CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

Call to Order:

REPORTS:

Chairman's Report:

Work session Report:

Director's Report:
Review TMAPC Receipts for the month of May 2018

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.

1. **PUD-493-5 Allie Ogden** (CD 9) Location: West of the northwest corner of East 41st Street South and South Lewis Avenue requesting a **PUD Minor Amendment** to reduce the required rear yard setback from 25 feet to 12 feet 6 inches.

2. **PUD-464-5 Artisan Pools** (CD 8) Location: North of the northwest corner of East 91st Street South and South Harvard Avenue requesting a **PUD Minor Amendment** to reduce the street setback from 25 feet to 18 feet to allow a pool.

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:
PUBLIC HEARINGS:

3. **Z-7446 Crystal Keller** (CD 2) Location: East of the southeast corner of West 81st Street South and South 33rd West Avenue requesting rezoning from AG to RS-1

4. **ZCA-11** - Various amendments to the City of Tulsa Zoning Code in the following sections: Chapter 1 Introductory Provisions: Section 1.090-1; Chapter 35 Building Types and Use Categories: Section 35.020-E; Chapter 65 Landscaping, Screening & Lighting: Section 65.050-B; Chapter 70 Review and Approval Procedures: Sections 70.010 (Table 70-1 Notes) and Section 70.090; Chapter 75 Administration: Section 75.020-L; and Chapter 95 Definitions: Section 95.190.

OTHER BUSINESS

5. 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 pagers 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.
# May 2018 Receipt Comparison

<table>
<thead>
<tr>
<th>Category</th>
<th>May 2018</th>
<th>April 2018</th>
<th>May 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning Letters</td>
<td>33</td>
<td>5</td>
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<td>Zoning</td>
<td>3</td>
<td>2</td>
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<tr>
<td>Plan Reviews</td>
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<td>Minor Subdivisions</td>
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<tr>
<td>Development Regulations Compliance</td>
<td>4</td>
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<td>8</td>
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<td>(includes plat waivers prior to 5/10/2018)</td>
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<tr>
<td>Lots Splits</td>
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<tr>
<td>Lot Line Adjustments</td>
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<td>(includes lot combinations prior to 5/10/2018)</td>
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<td>Other</td>
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<td>Comp Plan Amendments</td>
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</table>

6/14/2018
# TMAPC RECEIPTS

**Month of May 2018**

<table>
<thead>
<tr>
<th>ZONING</th>
<th>ITEM</th>
<th>CITY RECEIVED</th>
<th>COUNTY RECEIVED</th>
<th>TOTAL RECEIVED</th>
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<td>0.00</td>
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<td>0.00</td>
</tr>
</tbody>
</table>

| LAND DIVISION | | | | | | | |
|----------------|------|---------------|----------------|----------------|------|---------------|----------------|----------------|
| Minor Subdivision | 0 | $0.00 | $0.00 | $0.00 | 1 | $435.00 | $435.00 | 870.00 |
| Preliminary Plans | 3 | 1,915.00 | 1,915.00 | 3,830.00 | 24 | $12,323.30 | $12,323.30 | 24,646.60 |
| Final Plats | 2 | 900.00 | 900.00 | 1,800.00 | 28 | $11,552.78 | $11,552.78 | 23,105.55 |
| Development Reg. Compliance ** | 4 | 550.00 | 550.00 | 1,100.00 | 32 | $4,000.00 | $4,000.00 | 8,000.00 |
| Lot Splits | 8 | 500.00 | 500.00 | 1,000.00 | 111 | $6,275.00 | $6,275.00 | 12,550.00 |
| Lot Line Adjustment | 4 | 200.00 | 200.00 | 400.00 | 100 | $5,025.00 | $5,025.00 | 10,050.00 |
| Other | 4 | 300.00 | 300.00 | 600.00 | 14 | $1,150.00 | $1,150.00 | 2,300.00 |
| NSF | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Refunds | 0.00 | 0.00 | 0.00 | 0.00 | ($150.00) | ($150.00) | (300.00) | (300.00) |

