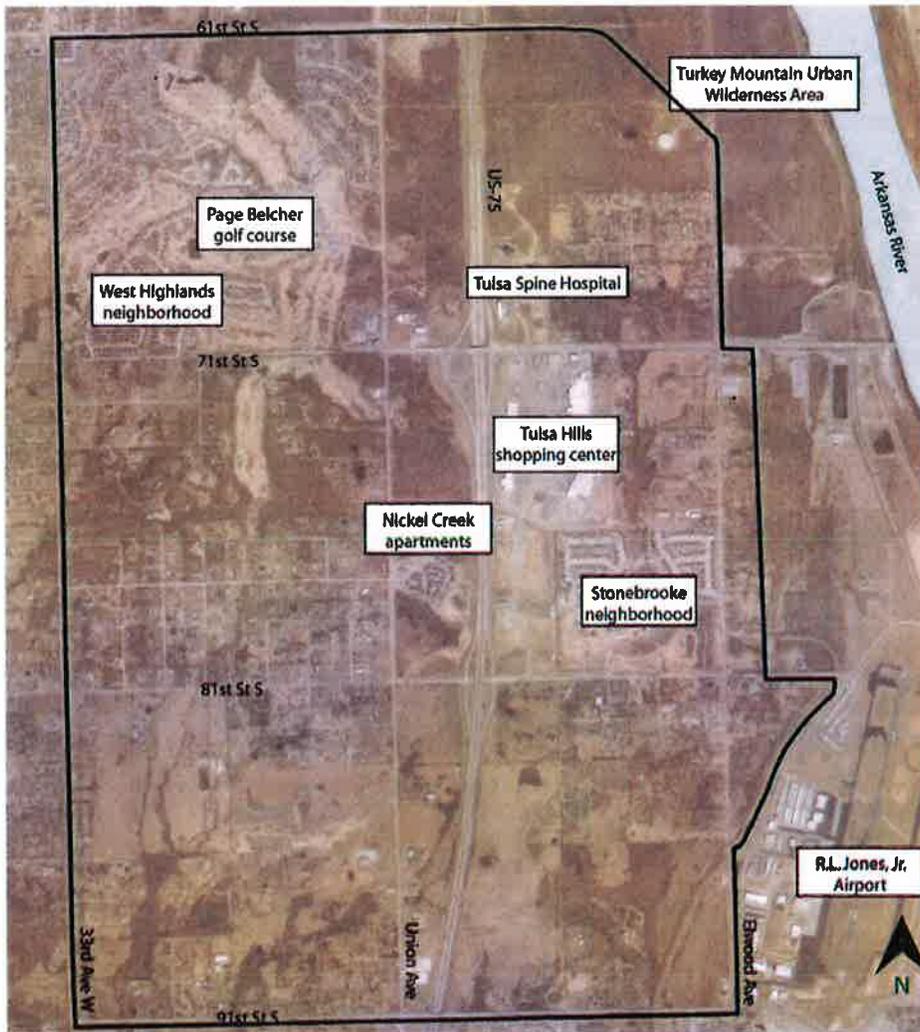
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Appendix (Plan Boundary Description)

Beginning at the center of Elwood Avenue and 91st St. South; thence west along the center line of 91st St. South to 33rd W. Avenue; thence north along the center line of 33rd W. Avenue to 61st St. South; thence east along the center line of 61st St. South and continuing on the center line as 61st St. South turns southeast into Elwood Avenue, and continuing on the center of Elwood Avenue to the Center of 71st St. South; thence east approximately

600 feet; thence south and parallel to Elwood Avenue to the center of 81st St. South; thence east along the center line of 81st St. South; thence east along the center line of approximately 1410 feet; thence south approximately 80 feet to the center of the storm water drainage channel for Hager Creek; thence along that channel to the intersection of Elwood Avenue; thence continuing down the center of Elwood Avenue to the point of beginning.



Map not to scale

Source: COT Planning Division; Shape data: INCOG 2012, Boundary: Tulsa City Council 2012

14.65



**MEMORANDUM
PLANNING & DEVELOPMENT
DEPARTMENT**

DATE: February 14, 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

Following review and discussion of the “February 2018 public hearing draft” of the Subdivision and Development Regulations, members of the staff technical team, work group and bicycle pedestrian advisory committee (BPAC) met to discuss changes introduced at the February 7, 2018 meeting. Only those sections suggested for modification by BPAC were considered by the group.

