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ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 42, TULSA REVISED ORDINANCES, TITLED "THE TULSA ZONING CODE", RELATED TO RESTRICTIONS ON LAND USES WITHIN THE CITY OF TULSA; AMENDING CHAPTER 2 TITLED "GENERAL PROVISIONS" BY ADDING A NEW SECTION 226 TITLED "DEMOLITIONS OF BUILDINGS IN THE IDL" WHICH REQUIRES ZONING CLEARANCE AND BUILDING PERMIT FOR DEVELOPMENT TO REPLACE A BUILDING BEFORE DEMOLITION IN THE IDL; SUBJECT TO EXCEPTIONS AND AS DETERMINED BY THE BOARD OF ADJUSTMENT, AND ADDING THE DEFINITION OF THE IDL; AMENDING CHAPTER 4, TITLED "RESIDENTIAL DISTRICT PROVISIONS," SECTION 401 TITLED "PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS," REPLACING THE TERM "OFF-STREET PARKING" WITH "SURFACE OFF-STREET PARKING AREAS" AND "STRUCTURED OFF-STREET PARKING AREAS"; PROVIDING ADDITIONAL CONSIDERATIONS BY THE BOARD OF ADJUSTMENT IN THE GRANT OF A SPECIAL EXCEPTION FOR SURFACE OFF-STREET PARKING AREAS IN THE IDL; AMENDING CHAPTER 5 TITLED "PARKING DISTRICT PROVISIONS," SECTION 501 TITLED "PRINCIPAL USES PERMITTED IN THE PARKING DISTRICTS," REPLACING THE TERM "OFF-STREET PARKING AREAS" WITH "SURFACE OFF-STREET PARKING AREAS" AND CHANGING THOSE IN THE IDL FROM USE BY RIGHT TO REQUIRING SPECIAL EXCEPTION BY THE BOARD OF ADJUSTMENT AND WITH "STRUCTURED OFF-STREET PARKING AREAS"; AMENDING CHAPTER 6 TITLED "OFFICE DISTRICT PROVISIONS," SECTION 601 TITLED "PRINCIPAL USES PERMITTED IN OFFICE DISTRICTS," REPLACING THE TERM "OFF-STREET PARKING AREAS" WITH "SURFACE OFF-STREET PARKING AREAS" AND CHANGING THOSE IN THE IDL FROM USE BY RIGHT TO REQUIRING SPECIAL EXCEPTION BY THE BOARD OF ADJUSTMENT AND WITH "STRUCTURED OFF-STREET PARKING AREAS"; AMENDING CHAPTER 7, TITLED "COMMERCIAL DISTRICT PROVISIONS," SECTION 701 TITLED "PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS"; REPLACING THE TERM "OFF-STREET PARKING AREAS" WITH "SURFACE OFF-STREET PARKING AREAS" AND CHANGING THOSE IN THE IDL FROM USE BY RIGHT TO REQUIRING SPECIAL EXCEPTION BY THE BOARD OF ADJUSTMENT AND WITH "STRUCTURED OFF-STREET PARKING AREAS"; AMENDING CHAPTER 8 TITLED "CORRIDOR DISTRICT PROVISIONS," SECTION 801 TITLED "PRINCIPAL USES PERMITTED IN CORRIDOR DISTRICTS" REPLACING THE TERM "OFF-STREET PARKING AREAS" WITH "SURFACE OFF-STREET PARKING AREAS" AND "STRUCTURED OFF-STREET PARKING AREAS;"AMENDING CHAPTER 8A TITLED "SCIENTIFIC RESEARCH AND