| TMAPC COMP | | | | | | | |
|--------------|------|---------------|----------------|----------------|------|---------------|----------------|----------------|
| Comp Plan Amendment | 0 | $0.00 | $0.00 | $0.00 | 4 | $1,000.00 | $0.00 | $1,000.00 |
| Refund | $0.00 | $0.00 | $0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

| BOARDS OF ADJUSTMENT | | | | | | | |
|----------------------|------|---------------|----------------|----------------|------|---------------|----------------|----------------|
| Fees | 28 | $6,650.00 | $4,650.00 | $11,300.00 | 227 | $66,700.00 | $21,800.00 | $88,500.00 |
| Refunds | 0.00 | 0.00 | 0.00 | 0.00 | ($2,800.00) | $0.00 | ($2,800.00) |
| NSF Check | 0.00 | 0.00 | 0.00 | 0.00 | ($500.00) | $0.00 | ($500.00) |

| TOTAL | | | | | | | |
|-------|------|---------------|----------------|----------------|------|---------------|----------------|----------------|
| | $16,915.00 | $14,915.00 | $31,830.00 | $164,076.08 | $121,476.08 | $285,552.15 |

| LESS WAIVED FEES * | | | | | | | |
|-------------------|------|---------------|----------------|----------------|------|---------------|----------------|----------------|
| | $0.00 | $0.00 | ($14,646.71) | (14,646.71) |

**GRAND TOTALS**

| | $16,915.00 | $14,915.00 | $31,830.00 | $149,429.37 | $121,476.08 | $270,905.44 |

---

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

** Includes plot waivers prior to May 10th, 2018
<table>
<thead>
<tr>
<th>Case Report Prepared by:</th>
<th>Owner and Applicant Information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jay Hoyt</td>
<td>Applicant: Allie Ogden – W Design</td>
</tr>
<tr>
<td></td>
<td>Property Owner: Christy Carter</td>
</tr>
</tbody>
</table>

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

**Applicant Proposal:**
Concept summary: PUD minor amendment to reduce the required rear yard setback from 25 ft to 12 ft 6 in.

- Gross Land Area: 0.7 acres
- Location: West of the NW/c E 41st St S and S Lewis Ave
- Lot 6, Block 1, Royal Oaks
- 4018 S Yorktown Pl E

**Zoning:**
Existing Zoning: RS-1/PUD-493
Proposed Zoning: No Change

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

**Staff Recommendation:**
Staff recommends approval.

**Staff Data:**
TRS: 9319

**City Council District:** 9
**Councilor Name:** Ben Kimbro

**County Commission District:** 2
**Commissioner Name:** Karen Keith


SECTION I: PUD-493-5 Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Revise the PUD Development Standards to reduce the required rear yard from 25 feet to 12 feet 6 inches to allow an addition to be constructed.

Currently, the rear yard is required to be 25 feet. The applicant is proposing to build an addition to the home that would need to encroach on the rear yard. A 12.5' utility easement exists in the rear yard as well, which the addition will be outside of. This distance could be used as the revised rear setback distance.

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-493 and subsequent amendments shall remain in effect.

Exhibits included with staff recommendation:

INCOG zoning case map
INCOG aerial photo
INCOG aerial photo (enlarged)
Applicant Site Plan

With considerations listed above, staff recommends approval of the minor amendment request to reduce the required rear yard from 25 feet to 12 feet 6 inches.
SUBJECT TRACT

RS-1

PUD-493

PUD-589

PUD-416

PUD-637

PUD-749 ABANDONED

PUD-493-5

19-13 19
Note: Graphic overlays may not precisely align with physical features on the ground.
| **Case Number:** | PUD-464-5  
Minor Amendment |
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<tr>
<td><strong>Hearing Date:</strong></td>
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<tr>
<th><strong>Case Report Prepared by:</strong></th>
<th>Jay Hoyt</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th><strong>Owner and Applicant Information:</strong></th>
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</thead>
</table>
| **Applicant:** Artisan Pools  
Property Owner: Matt/Karis Monger |

| **Location Map:**  
(shown with City Council Districts) |
<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td><img src="image" alt="Location Map" /></td>
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</table>