All parties have agreed to the attached summary included with “track-changes” to identify newly proposed language for consideration at the upcoming February 21, 2018 TMAPC meeting. Each section is followed by a staff recommendation made on behalf of all involved parties, both for resolved and unresolved issues.

Best Regards,

Project Manager:
Travis Hulse, CFM | Planner III
City of Tulsa Planning & Development Department
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T: 918-596-9865
F: 918-699-3130
E: THulse@cityoftulsa.org

Table 5-1: Maximum Block Lengths

Block Type	Maximum Block Length Without Mid-Block Ped Connection (PL to PL, feet)	Maximum Block Length With Mid-Block Ped Connection (PL to PL, feet)
<u>Urban High Density</u>	<u>600</u>	<u>700</u>
Urban <u>Low Density</u>	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 High Density = blocks on which the mean lot width of all fronting lots is less than 50 feet

[3] Urban Low Density = blocks on which the mean lot width of all fronting lots is ~~less than 60 feet~~ at least 50 feet but less than or equal to 60 feet.

[4] Suburban = blocks on which the mean lot width of all fronting lots is ~~at least 60 feet but less than 125 feet~~ more than 60 feet but less than or equal to 125 feet

[5] Rural = blocks on which the mean lot width of all fronting lots is ~~125 feet or more~~ more than 125 feet

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

Staff recommendation: Amend the existing language of the February 2018 Public Hearing Draft to incorporate the proposed edits. If changes are accepted, a motion to amend the draft document will be required.

5-060.4 Connectivity of Streets and Nonmotorized ~~Travel Routes~~ **Transportation Facilities**

A. Intent

Connected streets and nonmotorized transportation ~~routes~~ facilities helps ensure connected neighborhoods, pedestrian access to adjacent parks, schools, libraries and other public amenities, 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~~ **facilities** 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.

Staff recommendation: Amend the existing language of the February 2018 Public Hearing Draft to incorporate the proposed edits. If changes are accepted, a motion to amend the draft document will be required.

5-060.5 Dead-End Streets

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.

Staff recommendation: Request that TMAPC discuss the proposed edit. BPAC requests a reduction of the highlighted maximum dead-end street length from 750 feet to 500 feet. If changes are accepted, a motion to amend the draft document will be required.

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.

Staff recommendation: Request that TMAPC discuss the proposed edit. BPAC requests removal of the highlighted section thereby including all street classifications, specifically residential "minor streets." If changes are accepted, a motion to amend the draft document will be required.

5-080 Trails

When a sidepath/trail or sidepath/trail extension, as identified in the comprehensive plan, GoPlan 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 sidepath/trail.

Staff recommendation: Amend the existing language of the February 2018 Public Hearing Draft to incorporate the proposed edits. If changes are accepted, a motion to amend the draft document will be required.

5-140 Utilities

5-140.2 Overhead lines for the supply of electric, telephone, communication, and cable television services may be located within the perimeter easements or alleys 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. Services pedestals and transformers, as sources of supply at secondary voltages, may also be located in such utility easements.

Staff recommendation: Amend the existing language of the February 2018 Public Hearing Draft to incorporate the proposed edits. If changes are accepted, a motion to amend the draft document will be required.

TMAPC Staff Report
January 21, 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 meet individually and jointly on multiple occasions, reviewing drafts and providing input. The TMAPC has held three work sessions (April 19, 2017, August 2, 2017 and November 11, 2017) to discuss key issues that were identified. As a final step before the Planning Commission public hearing, TMAPC staff reviewed the draft for consistency with the City of Tulsa's Comprehensive Plan.

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

17.12



February 2, 2018

Attn: Tulsa Metropolitan Planning Commission

Re: Subdivision Regulations

Commissioners:

The Tulsa Bicycle/Pedestrian Advisory Committee advises INCOG and the city governments in the INCOG area on projects, policies, and programs that improve and/or affect bicycling and pedestrian conditions in Tulsa.

Attached, please find our recommendations for minor edits to the proposed subdivision regulations.

The way subdivisions are built today will influence how Tulsans live for generations to come. It's important that we get this right.

Thank you for your consideration.