DEVELOPMENT DISTRICT PROVISIONS,” SECTION 851 TITLED “PRINCIPAL USES PERMITTED IN THE SCIENTIFIC RESEARCH DISTRICT,” REPLACING THE TERM “OFF-STREET PARKING AREAS” WITH “SURFACE OFF-STREET PARKING AREAS AND CHANGING THOSE IN THE IDL FROM USE BY RIGHT TO REQUIRING A SPECIAL EXCEPTION BY THE BOARD OF ADJUSTMENT, AND WITH “STRUCTURED OFF-STREET PARKING AREAS;” AMENDING CHAPTER 9 TITLED “INDUSTRIAL DISTRICT PROVISIONS,” SECTION 901 TITLED “PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS,” REPLACING THE TERM “OFF-STREET PARKING AREAS” WITH “SURFACE OFF-STREET PARKING AREAS” AND CHANGING THOSE IN THE IDL FROM USE BY RIGHT TO REQUIRING A SPECIAL EXCEPTION FROM THE BOARD OF ADJUSTMENT, AND WITH “STRUCTURED OFF-STREET PARKING AREAS;” AMENDING CHAPTER 10 TITLED “LANDSCAPE REQUIREMENTS,” SECTION 1002 TITLED “LANDSCAPE REQUIREMENTS,” REPLACING THE TERM “CENTRAL BUSINESS DISTRICT (CBD)” WITH THE TERM “IDL AS DEFINED IN SECTION 226;” AND FURTHER AMENDING SECTION 1002 BY ADDING PARAGRAPH G TITLED “LANDSCAPE REQUIREMENTS FOR SURFACE OFF-STREET PARKING AREAS WITHIN THE IDL,” APPLICABLE TO PRINCIPAL AND ACCESSORY USE SURFACE OFF-STREET PARKING AREAS WITHIN THE IDL REQUIRING DIFFERENT LANDSCAPING PATTERNS DEPENDENT UPON DATE OF BUILDING PERMIT APPLICATION; AMENDING CHAPTER 12, TITLED “USE UNITS”; AMENDING SECTION 1210, TITLED “OFF-STREET PARKING AREAS” RENAMING THE SECTION “SURFACE OFF-STREET PARKING AREAS” AND AMENDING THE TEXT TO SPECIFY SURFACE OFF-STREET PARKING LOT USAGE; ADDING A NEW SECTION 1210A TITLED “STRUCTURED OFF-STREET PARKING AREAS” DIRECTED AT ENCLOSED OFF-STREET PARKING AREAS WHICH ARE PRINCIPAL USES; AMENDING CHAPTER 16 TITLED “BOARD OF ADJUSTMENT,” SECTION 1601 TITLED “POWERS OF THE BOARD,” ADDING TO THE AUTHORITY OF THE BOARD THE POWER TO MAKE DETERMINATIONS RELATED TO DEMOLITION OF BUILDINGS WITHIN THE IDL IN ACCORDANCE WITH SECTION 226B; AMENDING CHAPTER 16 TITLED “BOARD OF ADJUSTMENT,” SECTION 1604 TITLED “FEES,” ADDING TO THE LIST OF APPLICATIONS REQUIRING FEES, THOSE UNDER SECTION 226B; AMENDING CHAPTER 16, SECTION 1608 TITLED “SPECIAL EXCEPTION” PARAGRAPH A TITLED “GENERAL” BY ADDING A NEW PARAGRAPH 20 PROVIDING FACTORS TO BE CONSIDERED BY THE BOARD OF ADJUSTMENT IN ITS DETERMINATION TO GRANT OR TO DENY THE SPECIAL EXCEPTION; AMENDING APPENDIX A TITLED “USE UNIT- SUMMARY ZONING DISTRICTS” TO REFLECT THE AMENDMENTS SET OUT HEREIN; AMENDING APPENDIX B TITLED “INDEX OF LAND USES” TO DELETE AND TO ADD THE TERMINOLOGY STATED; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY OF TULSA:

Section 1. That Title 42, Tulsa Revised Ordinances, Chapter 2, titled "General Provisions," be and the same is hereby amended by adding thereto Section 226, titled "Demolitions of Buildings in the IDL" to read as follows:

"SECTION 226. DEMOLITIONS OF BUILDINGS IN THE IDL

A. **Demolition permits.** Consistent with the purposes expressed in Section 700 E., and in order to foster and preserve the urban character of the properties within the IDL, as defined herein, and to encourage preservation and creation of building stock, no demolition of a building within the IDL shall be permitted until such time as:

1. A Zoning Clearance Permit and Building Permit for the proposed use of the property have been issued;
2. The Building Official has determined that the building proposed for demolition poses an imminent threat to public health or safety, and demolition of the building is required to eliminate said threat; or
3. The Board of Adjustment has determined that one or both of the following facts relating to the building proposed for demolition has been established by the applicant for the demolition permit:
 - a. The building does not contribute in a significant way to the quality, character or integrity of the neighborhood, and the demolition will not adversely affect the quality, character or integrity of the neighborhood; or
 - b. There is no viable economic use of the building. For purposes of this paragraph, the term "no viable economic use" shall mean:
 - 1). The building cannot reasonably be modified or developed for a use which would result in a reasonable economic return, and
 - 2). The owner has made reasonable efforts, but has been unable to achieve a sale or lease of the property that would enable the owner to realize a reasonable economic return.

B. **Board of Adjustment Determination.** For demolition based upon the criteria stated in paragraphs A.3 a. or b. above, an application (Application), together with appropriate fees, shall be submitted to the Board of Adjustment (BOA). The Application shall be accompanied by a legal description of the lot and plans in duplicate, drawn to scale, showing the actual shape and dimension of the lot; the location, size and height of any existing buildings proposed for demolition; the

description of the subject property within the Downtown Tulsa Intensive-Level Historic Resources Survey maintained by the Planning and Economic Development Department of the City of Tulsa which is in effect at the time the Application is submitted; and such other information with regard to the subject building, lot and neighboring lots deemed relevant by the applicant. The BOA, within ninety (90) days from submission of the Application, shall review the Application and documentation submitted by the Applicant or others, which may include appraisals, profit and loss statements, itemized expenses, listings of the property for sale, current fair market value, records depicting the current conditions of the property and other relevant documentation; consider options for renovation, adaptive reuse and redevelopment that have been submitted; conduct a public hearing; and determine whether any or all of the criteria stated in paragraphs A.3 a. or b. above has been established.

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C. Notice of Public Hearing:

1. At least ten days' notice of the public hearing to be held by the BOA shall be given as follows:

_____ a. By publication in a newspaper of general circulation; and

b. By mailing written notice to the Applicant, to the owner of the subject property and to all owners of property abutting the exterior boundary of the subject property and to the following:

_____ (1) Tulsa Chamber of Commerce

_____ (2) Tulsa Preservation Commission

_____ (3) Tulsa Downtown Coordinating Council

_____ (4) Tulsa Fire Department – Attention: The Fire Chief

_____ (5) Trust Authority for the Tulsa Stadium Improvement District;
and

_____ (6) Tulsa City Councilor or Councilors for the IDL; and

c. By posting one (1) sign facing each street which abuts the subject property.