<table>
<thead>
<tr>
<th><strong>Applicant Proposal:</strong></th>
</tr>
</thead>
</table>
| Concept summary: PUD minor amendment to reduce the street setback along Harvard Ave from 25ft to 18 ft to allow a pool.  
Gross Land Area: 0.49 acres  
Location: North of the NW/c E 91st St S and S Harvard Ave  
Lot 2, Block 1, Wellington South  
8623 S Gary Ave |

| **Zoning:**  
Existing Zoning: RS-2/PUD-464  
Proposed Zoning: No Change |
|-----------------------------|

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

<table>
<thead>
<tr>
<th><strong>Staff Recommendation:</strong></th>
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<tbody>
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<td>Staff recommends approval.</td>
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<table>
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<th><strong>Staff Data:</strong></th>
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<table>
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<th><strong>City Council District:</strong></th>
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</table>
| 8  
Councilor Name: Phil Lakin |

<table>
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<tr>
<th><strong>County Commission District:</strong></th>
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</thead>
</table>
| 3  
Commissioner Name: Ron Peters |
SECTION I: PUD-464-5 Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Revise the PUD Development Standards to reduce the required yard along Harvard Ave from 25 feet to 18 feet to allow a pool to be constructed.

Currently, the yard along Lakewood is considered a street yard and a rear yard for the home, requiring a 25 ft setback. The unique configuration of the subject lot, with streets on two sides, makes placing a pool on the lot difficult and with limited space to work with, without utilizing a reduced setback on the yard adjacent to Harvard Ave.

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-464 and subsequent amendments shall remain in effect.

Exhibits included with staff recommendation:

INCOG zoning case map
INCOG aerial photo
INCOG aerial photo (enlarged)
Applicant Site Plan

With considerations listed above, staff recommends approval of the minor amendment request to reduce the setback along Harvard Ave from 25 feet to 18 feet.
Note: Graphic overlays may not precisely align with physical features on the ground.
Note: Graphic overlays may not precisely align with physical features on the ground.
**Tulsa Metropolitan Area Planning Commission**

**Case Number:** Z-7446  
**Hearing Date:** June 20, 2018

**Case Report Prepared by:**  
Dwayne Wilkerson

**Owner and Applicant Information:**  
**Applicant:** Wallace Engineering attn. Crystal Keller  
**Property Owner:** ESTATES OF COPPER CREEK LLC

---

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

[Map Image]

**Applicant Proposal:**

**Present Use:** Farmland  
**Proposed Use:** Single Family Residential  
**Concept summary:** Rezoning to allow RS-1 sized lot development.  
**Tract Size:** 15 ± acres  
**Location:** East of the southeast corner of West 81st Street South & South 33rd West Avenue

---

**Zoning:**

**Existing Zoning:** AG  
**Proposed Zoning:** RS-1

**Comprehensive Plan:**

**Small Area Plan:** West Highlands Small Area Plan  
**Land Use Map:** Existing Neighborhood  
**Stability and Growth Map:** Area of Stability

**Staff Data:**  
**TRS:** 8215  
**CZM:** 51  
**Atlas:** 1431

**Staff Recommendation:**  
Staff recommends approval for RS-1 Zoning

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**City Council District:** 2  
**Councilor Name:** Jeanie Cue

**County Commission District:** 2  
**Commissioner Name:** Karen Keith

[REVISED 6/13/2018]
SECTION I: Z-7446

DEVELOPMENT CONCEPT: The applicant has requested RS-1 zoning to support a single family residential development.