Sincerely,

Larry Mitchell
BPAC President

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BPAC Recommended Changes to the Subdivision Regulations

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

Block Type	Maximum Street Spacing Without Mid-Block Ped Connection (CL to CL, feet)	Maximum Street Spacing With Mid-Block Ped Connection (CL to CL, feet)
Urban High Density	500	650
Urban Low Density	700	900
Suburban	1,000	1,300
Rural	1,500	1,600

Table 5-1 Notes

[1] CL = Centerline (of street)

[2] Urban **Low Density** = blocks on which the mean lot width of all fronting lots is **more than 50 feet but less than or equal to 60 feet.**

[3] Urban **High Density**=**blocks on which the mean lot width of all fronting lots is 50 feet or less**

[4] Suburban = blocks on which the mean lot width of all fronting lots is more than 60 feet and less than 150 feet

[5] Rural = blocks on which the mean lot width of all fronting lots is 150 feet or more

5-060.4 Connectivity of Streets and Nonmotorized Travel Routes

A. Intent

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

B. Requirement

When new streets or nonmotorized transportation improvements are required to be constructed as part of a development, they must connect to similar improvements within the development, **as well as adjacent parks, schools, libraries and other public facilities**, and be extended to the outer perimeter of the development so that they can be connected to similar improvements, both **existing and planned.**

5-060.5 Dead-End Streets

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~~ **500** 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;

17.14

- 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.

5-060.9 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.

5-080 TRAILS

When a sidepath/trail or sidepath/trail extension, as identified in the comprehensive plan, GoPlan 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.

5-140 UTILITIES

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. Utilities located in alleys, and along rear easements not abutting a public street;
- B. Temporary overhead utility lines during the time that construction is occurring, but only during periods of construction;
- C. Service connections, meters, and similar equipment that are customarily attached to the outside wall of the premises they serve;
- D. Poles used exclusively for street lighting; and
- E. 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.

BPAC Notes and Additional Information

Recommended Changes to Subdivision Regulations

Table 5-1: Maximum Block Lengths

Short, connected blocks are critical for people who walk and bike because they make it efficient to get from place to place. Long blocks decrease the number of potential routes, and increase travel distances. Long blocks also encourage drivers to speed, requiring the city to come back and install speed humps and other traffic calming measures in an attempt to make the neighborhood safe for kids and adults.

We are recommending the addition Urban High Density maximum street spacing to correspond to RS-4 and RS-5 lot widths (50 feet and less). We also recommend that Urban Low Density maximum street spacing be applied, as originally defined, to RS-3 lot widths of 60 feet or less. The Suburban category should apply to lot widths of 60-150 feet, which would correspond to RS-1 and RS-2 zoning.

5-060.4 Connectivity of Streets and Nonmotorized Travel Routes

It's important that residents in a neighborhood can reach their destinations in a safe and efficient manner, and that right should not be limited to people who drive. When subdivisions do not adequately provide connections to the places people go, they create situations that artificially induce auto-demand—increasing traffic, while making it less safe and desirable to walk and bike.

We recommend requiring streets and nonmotorized travel routes to provide access to public facilities such as parks, schools, libraries, etc., that are within or adjacent to the subdivision.

5-060.5 Dead-End Streets

Cul-de-sacs limit street connectivity and route choice, which makes walking and biking inefficient and impractical. They increase travel distances, and encourage speeding on adjacent "collector" streets, where drivers make up for the inefficiencies designed into their neighborhoods.

The use of cul-de-sacs should be discouraged, and the length of dead-end streets should be minimized as much as possible. A 750-foot-long dead-end street is longer than any allowed in our neighboring communities. We have suggested 500 feet as a maximum length to bring Tulsa's standards in line with neighboring communities like Jenks, Broken Arrow and Glenpool.

5-060.9 Street Intersections

Ideally, all street intersections should meet at right angles.

When there's an offset in alignment of a street intersection (jog), it's important to maintain adequate spacing between the offset streets. If they're too close together, cars will simply maintain speed and cut the diagonal. This is just as important for neighborhood streets as "major" streets.

BPAC worked with the COT to retroactively address such an issue at 41st Place and St Louis, where a residential intersection had offset streets that were only 30 feet from centerline to centerline. This geometry encouraged cars to cut through diagonally at high speed, instead of slowing to make two separate turns.