_____ 2. The notice shall contain:

a. The legal description of the subject property and the street address or approximate location of the property; and

- b. The announcement that demolition of the building or buildings is requested; and
 - c. The date, time, and place of the hearing.
- 3. The Applicant shall furnish the names and mailing addresses of the owner of the subject property, if not the Applicant, all owners of property abutting the subject property and all others to whom notice is to be mailed.
- 4. Costs associated with giving notice of the public hearing as required herein shall be paid by the Applicant.
- D. **Burden of Proof.** The Applicant has the burden of proof to establish to the satisfaction of the BOA, the necessary facts to demonstrate the criteria stated herein to authorize demolition.
- E. **Appeals to the District Court.** An appeal from the action taken by the BOA herein may be pursued by any person or persons aggrieved by following the procedure authorized in Section 1609.
- F. **Stay of Proceedings.** Any appeal stays all proceedings in furtherance of the action appealed from.
- G. **Demolition Permit to Issue.** The Code Official shall issue the demolition permit upon the Applicant's payment of all related fees and upon 1) submittal of appropriate Zoning Clearance and Building Permit for the proposed use of the subject property, 2) determination by the Building Official that the building proposed for demolition poses an imminent threat to public health or safety and demolition of the building is required to eliminate said threat or 3) determination by the BOA that a demolition permit may be issued; and in the case of 2) or 3), upon the determination not being reversed on final appeal or upon conclusion of any final appeal which holds that the demolition permit should be issued.
- H. **IDL Definition.** As used herein, the IDL (Inner Dispersal Loop) shall mean the area of the City of Tulsa within and bounded on the East by the East leg of the IDL (U.S. 75), on the West by I-244, on the North by I-244, and on the South by the Broken Arrow Expressway (S.H. 51). (Drawing Attached)"

Section 2. That Title 42, Tulsa Revised Ordinances, Chapter 4, Section 401, titled "Principal Uses Permitted in Residential Districts," be and the same is hereby amended to read as follows:

"SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS

The principal uses permitted in the Residential Districts are designated by use unit. The use units are groupings of individual uses and are fully described, including their respective off-street parking, loading and screening requirements and other use conditions in Chapter 12. The use of an RE, RS, RD or RT District for access to any RM, O, C, or I District, or the use of an RM District for access to any O, C, or I District is prohibited unless permitted through an approved Planned Unit Development. The use units permitted in Residential Districts are set forth below in Table 1.

Table 1

Use Units Permitted in Residential Districts

Use Units		Districts					
No.	Name	RE	RS	RD	RT	RM	RMH
1.	Area-Wide Uses by Right	X	X	X	X	X	X
2.	Area-Wide Special Exception Uses [#]	E	E	E	E	E	E
4.	Public Protection & Utility Facilities	E	E	E	E	E	E
5.	Community Services & Similar Uses	E	E	E	E	E	E
6.	Single-Family Dwelling	X	X	X	X	X	E
7.	Duplex Dwelling		E*	X	X	X	
7a.	Townhouse Dwelling				X	X	
8.	Multifamily Dwelling & Similar Uses	E [†]	E [†]	E [†]		X	
9.	Manufactured Home Dwelling	E	E	E		E	X
10.	<u>Surface Off-Street Parking Areas</u>					E**	
10a.	<u>Structured Off-Street Parking Areas</u>					E**	
11.	Offices, Studios & Support Services					E***	
16.	Mini-Storage					E ^{††}	

X Use by Right

E Special Exception

* Duplexes permitted only in RS-3 and RS-4 Districts.

** In RM-2 and RM-3 Districts only. Surface Off-Street Parking Areas within the IDL (defined in Section 226) are further subject to the requirements of Section 1608, Paragraph A.20.

*** In RM-1, RM-2, and RM-3 Districts only.

† Assisted living facility, community group home, convent, life/care retirement center, monastery, and novitiate are the only uses within Use Unit 8 permitted by special exception in the RE, RS and RD Districts

†† Mini-storage is permitted only in the RM-1, RM-2 and RM-3 Districts

Detention/Correctional Facilities, Emergency and Protective Shelters, Homeless Centers, Transitional Living and Residential Treatment Centers are not allowed in RE and RS Districts.”

Section 3. That Title 42, Tulsa Revised Ordinances, Chapter 5, Section 501, titled “Principal Uses Permitted in the Parking Districts,” be and the same is hereby amended to read as follows:

“SECTION 501. PRINCIPAL USES PERMITTED IN THE PARKING DISTRICTS

The principal uses permitted in the Parking District are designated by use units. The use units are groupings of individual uses and are fully described, including their respective requirements and other use conditions in Chapter 12. The use units permitted in the Parking District are set forth below in Table 1.

Table 1

Use Units Permitted in the Parking Districts*

Use Unit	Parking District
1. Area-Wide Uses	X
2. Area-Wide Special Exception Uses	E
10. <u>Surface</u> Off-Street Parking Areas	X/E*
<u>10a. Structured Off-Street Parking Areas</u>	X

*X = Use by Right

E = Special Exception

*Surface Off-Street Parking Areas within the IDL (defined in Section 226) require Board of Adjustment approval of a Special Exception and are further subject to the requirements of Section 1608, Paragraph A.20.”