EXHIBITS:

- INCOG Case map
- INCOG Aerial
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map
- Applicant Exhibits: None provided

DETAILED STAFF RECOMMENDATION:

Z-7446 request RS-1 zoning 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-1 zoning may not be consistent with the provisions identified in an Area of Stability as outlined in the Tulsa Comprehensive Plan, however RS-1 zoning provides standards for wider side yards and larger front setbacks that are consistent with the large lot neighborhood character expected in the area plan and,

Single household use is the only use permitted in an RS-1 district. Single family residential uses are consistent with the land use vision of the West Highlands Small Area Plan however the density allowed by RS-1 zoning may be 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,

RS-1 zoning allows a lot density that may 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 support greater density on property that is currently zoned RS-3 therefore,

Staff recommends Approval of Z-7446 to rezone property from AG to RS-1.

SECTION II: Supporting Documentation

Bulk and Area Summary chart illustrating differences in zoning categories

<table>
<thead>
<tr>
<th>Zoning category</th>
<th>Lot Area (sq. ft.)</th>
<th>Lot width (ft.)</th>
<th>Street Setback (ft.)</th>
<th>Rear Setback (ft.)</th>
<th>Side Setback (ft.)</th>
<th>Open Space (sq. ft.)</th>
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<td>RE</td>
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<td>25</td>
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<td>RS-3</td>
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<td>20</td>
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<td>4,000</td>
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</table>
RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Single family residential uses are consistent with the land use vision of the Tulsa Comprehensive Plan and with the Small Area Plan. 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. That concept plan cannot be regulated without using an optional development 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

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 that support single family residential uses within a rural context and a rural residential zoning use. Revisions to the Tulsa Zoning Code have not implemented those concepts. Staff has met with residents in the area and City Councilor regarding anticipated future development. Based on input received at the meetings, the District Councilor may ask the City Council to initiate a voluntary rezoning opportunity to allow property owners the ability to rezone property to RE or AG.

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

3.3

REVISED 6/14/2018
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 for 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.

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:

<table>
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<th>Exist. Access</th>
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<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
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<tr>
<td>West 81st Street South</td>
<td>Secondary Arterial</td>
<td>100 feet</td>
<td>2</td>
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</table>

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:

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Area of Stability or Growth</th>
<th>Existing Use</th>
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<tr>
<td>North</td>
<td>RS-3</td>
<td>Existing Neighborhood</td>
<td>Stability</td>
<td>Large lot single family homes</td>
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<tr>
<td>East</td>
<td>AG</td>
<td>Existing Neighborhood</td>
<td>Stability</td>
<td>One single family home</td>
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<tr>
<td>South</td>
<td>AG</td>
<td>Existing Neighborhood</td>
<td>Stability</td>
<td>Undeveloped</td>
</tr>
<tr>
<td>West</td>
<td>RS-3</td>
<td>Existing Neighborhood</td>
<td>Stability</td>
<td>Single family homes</td>
</tr>
</tbody>
</table>

SECTION III: Relevant Zoning History

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

Subject Property:

Z-7421 February 2018: TMAPC voted 6-4-0 in denial of a request for rezoning a 14.69+ acre tract of land from AG to RS-2 on property located east of the southeast corner of West 81st Street South & South 33rd West Avenue, the 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, 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 allow 2 dwelling units on one lot of record; a special exception to allow a manufactured home in an RS-3 zoned district; and a variance of the one year time limit to allow the manufactured home permanently, 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, on property located east of the corner of South 33rd West Avenue and West 81st Street South.

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Note: Graphic overlays may not precisely align with physical features on the ground.
SUBJECT TRACT
LAND USE PLAN
EXISTING NEIGHBORHOOD

Land Use Plan Categories

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

Z-7446
18-12 15

3.8
SUBJECT TRACT

Growth and Stability

Area of Growth
Area of Stability

Z-7446
18-12 15

3.9
Item: ZCA-11, various amendments to the City of Tulsa Zoning Code in the following sections: Chapter 1 Introductory Provisions: Section 1.090-I; Chapter 35 Building Types and Use Categories: Section 35.020-E; Chapter 65 Landscaping, Screening & Lighting: Section 65.050-B; Chapter 70 Review and Approval Procedures: Sections 70.010 (Table 70-1 Notes) and Section 70.090; Chapter 75 Administration: Section 75.020-L; and Chapter 95 Definitions: Section 95.190.