We are recommending that any offset streets be separated by a distance of 125 feet, so drivers are required to make two separate turns. This is safer and more predictable for pedestrians and cyclists.

5-080 Trails

Please include the language as it appears in the Go-Plan for "sidepath/trail." Also, we recommend specifically naming the GoPlan as an approved component of the comprehensive plan.

5-140 Utilities

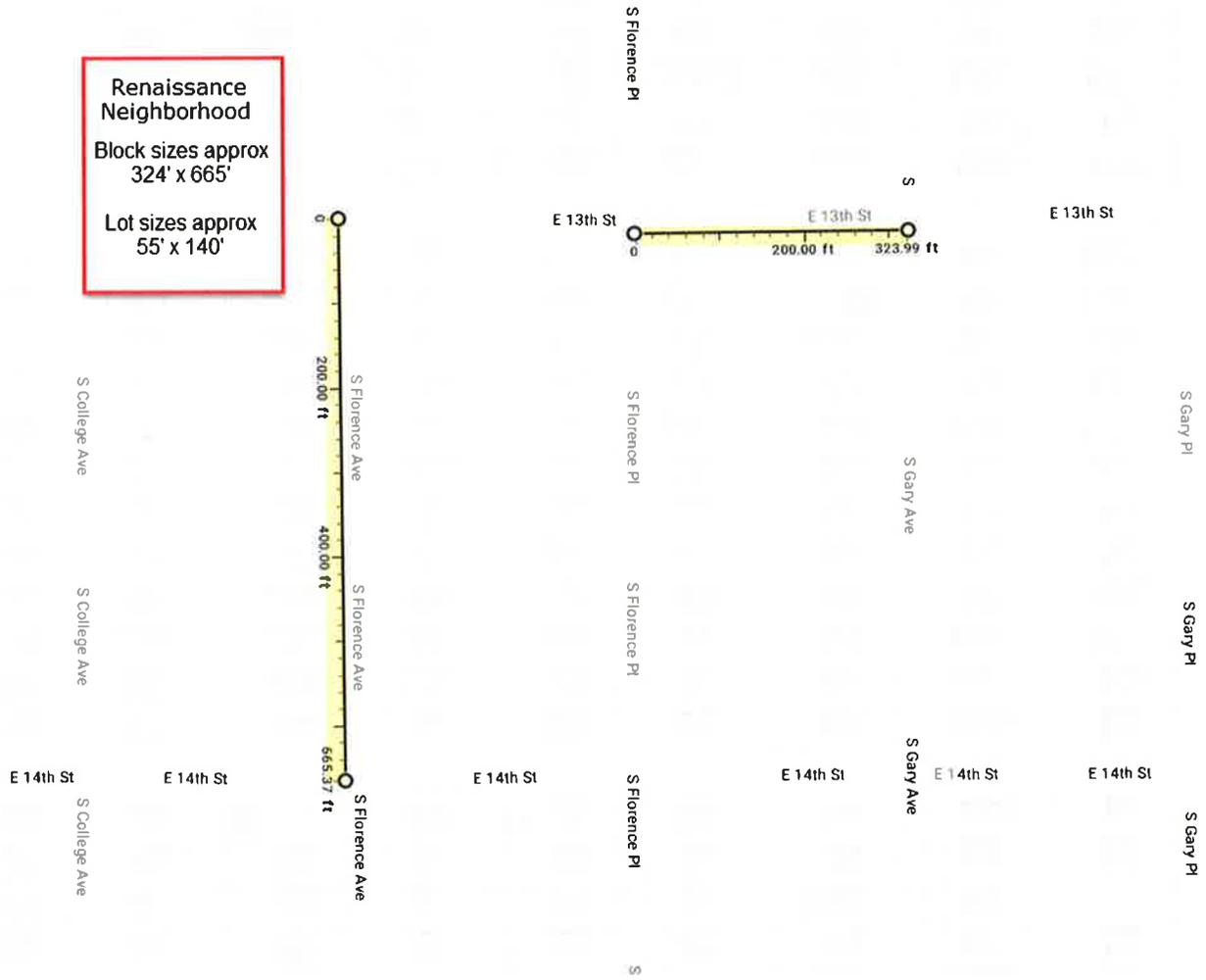
In hot climates such as Tulsa, shade trees offer critical protection to people on foot or bike. They also increase the value of neighborhoods, by making beautiful and inviting places. When the public right-of-way is lined with utility poles, it's impossible to have large, healthy trees along city streets and sidewalks.