Section 4. That Title 42, Tulsa Revised Ordinances, Chapter 6, Section 601, titled “Principal Uses Permitted in Office Districts,” be and the same is hereby amended to read as follows:

“SECTION 601. PRINCIPAL USES PERMITTED IN OFFICE DISTRICTS

The principal uses permitted in the Office Districts are designated by use units. The use units are groupings of individual uses and are fully described, including their respective off-street parking, loading, and screening requirements and other use conditions in Chapter 12. The use units permitted in Office Districts are set forth below in Table 1.

Table 1

Use Units Permitted in Office Districts*

Use Unit		Districts			
No.	Name	OL	OM	OMH	OH
1.	Area-Wide Uses	X	X	X	X
2.	Area-Wide Special Exception Uses	E	E [#]	E [#]	E [#]
4.	Public Protection & Utility Facilities	E	E	E	E
5.	Community Services & Similar Uses	E	X	X	X
6.	Single-Family Dwelling	X	X†	X†	X†
7.	Duplex Dwelling	X	X†	X†	X†
7a.	Townhouse Dwelling	X	X	X	X
8.	Multifamily Dwelling and Similar Uses	E	X	X	X
10.	<u>Surface</u> Off-Street Parking Areas	<u>X/E*</u>	<u>X/E*</u>	<u>X/E*</u>	<u>X/E*</u>
10a.	<u>Structured Off-Street Parking Areas</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
11.	Offices, Studios & Support Services	X**	X	X	X
12.	Eating Establishments Other than Drive-Ins				X
13.	Convenience Goods and Services	E****	E****	E****	E****
16.	Mini-Storage	E	E	E	E
19.	Hotel, Motel and Recreational Facilities			E***	E***

- *X = Use by Right
- E = Special Exception
- † = Must be within a mixed use building
- * = Surface Off-Street Parking Areas within the IDL (defined in Section 226) require Board of Adjustment approval of a Special Exception and are further subject to the requirements of Section 1608, Paragraph A.20
- ** = Drive-in bank facilities, whether a principal or accessory use, require Board of Adjustment approval of special exception in OL Districts.
- *** = Limited to Hotel and motel.
- # = Residential Treatment and Transitional Living Centers are allowed by right in OM, OMH, and OH districts.
- **** = Limited to barber and beauty shops.”

Section 5. That Title 42, Tulsa Revised Ordinances, Chapter 7, Section 701, titled “Principal Uses Permitted in Commercial Districts,” be and the same is hereby amended to read as follows:

“SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS

The principal uses permitted in the Commercial Districts are designated by use units. The use units are groupings of individual uses and are fully described, including their respective off-street parking, loading and screening requirements and other use conditions in Chapter 12. The use units permitted in Commercial Districts are set forth below in Table 1.

Table 1

Use Units Permitted in Commercial Districts*

Use Units		Districts			
No.	Name	CS	CG	CH	CBD
1.	Area-Wide Uses	X	X	X	X
2.	Area-Wide Special Exception Uses	E	E	E	E***
4.	Public Protection and Utility Facilities	X	X	X	X
5.	Community Services & Similar Uses	X	X	X	X
6.	Single-Family Dwelling	X#	X#	X#	X#
7.	Duplex Dwelling	X#	X#	X#	X#
7a.	Townhouse Dwelling	X	X	X	X
8.	Multifamily Dwelling and Similar Uses	X	X	X	X
9.	Manufactured Home Dwelling		E	E	
10.	<u>Surface</u> Off-Street Parking Areas	<u>X/E*</u>	<u>X/E*</u>	<u>X/E*</u>	<u>X/E*</u>
10a.	<u>Structured Off-Street Parking Areas</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
11.	Offices, Studios & Support Services	X	X	X	X
12.	Eating Establishments Other than Drive-Ins	X	X	X	X
12a.	Adult Entertainment Establishments	X**	X**	X**	X**
13.	Convenience Goods and Services	X	X	X	X
14.	Shopping Goods and Services	X	X	X	X
15.	Other Trades and Services	E	X	X	X
16.	Mini-Storage	E	X	X	X
17.	Automobile and Allied Activities	E	X**	X**	X**
18.	Drive-In Restaurants	E	X	X	X
19.	Hotel, Motel and Recreational Facilities	X	X	X	X
20.	Commercial Recreation: Intensive	E	E	E	E
21.	Business Signs and Outdoor Advertising	X†	X†	X†	X†
22.	Scientific Research and Development		E	X	X
23.	Warehousing and Wholesaling		E	X	X
25.	Light Manufacturing and Industry		E	E	E

X = Use by Right

E* ≡ Surface Off-Street Parking Areas within the IDL (defined in Section 226) require Board of Adjustment approval of a Special Exception and are further subject to the requirements of Section 1608, Paragraph A.20.

X** = Use Unit 12a and auto body painting within Use Unit 17 uses require Board of Adjustment approval of a special exception if the lot containing either of these uses is within 150 feet of R zoned land, other than streets or freeways which are in R Districts.

- X† = Use Unit 21 outdoor advertising signs shall only be permitted in a CS, CG, CH, or CBD zoning district when located within a freeway sign corridor.
- E = Special Exception
- E*** = Except that tents used for special events are allowed by right on any non-right-of-way properties zoned CBD.
- X# = Must be located within a mixed-use building."

