

# **TULSA METROPOLITAN AREA PLANNING COMMISSION**

**Meeting No. 2772**

**June 20, 2018, 1:30 PM**

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

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

Call to Order:

## **REPORTS:**

**Chairman's Report:**

**Work session Report:**

**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 41<sup>st</sup> 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 91<sup>st</sup> 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 81<sup>st</sup> Street South and South 33<sup>rd</sup> 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-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.

## **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 paggers must be turned off during the Planning Commission.

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

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

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

## May 2018 Receipt Comparison

	May 2018	April 2018	May 2017
<b>Zoning Letters</b>	33	5	16
<b>Zoning</b>	3	2	16
<b>Plan Reviews</b>	29	22	27
<b>Minor Subdivisions</b>	0	0	0
<b>Preliminary Plats</b>	3	4	2
<b>Final Plats</b>	2	2	2
<b>Development Regulations Compliance</b> (includes plat waivers prior to 5/10/2018)	4	1	8
<b>Lots Splits</b>	8	6	15
<b>Lot Line Adjustments</b> (includes lot combinations prior to 5/10/2018)	4	11	13
<b>Other</b>	4	0	1
<b>Comp Plan Amendments</b>	0	0	3

6/14/2018

Dim

**TMAPC RECEIPTS**  
**Month of May 2018**

	----- Current Period -----				----- Year To Date -----			
	ITEM	CITY	COUNTY	TOTAL RECEIVED	ITEM	CITY	COUNTY	TOTAL RECEIVED
<b>ZONING</b>								
Zoning Letters	33	\$1,575.00	\$1,575.00	\$3,150.00	124	6,400.00	6,400.00	\$12,800.00
Zoning	3	1,125.00	1,125.00	2,250.00	56	21,550.00	21,550.00	43,100.00
Plan Reviews	29	3,200.00	3,200.00	6,400.00	242	31,115.00	31,115.00	62,230.00
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>\$5,900.00</u>	<u>\$5,900.00</u>	<u>\$11,800.00</u>		<u>\$59,065.00</u>	<u>\$59,065.00</u>	<u>\$118,130.00</u>
<b>LAND DIVISION</b>								
Minor Subdivision	0	\$0.00	\$0.00	\$0.00	1	\$435.00	\$435.00	870.00
Preliminary Plats	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
Refunds		0.00	0.00	0.00		(\$150.00)	(\$150.00)	(300.00)
		<u>\$4,365.00</u>	<u>\$4,365.00</u>	<u>\$8,730.00</u>		<u>\$40,611.08</u>	<u>\$40,611.08</u>	<u>\$81,222.15</u>
<b>TMAPC COMP</b>								
Comp Plan Admendment	0	\$0.00	\$0.00	\$0.00	4	\$1,000.00	\$0.00	\$1,000.00
Refund		<u>\$0.00</u>		<u>\$0.00</u>		\$0.00	\$0.00	\$0.00
		<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>		<u>\$1,000.00</u>	<u>\$0.00</u>	<u>\$1,000.00</u>
<b>BOARDS OF ADJUSTMENT</b>								
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		(\$2,800.00)	\$0.00	(2,800.00)
NSF Check		0.00	0.00	\$0.00		(\$500.00)	\$0.00	(500.00)
		<u>\$6,650.00</u>	<u>\$4,650.00</u>	<u>\$11,300.00</u>		<u>\$63,400.00</u>	<u>\$21,800.00</u>	<u>\$85,200.00</u>
<b>TOTAL</b>		<b>\$16,915.00</b>	<b>\$14,915.00</b>	<b>\$31,830.00</b>		<b>\$164,076.08</b>	<b>\$121,476.08</b>	<b>\$285,552.15</b>
<b>LESS WAIVED FEES *</b>		<b>\$0.00</b>		<b>\$0.00</b>		<b>(\$14,646.71)</b>		<b>(\$14,646.71)</b>
<b>GRAND TOTALS</b>		<b><u>\$16,915.00</u></b>	<b><u>\$14,915.00</u></b>	<b><u>\$31,830.00</u></b>		<b><u>\$149,429.37</u></b>	<b><u>\$121,476.08</u></b>	<b><u>\$270,905.44</u></b>