We recommend that utilities should either be buried or located in rear easements away from public streets, so that the public right-of-way can be comfortable for all users.

Example 1. Traditional neighborhood block sizes

Short blocks and lots of connectivity make it easy for people who walk and bike from place to place.

Renaissance
Neighborhood
Block sizes approx
324' x 665'
Lot sizes approx
55' x 140'



Example 2. Neighborhood with long blocks and lack of connectivity

Long blocks concentrate traffic and encourage drivers to speed.

Inefficient routes make it harder for pedestrians and cyclists to get from place to place.

Neighbors complain about high-speed traffic in the neighborhood.



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

17.21



February 14, 2018

Michael Covey, TMAPC Chair:

NAIOP is the nation's leading trade association for developers, owners, investors and other professionals in industrial, office, retail and mixed-use commercial real estate. We also act as an advocacy organization on behalf of the commercial real estate development industry and are the leading voice for influencing policy on behalf of developers, investors and owners of commercial real estate in the United States.

With regard to the proposed revisions to Subdivision and Development Regulations in the City of Tulsa, we feel it is important that Tulsa's commercial real estate industry share our input on the plans which have been submitted for your approval. After careful review of the both the work session changes made by the City of Tulsa & INCOG and the recently submitted draft by the work group chaired by Andy Shank and Alan Betchan, The NAIOP Oklahoma Chapter is in full support of the work group's revisions as proposed for adoption by the Tulsa Metro Area Planning Commission. The changes reflect our concerns as they affect the commercial real estate industry and impose requirements which our members are willing and able to accept.

Further, we are very concerned about the removal of the Traffic Impact Analysis (TIA) requirement from the Subdivision Regulations and their placement in the Tulsa Zoning Code. We do agree that the Tulsa Zoning Code is the proper place for any traffic impact assessment; however, as most commercial development – be it retail, office or multifamily – has a high likelihood of impacting traffic patterns, congestion and existing corridors, this requirement for new development affects our industry much more than traditional residential development in addition to requiring developers to prove a negative..

The timing requirement of the TIA (at the front-end of permitting) and the delay which it will cause within a property's due diligence timeline are non-starters for our organization and our members. NAIOP Oklahoma is not opposed to some sort of traffic analysis per se; however, we would appreciate a more open and transparent process in its formulation and a method of implementation that does not adversely affect our industry. In other words, our membership is willing and able to offer our input, discuss opportunities which benefit all parties and achieve the outcomes that make development in Tulsa a model for the region. Further, the vast knowledge and experience of our member base can provide effective solutions which this initiative currently fails to create.

We respectfully ask that the work group's draft of the Subdivision and Development Regulations be adopted by the Tulsa Metro Area Planning Commission and that any further work on the TIA be tabled or redrafted so as to better serve the citizens of Tulsa and the development community as a whole.

If you have any questions, or would like to discuss further, please feel free to contact either Rick Guild or Nick Lombardi via the channels below. We appreciate your consideration,

Rick Guild
President
NAIOP Oklahoma
918.645.3677 (c)
rg@TheGuildCompany.com

Nick Lombardi
Government Affairs Chair
NAIOP Oklahoma
918.344.9904 (c)
nick@frisbielombardi.com

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	Tulsa - existing	Tulsa - proposed	Louisville	Omaha	Kansas City	Fort Worth	Pittsburgh	Oklahoma City
Performance Guarantees								
Financial assurance requirement	No	Yes	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	N/A	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	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	N/A	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	N/A	Yes, if greater than 1,000'
Traffic Impact Analysis								
Required	No	TBD	Yes	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	If required by Zoning Administrator	# of lots, 100 peak hour trips, or discretion of Development Services staff
Impact Fees	No	No	No	Yes	Yes	Yes	No	Yes
Underground Utilities								
Required	No	Yes	No	No	No	No	Yes	No