Section 6. That Title 42, Tulsa Revised Ordinances, Chapter 8, Section 801, titled "Principal Uses Permitted in Corridor Districts," be and the same is hereby amended to read as follows:

"SECTION 801. PRINCIPAL USES PERMITTED IN CORRIDOR DISTRICTS

The principal uses permitted in the Corridor District are designated by use units as set forth in Table 1. The use units are groupings of individual uses and are fully described, including their respective off-street parking and loading requirements in Chapter 12; provided that off street parking and loading requirements and minimum building setbacks may be modified when part of an approved Corridor Development Plan. Selection of specific uses and their locations are subject to the requirements as set forth in Section 804 of this chapter.

Table 1

Use Units Permitted in Corridor Districts

No.	Name
1.	Area-Wide Uses
2.	Area-Wide Special Exception Uses
4.	Public Protection and Utility Facilities
5.	Community Services & Similar Uses
6.	Single-Family Dwelling
7.	Duplex Dwelling
7a.	Townhouse Dwelling
8.	Multifamily Dwelling and Similar Uses
9.	Manufactured Home Dwelling
10.	<u>Surface</u> Off-Street Parking Areas
10a.	<u>Structured Off-Street Parking Areas</u>
11.	Offices, Studios, and Support Services
12.	Eating Establishments Other than Drive-Ins
12a.	Adult Entertainment Establishments
13.	Convenience Goods and Services
14.	Shopping Goods and Services
15.	Other Trades and Services
16.	Mini-Storage

17.	Automotive and Allied Activities
18.	Drive-In Restaurants
19.	Hotel, Motel and Recreation Facilities
20.	Commercial Recreation: Intensive
21.	Business Signs and Outdoor Advertising
22.	Scientific Research and Development
23.	Warehousing and Wholesaling
25.	Light Manufacturing and Industry”

Section 7. That Title 42, Tulsa Revised Ordinances, Chapter 8a, Section 851, titled “Principal Uses Permitted in the Scientific Research District,” be and the same is hereby amended to read as follows:

“SECTION 851. PRINCIPAL USES PERMITTED IN THE SCIENTIFIC RESEARCH DISTRICT.

The principal uses permitted in the Scientific Research District are designated by use units. The use units are groupings of individual uses and are fully described, including their respective off-street parking, loading and screening requirements and other use conditions in Chapter 12. The use units permitted in the Scientific Research District are set forth below in Table 1.

Table 1

Use Units Permitted in Scientific Research District*

Use Units		District
No.	Name	SR
1.	Area-Wide Uses <u>by Right</u>	X
2.	Area-Wide Special Exception Uses	E
4.	Public Protection and Utility Facilities	X
5.	Community Services & Similar Uses	E
10.	<u>Surface</u> Off-Street Parking Areas	X/E*
<u>10a.</u>	<u>Structured Off-Street Parking Areas</u>	<u>X</u>
11.	Offices, Studios & Support Services	X
22.	Scientific Research and Development	X

X = Use by Right

E = Special Exception

E* Surface Off-Street Parking Areas within the IDL (defined Section 226) require Board of Adjustment approval of a Special Exception and are further subject to the requirements of Section 1608, Paragraph A.20.”

Section 8. That Title 42, Tulsa Revised Ordinances, Chapter 9, Section 901, titled “Principal Uses Permitted in Industrial Districts” be and the same is hereby amended to read as follows:

“SECTION 901. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS

The principal uses permitted in the Industrial Districts are designated by use units. The use units are groupings of individual uses and are fully described, including their respective off-street parking, loading and screening requirements and other use conditions in Chapter 12. The use units permitted in the Industrial Districts are set forth below in Table 1.

Table 1

Use Units Permitted in Industrial Districts

Use Units		Districts		
No.	Name	IL	IM	IH
1.	Area-Wide Uses	X	X	X
2.	Area-Wide Special Exception Uses	E#	E	E
3.	Agriculture	X	X	X
4.	Public Protection and Utility Facilities	X	X	X
5.	Community Services and Similar Uses	E	E	E
9.	Manufactured Home Dwelling	E	E	E
10.	<u>Surface</u> Off-Street Parking Areas	X/E*	X/E*	X/E*
10a.	<u>Structured Off-Street Parking Areas</u>	<u>X</u>	<u>X</u>	<u>X</u>
11.	Offices, Studios and Support Services	X	X	X
12.	Eating Establishments, Other than Drive-Ins	X	X	X
12a.	Adult Entertainment Establishments	E	E	E
13.	Convenience Goods and Services	X	X	X
14.	Shopping Goods and Services	X	X	X
15.	Other Trades and Services	X	X	X
16.	Mini-Storage	X	X	X
17.	Automotive and Allied Activities	X	X	X
18.	Drive-In Restaurants	X	X	X
19.	Hotel, Motel and Recreational Facilities	E	E	E
20.	Commercial Recreation: Intensive	E	X	X
21.	Business Signs, Outdoor Advertising	X†	X†	X†
22.	Scientific Research and Development	X	X	X
23.	Warehousing and Wholesaling	X	X	X
24.	Mining and Mineral Processing		E	E
25.	Light Manufacturing and Industry	X	X	X
26.	Moderate Manufacturing and Industry	E	X	X
27.	Heavy Manufacturing and Industry		E	X
28.	Junk and Salvage Yards		E	X

X = Use by Right

E* = Surface Off-Street Parking Areas within the IDL (defined in Section 226) require Board of Adjustment approval of a Special Exception and are further subject to the requirements of Section 1608, Paragraph A.20.