A. **Background:** The City of Tulsa Zoning Code defines specific roles for City and INCOG staff who are primarily responsible for interpreting and implementing the zoning code. As currently written in the zoning code, the responsible entities include:

- **Planning and Development Director** - director of the City of Tulsa Planning and Development Department who is responsible for overall zoning code administration and assignment of day-to-day staffing duties and responsibilities;

- **Development Administrator** - head of the Development Services Division of the City of Tulsa Planning and Development Department; and


Recently, the City of Tulsa administration modified their organizational structure by splitting the Planning and Development Services Department into two separate departments. Therefore, there is no longer a Planning and Development Director, rather a Planning Director and a Development Services Director. The proposed amendments reflect necessary adjustments in the zoning code consistent with the new organizational structure.

The amendments proposed to the City of Tulsa Zoning Code, Title 42 Tulsa Revised Ordinances, are in **Attachment I** shown in strike-through/underline. The proposed amendments are located Chapters 1, 35, 65, 70, 75 and 95 of the Zoning Code.

B. **Staff Recommends APPROVAL** of proposed amendments to the City of Tulsa Zoning Code as shown in Attachment I.
Chapter 1 | Introductory Provisions

Section 1.090 Rules of Language and Construction

1.090-I Public Officials and Agencies

4. References in this zoning code to the "planning and development director" are references to the director of the City of Tulsa planning and development department who is responsible for overall zoning code administration and assignment of day-to-day staffing duties and responsibilities.

8. References in this zoning code to the "preservation officer" are references to the planning and development director or the staff member to whom the planning and development director assigns responsibility for performing the preservation officer's duties under this zoning code.

9. References in this zoning code to the "development administrator" are references to the head director of the City of Tulsa development services division of the City of Tulsa planning and development department. In the performance of his or her duties, the development administrator may consult with the land use administrator.

10. References in this zoning code to the "land use administrator" are references to the head of the land development services division of the Indian Nations Council of Governments (INCOG). INCOG performs its responsibilities and duties under this zoning code pursuant to an agreement with the City of Tulsa. In the performance of his or her duties, the land use administrator may consult with the development administrator.

***
Section 35.020 Use Categories Generally

35.020-E Determination of Use Categories and Subcategories

1. The planning and development director may delegate to the development administrator or land use administrator the authority to classify uses on the basis of the use category, subcategory and specific use type descriptions of this chapter.

2. When a use cannot be reasonably classified into a use category, subcategory or specific use type, or appears to fit into multiple categories, subcategories or specific use types, the development administrator or land use administrator is authorized to determine the most similar and thus most appropriate use category, subcategory or specific use type based on the actual or projected characteristics of the principal use or activity in relationship to the use category, subcategory and specific use type descriptions provided in this chapter. In making such determinations, the development administrator or land use administrator must consider:
   a. The types of activities that will occur in conjunction with the use;
   b. The types of equipment and processes to be used;
   c. The existence, number and frequency of residents, customers or employees;
   d. Parking demands associated with the use; and
   e. Other factors deemed relevant to a use determination.

3. If a use can reasonably be classified in multiple categories, subcategories or specific use types, the development administrator or land use administrator is authorized to categorize each use in the category, subcategory or specific use type that provides the most exact, narrowest and appropriate “fit.”
Chapter 65 | Landscaping, Screening & Lighting

Section 65.050 Tree Planting and Preservation

65.050-B Requirements

1. All required trees must be planted in a permeable area, landscape area or tree pit not less than 5 feet in diameter. Tree planting areas within off-street parking lots must have a minimum permeable area of 64 square feet, with minimum dimensions of at least 8 feet.