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	Tulsa - existing	Tulsa - proposed	Owasso	Jenks	Broken Arrow	Bixby	Glenpool
Performance Guarantees							
Financial assurance requirement	No	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'	1320'	1320'	N/A	N/A	800'
Non-residential max.	N/A	Rural - 1,500'	600'	N/A	N/A	N/A	600'
Cul-de-sac	750'	750'	600'	500'	550'	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	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
Threshold	N/A	TBD	N/A	N/A	N/A	N/A	N/A
Impact Fees	No	No	No	No	No	No	No
Unerground Utilities							
Required	No	Yes	No	No	No	Yes	No

17.04



**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 May 10, 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

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

1-080 RULES OF LANGUAGE AND CONSTRUCTION

1-080.1 Meanings and Intent

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

1-080.2 City and County References

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

1-080.3 Public Officials and Agencies

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

1-080.4 Computation of Time

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

1-080.5 Tenses and Usage

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

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

1-080.6 Conjunctions

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

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

1-080.7 Headings and Illustrations

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

1-080.8 Versions and Citations

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

1-080.9 Lists and Examples

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

1-080.10 Delegation of Authority

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

1-090 TRANSITIONAL PROVISIONS

1-090.1 Applications Submitted Before Effective Date

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

1-090.2 Permits Issued Before the Effective Date

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

1-090.3 Previous Violations

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

1-100 ADOPTION AND AMENDMENTS

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

1-110 SEVERABILITY

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

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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 interconnected 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.

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
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5-060	STREETS
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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

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.

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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.

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

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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				
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

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.

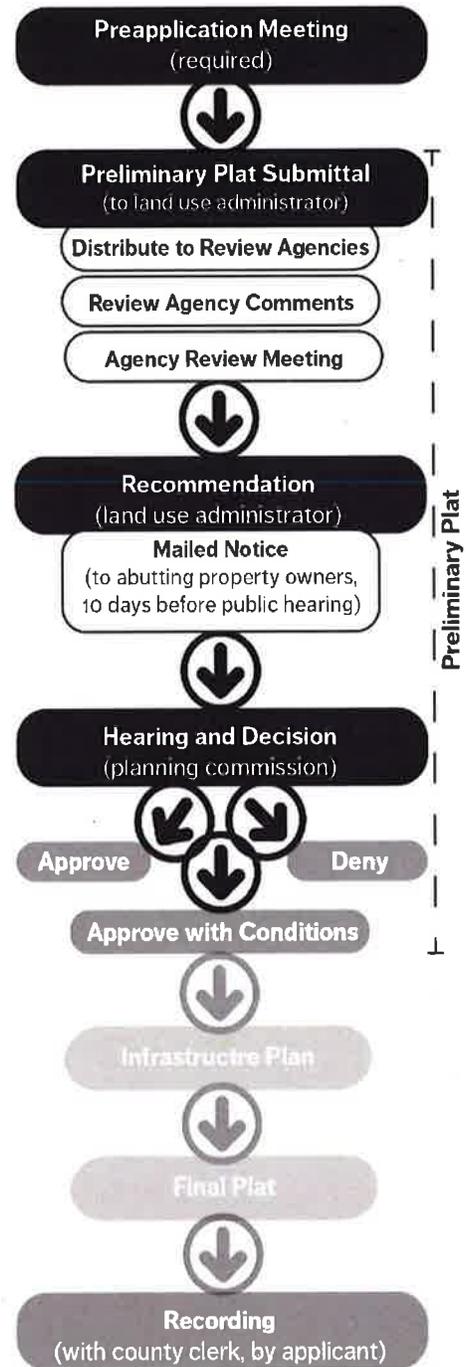
C. Agency Review Meeting

- (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).