- X† = Use Unit 21 outdoor advertising signs shall only be permitted in an IL, IM or IH zoning district when located within a freeway sign corridor.
- E = Special Exception
- # = Residential Treatment and Transitional Living Centers are allowed by right in IL Districts.”

Section 9. That Title 42, Tulsa Revised Ordinances, Chapter 10, Section 1002 titled “Landscape Requirements,” Paragraph B, be and the same is hereby amended to read as follows:

“B. Parking Area Requirements. Within surface off-street parking areas which are not ~~zoned Central Business District (CBD)~~ located within the IDL (defined in Section 226), landscaped areas shall be established and maintained as follows:

1. For lots 2.5 acres or less in size, no parking space shall be located more than 50 feet from a landscaped area containing at least 30 square feet, with a minimum width or diameter of three feet;
2. For lots greater than 2.5 acres in size, no parking space shall be located more than 75 feet from a landscaped area containing at least 100 square feet, with a minimum width or diameter of seven feet.”

Section 10. That Title 42, Tulsa Revised Ordinances, Chapter 10, Section 1002 titled “Landscape Requirements,” Paragraph C, be and the same is hereby amended to read as follows:

C. Tree Requirements. Within surface off-street parking areas which are not located within the IDL (defined in Section 226), trees shall be planted and maintained as follows.

1. Within the street yard, trees shall be preserved or planted and maintained or replaced as follows:

One tree for each 1500 square feet, or fraction thereof, of street yard.

2. For surface parking areas located outside the street yard, ~~which are in zoning districts other than CBD~~, one tree for each 12 parking spaces, with at least one tree in each required landscaped area, shall be preserved or planted and maintained or replaced.

- ~~3. For surface parking areas located in the CBD zoning district which are designed for 20 or more spaces and which parking areas are within 25 feet of a public street right-of-way, trees shall be preserved or planted and maintained or replaced as follows:~~

- ~~a. One tree for each 35 lineal feet of parking area located along and parallel to the street boundary which is within 25 feet of public street right-of-way; and~~

~~b.—Required trees shall be located within 10 feet of a public street right-of-way.~~

3. An existing or planted tree which is at least six inches in caliper shall be considered as two trees for the purpose of determining compliance with the requirement of Subsection 1002.C., provided there is no alteration of the soil grade under an existing tree's dripline.
4. Planted trees shall be planted in a pervious area not less than three feet in diameter.
5. Minimum tree sizes at time of planting shall be as follows:
 - a. Ornamental trees shall be not less than six feet in height and one inch in caliper;
 - b. Conifers/Evergreen trees, such as pine, spruce or cedar, shall be not less than five feet in height; and
 - c. Canopy trees shall not be less than eight feet in height and 1-1/2 inch in caliper.

Section 11. That Title 42, Tulsa Revised Ordinances, Chapter 10, Section 1002 titled "Landscape Requirements," is hereby amended by adding thereto Paragraph G, to read as follows:

G. Landscape Requirements For Surface Off-Street Parking Areas Within The IDL. For principal and accessory use surface off-street parking areas located within the IDL (defined in Section 226), landscaping and fencing shall be established and maintained as follows:

1. The provisions of this paragraph G. shall be applicable to the following:
 - a. Surface off-street parking areas within the IDL for which a building permit is issued on or after September 1, 2013;*
 - b. Surface off-street parking areas existing as of September 1, 2013, in which the size of the parking area is thereafter increased; and
 - c. Surface off-street parking areas existing as of September 1, 2013, in which the surface of the parking area is, as of that date, constructed of a material that is not an all-weather material, and in which an all-weather material is subsequently applied
- * A building permit shall be required for all surface off-street parking areas.
2. Within the lot containing the surface off-street parking area, landscaping, fencing and trees shall be provided along the right-of-way abutting the lot as

follows:

- a. A landscaped area shall be established and maintained which is not less than 8 feet in width and which extends along the entirety of street right-of-way abutting the lot, except at points of vehicular access and except where the parking area is screened from the right of way by a building. Wheel stops or curbing shall be placed and maintained in the parking area so as to prevent vehicle overhang into the landscaped area and vehicle contact with the ornamental fence or masonry wall described in Section 1002.G.2.b.
 - b. An ornamental fence or masonry wall, no less than 2-1/2 feet in height and no greater than 4 feet in height shall be constructed and maintained along the entirety of the interior perimeter of the landscaped area described in Section 1002.G.2.a.
 - c. A minimum of 15 evergreen shrubs or ornamental grasses for every 50 lineal feet of right-of-way abutting the lot (or if the parking area is screened in part from the right of way by a building for every 50 lineal feet of right of way where the parking area is not screened by a building), with a minimum 3 gallon size, shall be preserved or planted and maintained or replaced within the landscaped area described in Section 1002.G.2.a. Spacing of shrubs and grasses within the landscaped area shall be at the discretion of the owner of the lot.
 - d. A minimum of 1 tree for every 50 lineal feet of right-of-way abutting the lot (or if the parking area is screened in part from the right of way by a building for every 50 lineal feet of right of way where the parking area is not screened by a building) shall be preserved or planted and maintained or replaced within the landscaped area described in Section 1002.G.2.a. Spacing of trees within the landscaped area shall be at the discretion of the owner of the lot.
 - e. The requirements of Sections 1002.G.2. a, b, c, and d, shall be deemed satisfied if there exist, or if the owner of the lot shall construct prior to or at the time of construction of the surface off-street parking area, improvements within the right-of-way abutting the lot (street trees, light standards, sidewalks and landscaping), along the entirety of the length of the right-of-way except for points of vehicular access, which meet or exceed the design standards set forth in the Engineering Design Criteria Manual maintained in the Engineering Services Department of the City of Tulsa which is in effect at the time of the construction of the off-street parking area.
3. Within the lot containing the principal or accessory use surface off-street parking area, and outside the landscaped area described in Section 1002 G.2., a minimum of 1 tree shall be preserved or planted and maintained or