2. Minimum required tree sizes at time of planting are as follows:

   a. Deciduous trees used to satisfy the requirements of this chapter must be at least 8 feet in height and 1.5 inches in caliper size at the time of planting; and

   b. Conifers/evergreen trees (e.g., pine, spruce or cedar) used to satisfy the requirements of this chapter must be at least 6 feet in height at the time of planting.

3. The **planning and development director** is authorized to prepare a list of recommended and prohibited tree species for use in administering and enforcing the provisions of this chapter. Such lists must be made available to the public.

***
Chapter 70 | Review and Approval Procedures

Section 70.010 Common Provisions

70.010-A Applicability

The common provisions of this section apply to all of the procedures in this chapter unless otherwise expressly stated.

Table 70-1: Review and Decision-making Authority Summary Table

<table>
<thead>
<tr>
<th>Procedure</th>
<th>Staff</th>
<th>Preservation Commission</th>
<th>Planning Commission</th>
<th>Board of Adjustment</th>
<th>City Council</th>
<th>Public Notice</th>
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<td>–</td>
<td>N, M</td>
</tr>
</tbody>
</table>

R = Review body (review and recommendation) | DM = Decision-making body (final decision to approve or deny)
< > = Public hearing required | Hearing Notice: N = Newspaper; M = Mail; P = Posting (signs)

Table 70-1 Notes

[3] Planning and development director Development administrator authorized to issue written interpretations or delegate decision-making authority to development administrator or land use administrator

Section 70.090 Interpretations of Zoning Code, Zoning Map, and Approved Development Plans and Site Plans Interpretations

70.090-A Purpose and Applicability

1. Day-to-day responsibility for administering and interpreting the provisions of this zoning code, including the zoning map, rests with the development administrator and land use administrator, whose decisions may be appealed to the board of adjustment, in accordance with the procedures of Section 70.140.

2. Occasionally, the zoning code may not sufficiently address an issue that arises in administering or interpreting the zoning code. In those cases, the development administrator and land use administrator may elect to issue, or a citizen may file an application for, a written zoning code interpretation to guide in future decision making. The procedures of this section govern the issuance of such interpretations. The procedures also govern interpretations of the zoning map and interpretations of the zoning code.
of the terms of approved development plans and site plans, such as those associated with PUDs, MPDs and CO zoning districts.

70.090-B Authority
The planning and development director is the land use administrator. As to the zoning map and approved development plans and site plans, and the development administrator, as to the zoning code, are authorized to issue written interpretations pursuant to this section or to delegate that authority to the land use administrator or the development administrator, based on which office has primary responsibility under this zoning code for administering the provisions in question. The planning and development director and the development administrator are also authorized to refer the matter to the board of adjustment for an interpretation or for guidance in making an interpretation.

70.090-C Application
A complete application for a written interpretation request must be submitted either to the land use administrator or development administrator, as appropriate, who must then forward the application to the planning and development director.

70.090-D Action
Within 30 days of receipt of a complete application, the planning and development administrator or land use administrator or development administrator, as appropriate, must (1) review and evaluate the interpretation request in light of the provisions that are the subject of the interpretation request and any other relevant documents (2) consult with affected staff and (3) prepare a written interpretation.

70.090-E Form
The interpretation must be provided to the applicant in writing and filed in the official record of interpretations held by the development administrator.

70.090-F Official Record
The planning and development administrator director must maintain an official record of written interpretations and provide copies to the land use administrator. The record of interpretations must be available for public inspection in the office of the land use administrator and development administrator during normal business hours.

70.090-G Appeal of decision
Appeals of written interpretations issued pursuant to this section may be taken to the board of adjustment in accordance with the appeal procedures of Section 70.140.

***
Chapter 75 | Administration

Section 75.020 Preservation Commission

75.020-L Staff
The planning and development department, or such other department, division or section as directed by the mayor, must provide staff to the preservation commission to assist in the performance of its duties.

Chapter 95 | Definitions

Section 95.190 Terms Beginning with "P"

Planning and Development Director
See §Error! Reference source not found..