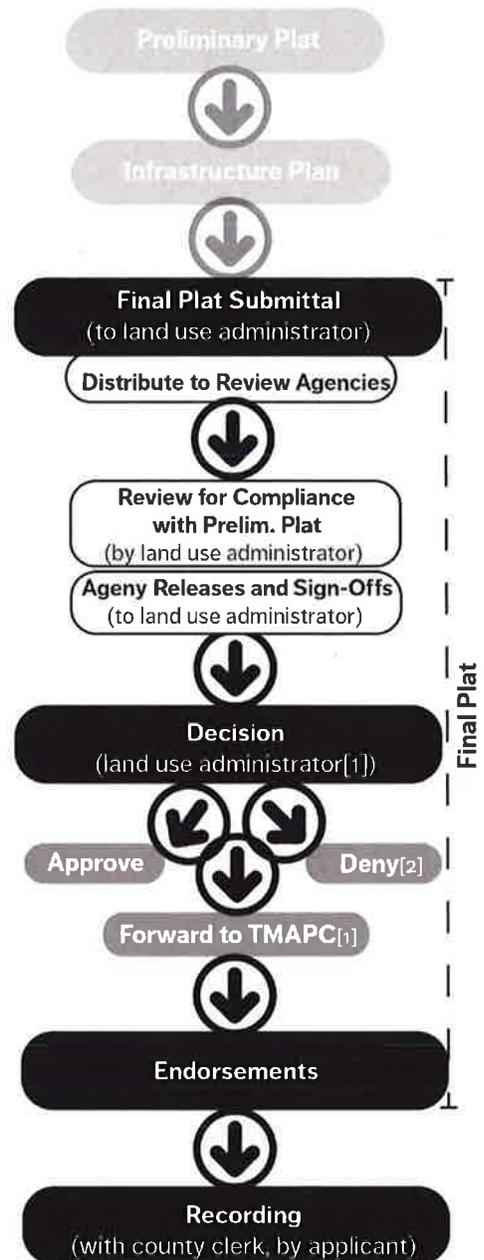
B. Intake and Distribution to Review Agencies

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.

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

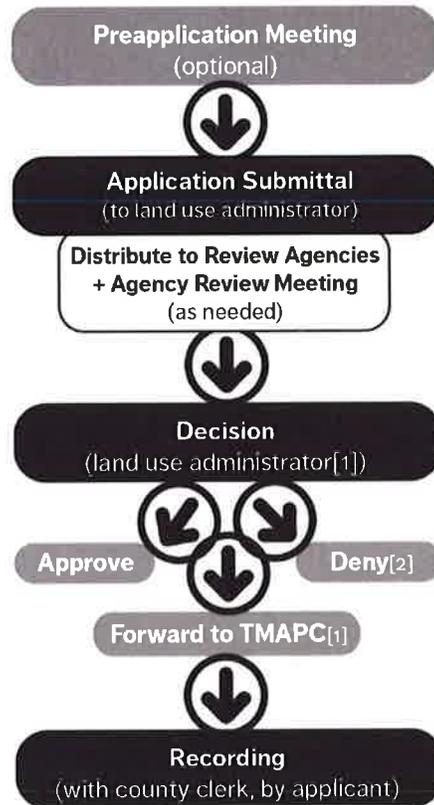
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recommendations with representatives from reviewing agencies. The land use administrator must work with review agencies to integrate all review comments into a single comprehensive written summary. The written summary must be submitted to the applicant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

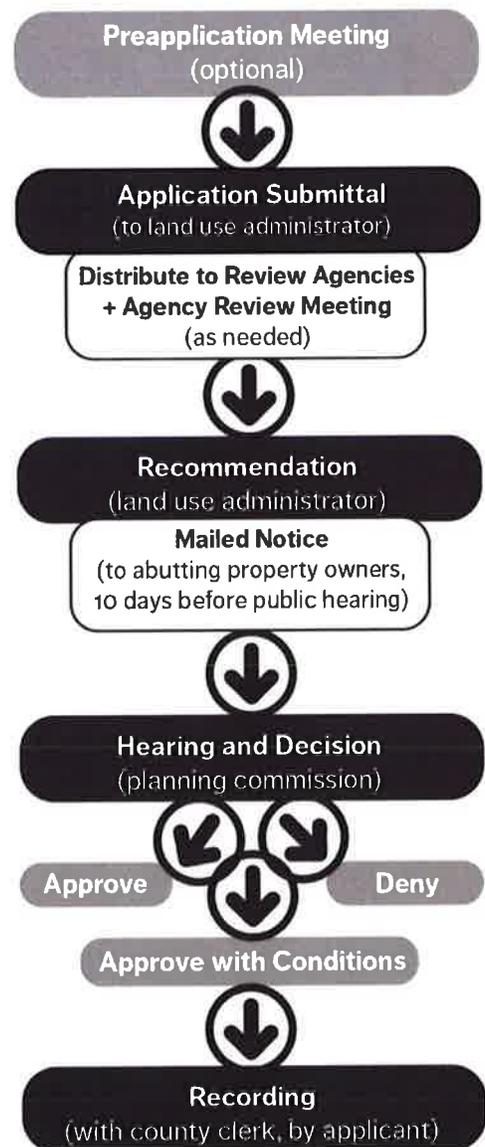
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- (1) The applicant requests review and action by the planning commission or reversal of the land use administrator’s decision on the lot split/adjustment; or
 - (2) The land use administrator elects to forward the lot split/adjustment to the planning 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
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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.