replaced for every 15 parking spaces. No parking space shall be further than 50 feet from a required tree as measured from the tree trunk. Trees shall be located in landscaped areas with a minimum size of 100 square feet and a minimum width or diameter of 10 feet. The landscaped areas shall be protected by a raised 6 inch concrete curb, and neither concrete curbing nor parking area surfacing shall be placed nearer to the trunk of a tree than 4-1/2 feet.

4. Trees required under the provisions of Sections 1002.G.2. and 3. shall be subject to the following additional requirements:
 - a. An existing or planted tree which is at least 6 inches in caliper shall be considered as 2 trees, provided there is no alteration of the soil grade under the existing tree's dripline.
 - b. Minimum tree sizes at time of planting shall be as follows:
 - 1) Ornamental trees shall be not less than 6 feet in height and 1 inch in caliper;
 - 2) Conifers/evergreen trees, such as pine, spruce or cedar, shall be not less than 5 feet in height; and
 - 3) Canopy trees shall not be less than 8 feet in height and 1-1/2 inch in caliper.

Section 12. That Title 42, Tulsa Revised Ordinances, Chapter 12, Section 1210, be and the same is hereby amended to read as follows:

“SECTION 1210. USE UNIT 10. SURFACE OFF-STREET PARKING AREAS

- A. **Description.** Off-street parking areas which are principal uses and which are unenclosed.
- B. **Included Uses.** Surface Off-street parking areas as defined in Section 1210, Subsection A.
- C. **Use Conditions.** Surface Off-street parking areas shall conform to the landscaping, design, lighting and improvement requirements for off-street parking contained in Chapters 10 and 13; Surface Off-Street Parking areas within the IDL require Board of Adjustment approval of a Special Exception and are further subject to the requirements of Section 1608, Paragraph A.20.
- D. **Off-Street Parking and Loading Requirements.** Not applicable.”

Section 13. That Title 42, Tulsa Revised Ordinances, Chapter 12, be and the same is hereby amended by adding thereto Section 1210a to read as follows:

“SECTION 1210a. USE UNIT 10a. STRUCTURED OFF-STREET PARKING AREAS

- A. **Description.** Off-Street parking areas which are principal uses and which are enclosed within a building containing one or more floors, a roof, and exterior walls, and in which the parked vehicles are not visible from the building exterior; and off-street parking areas which are principal uses and which are located within a structure containing more than one floor, in which the parked vehicles may be visible from the exterior of the structure and in which the highest floor may not be covered by a roof.

- B. **Included Uses.** Structured off-street parking areas as defined in Section 1210a, Subsection A.

- C. **Use Conditions.** Structured Off-Street Parking Areas shall conform to the landscaping, design, lighting and improvement requirements for off-street parking contained in Chapters 10 and 13.”

Section 14. That Title 42, Tulsa Revised Ordinances, Chapter 16, Section 1601, titled “Powers of the Board,” be and the same is hereby amended to read as follows:

“SECTION 1601. POWERS OF THE BOARD

The Board shall have the power to hear appeals from the determinations of an administrative official in enforcing this Code, to grant variances, to grant special exceptions, and to make interpretations of the zoning map and text, in accordance with the substantive and procedural standards hereinafter set forth. The Board shall further have the power to make determinations as set forth in Section 226B, in accordance with the substantive and procedural standards set forth therein.”

Section 15. That Title 42, Tulsa Revised Ordinances, Chapter 16, Section 1604, titled “Fees,” be and the same is hereby amended to read as follows:

“SECTION 1604. FEES

An application for an appeal from an administrative official enforcing this Code, for any variance or special exception or for a determination in accordance with Section 226B shall be accompanied by the payment of a fee in accordance with the schedule of fees adopted by resolution of City Council of the City of Tulsa. Additionally, the applicant shall pay a fee to cover the costs of publishing notice and posting signs on the property.”

Section 16. That Title 42, Tulsa Revised Ordinances, Chapter 16, Section 1608, titled “Special Exception,” Paragraph A, be and the same is hereby amended by adding thereto paragraph 20, to read as follows:

“20. In granting a special exception to permit a principal use Surface Off-Street Parking Area within the IDL, and making the findings required by Section 1608, paragraph

C, the following factors, together with any other factors deemed relevant by the Board of Adjustment, shall be considered in the determination to grant or deny the special exception:

- a. The site plan for the proposed parking area.
- b. The uses of properties within the vicinity of the proposed parking area.
- c. The number and availability of public parking spaces (available to the general public) and private parking spaces (available only to the owners, occupants and visitors of a nearby building) within a quarter mile of the proposed parking area.
- d. Demand for additional parking within the vicinity of the proposed parking area.
- e. Impact upon the immediate neighborhood of the proposed parking area.

Information furnished with Application. The information described in 20.a. through e. shall be submitted by the applicant along with his/her application.”

Section 17. That Title 42, Tulsa Revised Ordinances, Appendix A, titled "Use Unit – Summary Zoning Districts," be and the same is hereby amended to read as follows:

“ **APPENDIX A** ”

USE UNIT -- SUMMARY ZONING DISTRICTS

Use Units	AG	RE	RS1	RS2	RS3	RS4	RD	RT	RMH	RMO	RM1	RM2	RM3	PK	OL	OM	OMH	OH	CS	CG	CH	CBD	CO	SR	IL	IM	IH		
1. Area-Wide Uses By Right	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	S	X	X	X	X		
2. Area-Wide Exception Uses	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E#	E#	E#	E	E	E	E	S	E	E#	E	E		
3. Agriculture	X																										X	X	X
4. Protection & Utilities	X	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	X	X	X	X	S	X	X	X	X		
5. Community Services & Similar Uses	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	X	X	X	X	X	X	X	S	E	E	E	E		
6. Single-Family Dwelling	X	X	X	X	X	X	X	X	E	X	X	X	X	X	X	X†	X†	X†	X*	X*	X*	X*	S						
7. Duplex Dwelling					E	E	X	X	X	X	X	X	X	X	X	X	E	E	X*	X*	X*	X*	S						
7a. Townhouse Dwelling							X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	S						
8. Multifamily & Similar Uses	E*	E*	E*	E*	E*	E*	E*			X	X	X	X	X	E	X	X	X	X	X	X	X	S						
9. Manufactured Home Dwelling	E	E	E	E	E	E	E	X	E	E	E	E	E	E					E	E	E	S		E	E	E			
1b. Surface Off-Street Parking Areas															E°	E°	X°	X°	X°	X°	X°	X°	S	X°	X°	X°	X°		
1Da. Structured Off-Street Parking Areas															E	E	X	X	X	X	X	X	S	X	X	X	X		
11. Offices, Studios & Support Services	E*									E	E	E	E	X*	X	X	X	X	X	X	X	X	S	X	X	X	X		
12. Eating Establ. Other Than Drive-Ins																		X	X	X	X	S		X	X	X			
12a. Adult Entertainment Establishments																		X*	X*	X*	X*	S		E	E	E			
13. Convenience Goods and Services															E*	E*	E*	E*	X	X	X	X	S		X	X	X		
14. Shopping Goods and Services																		X	X	X	X	S		X	X	X			
15. Other Trades & Services																		E	X	X	X	S		X	X	X			
16. Mini-Storage										E	E	E	E	E	E	E	E	E	X	X	X	S		X	X	X			
17. Automotive & Allied Activities																		E	X*	X*	X*	S		X	X	X			
18. Drive-In Restaurants																		E	X	X	X	S		X	X	X			
19. Hotel, Motel & Recreation																	E*	E*	X	X	X	X	S		E	E	E		
20. Commercial Recreation, Intensive	E																	E	E	E	E	S		E	X	X			
21. Signs & Outdoor Advertising																		X†	X†	X†	X†	S		X†	X†	X†			
22. Scientific Research & Development																		E	X	X	X	S	X	X	X	X			
23. Warehousing & Wholesaling																		E	X	X	X	S		X	X	X			
24. Mining & Mineral Processing	E																									E	E		
25. Light Manufacturing																		E	E	E				X	X	X			
26. Moderate Manufacturing																								E	X	X			
27. Heavy Manufacturing																										E	X		
28. Junk & Salvage Yards																										E	X		

X = USE BY RIGHT E = USE BY EXCEPTION S = SITE PLAN APPROVAL REQUIRED * ONLY SELECTED USES †Must be within a mixed use building
 # = Residential Treatment and Transitional Living Centers are allowed by right in IL, OM, OMH, and OH Districts
 † = Use Unit 21 outdoor advertising signs shall only be permitted in a CS, CG, CH, CBD, IL, IM, or IH zoning district when located within a freeway sign corridor
 ° = Surface Off-Street Parking Areas within the IDL require approval of a Special Exception and are subject to additional requirements.

Section 18. That Title 42, Tulsa Revised Ordinances, Appendix B, titled "Index of Land Uses," be and the same is hereby amended to delete the following listing of land uses:

- | | |
|----------|----------------|
| Use Unit | Land Use |
| 10 | Parking |
| 10 | Parking Garage |

and to add the following listing of land uses:

- | | |
|----------|------------------|
| Use Unit | Land Use |
| 10 | Parking, Surface |

10a Parking, Structured

Section 19. SEVERABILITY CLAUSE. If any section, sentence, clause or phrase of this ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance or any part thereof.

Section 20. REPEAL OF CONFLICTING ORDINANCES. That all ordinances or parts of ordinances in conflict herewith be and the same are now expressly repealed.

Section 21. EMERGENCY CLAUSE. That an emergency is now declared to exist for the preservation of the public peace, health and safety, by reason whereof this ordinance shall take effect immediately from and after its passage, approval and publication.

ADOPTED by the Council: _____
Date

Chairman of the Council

ADOPTED as an emergency measure: _____
Date

Chairman of the Council

OFFICE OF THE MAYOR

Received by the Mayor: _____, at _____.
Date Time

Dewey F. Bartlett Jr., Mayor

By _____
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma:
_____,
Date

at _____.
Time

Mayor

(Seal)

ATTEST:

City Clerk

APPROVED:

City Attorney