- (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

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.

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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17.78

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"
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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"
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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.

17.82

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"
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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.

17.84

15-090 TERMS BEGINNING WITH "V-Z"

Wetlands

Areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

TMAPC Staff Report
February 21, 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 meet individually and jointly on multiple occasions, reviewing drafts and providing input. The TMAPC has held three work sessions (April 19, 2017, August 2, 2017 and November 11, 2017) to discuss key issues that were identified. As a final step before the Planning Commission public hearing, TMAPC staff reviewed the draft for consistency with the City of Tulsa's Comprehensive Plan and found that the new Subdivision and Development Regulations will help to implement goals and policies contained in the plan.

B. Description of City of Tulsa Zoning Code amendments

The proposed amendments align the City of Tulsa Zoning Code with the newly proposed Subdivision and Development Regulations. The amendments accomplish the objective of removing platting requirements associated with zoning changes and certain special exceptions. The proposed changes will codify alternative processes by which property owners can verify conformance with the Subdivision and Development Regulations without being subjected to a full platting or re-platting process. The City will retain the requirement that any development standards approved by TMAPC through the development plan process must be filed as restrictive covenants with the county clerk's office making the City of Tulsa beneficiary to the covenants. This requirement will ensure enforceability of the required development standards moving forward and can be completed by plat or a separate recorded document.

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	2
Section 30.010	PUD, Planned Unit Development (Legacy) District	3
Section 40.110	Cottage House Developments	5
Section 40.290	Patio Houses	5
Section 40.390	Townhouses	5
Section 70.040	Development Plans	5
Section 70.050	Site Plans	6
Section 70.080	Zoning Clearance Permits	6
Section 90.080	Open Space per Unit	7
Section 95.150	Terms beginning with "L"	7

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.

3. Restrictive Covenants

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 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 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. Any permits issued must be in accordance with the approved development plan.

5. Amendments

The planning commission is authorized to approve minor amendments to an approved development plan 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 has been approved and a zoning clearance permit has been issued 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
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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.

3. Restrictive Covenants

No building permit may be issued, and no building or development may occur in an MPD 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 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. Any permits issued must be in accordance with 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.

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 recorded in the county clerk's office or restrictive covenants are established in a separately recorded legal instrument, 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 minor changes and amendments to an approved PUD development plan as long as a substantial compliance is maintained with the approved PUD development plan.
- c. The following may be processed as minor amendments:
 - (10) Lot splits that have been reviewed and approved in accordance with the subdivision and development regulations;

30.010-J Restrictive Covenants

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 City of Tulsa must be made beneficiary of the covenants pertaining to such matters as location of uses, height of structures, building 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.

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. Any permits issued must be in accordance with the approved PUD development plan.

Section 40.110 Cottage House Developments

40.110-H 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 recorded in the county clerk's office..

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 a recorded plat or a separate legal instrument recorded in the county clerk's office. 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 recorded in the county clerk's office.

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 have been reviewed and approved in accordance with 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.

Section 70.080 Zoning Clearance 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 Compliance with Development Regulations

1. Purpose

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.

2. Rezonings, Special Exceptions and Residential Uses

Except as expressly stated in §70.080-B3, no building permit or zoning clearance permit may be issued until 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 a recorded subdivision plat or ALTA/ACSM survey and separately recorded legal instruments. This requirement applies to any property for which:

- a. A property owner-initiated zoning map amendment or development plan was approved after July 1, 1970;
- 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) Household living involving 3 or more households on a single lot;
 - (5) Marina;

- (6) Gun club;
 - (7) Crematory; or
 - (8) 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.

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.

18.10

TMAPC Staff Report
February 21, 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 meet individually and jointly on multiple occasions, reviewing drafts and providing input. The TMAPC has held three work sessions (April 19, 2017, August 2, 2017 and November 11, 2017) to discuss key issues that were identified. As a final step before the Planning Commission public hearing, TMAPC staff reviewed the draft for consistency with 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.

19.8