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

\*\* Includes plot waivers prior to May 10th, 2018

**Case Number:** PUD-493-5  
**Minor Amendment**

**Hearing Date:** June 20, 2018

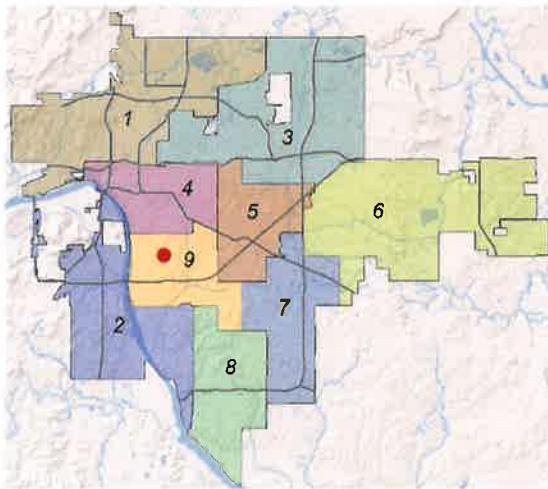
**Case Report Prepared by:**  
Jay Hoyt

**Owner and Applicant Information:**

Applicant: Allie Ogden – W Design

Property Owner: Christy Carter

**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 12ft 6in.

Gross Land Area: 0.7 acres

Location: West of the NW/c E 41<sup>st</sup> 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."*

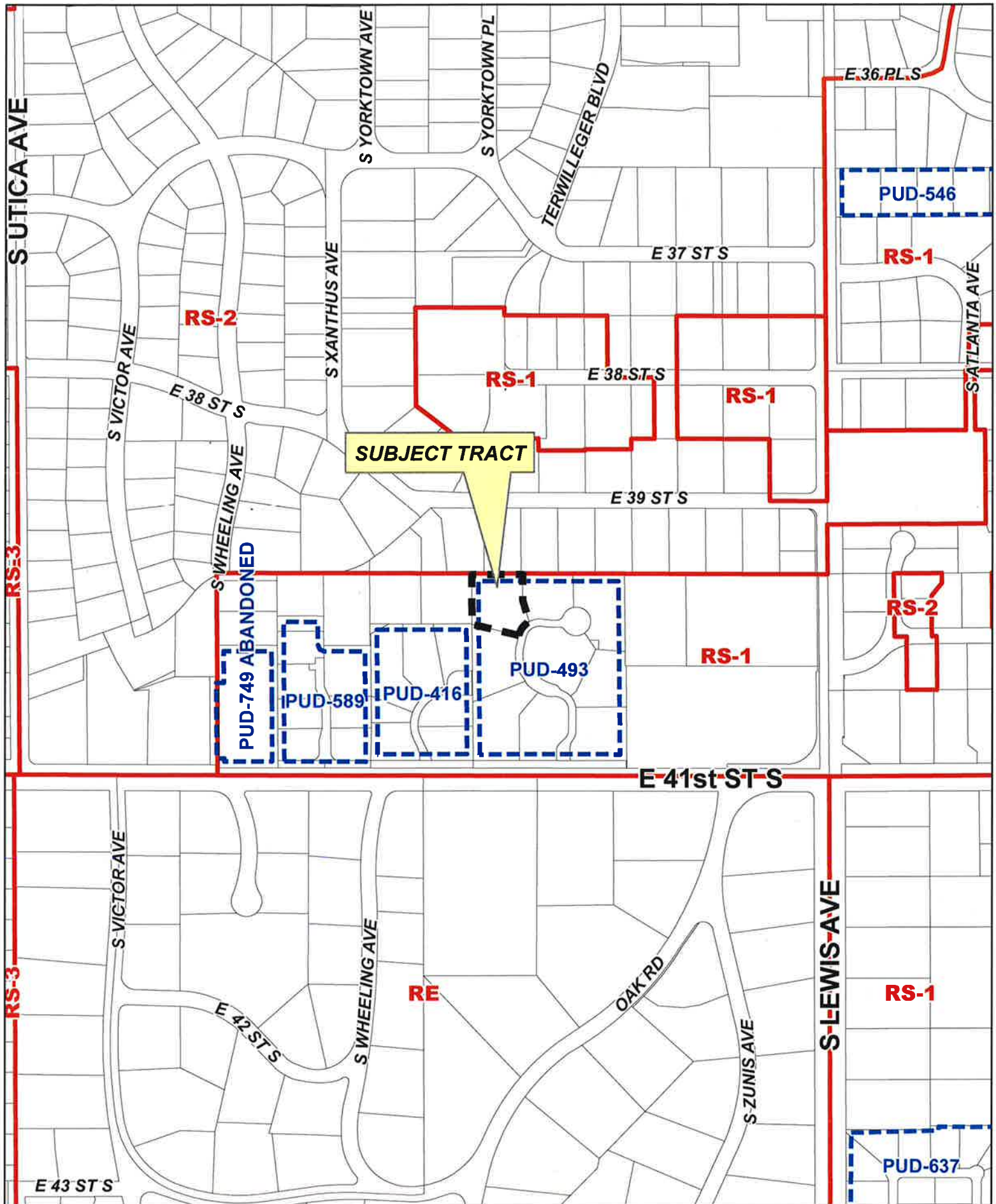
Staff has reviewed the request and determined:

- 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.



**PUD-493-5**

19-13 19

**1.3**





0 Feet 200 400



Subject  
Tract

**PUD-493-5**

19-13 19

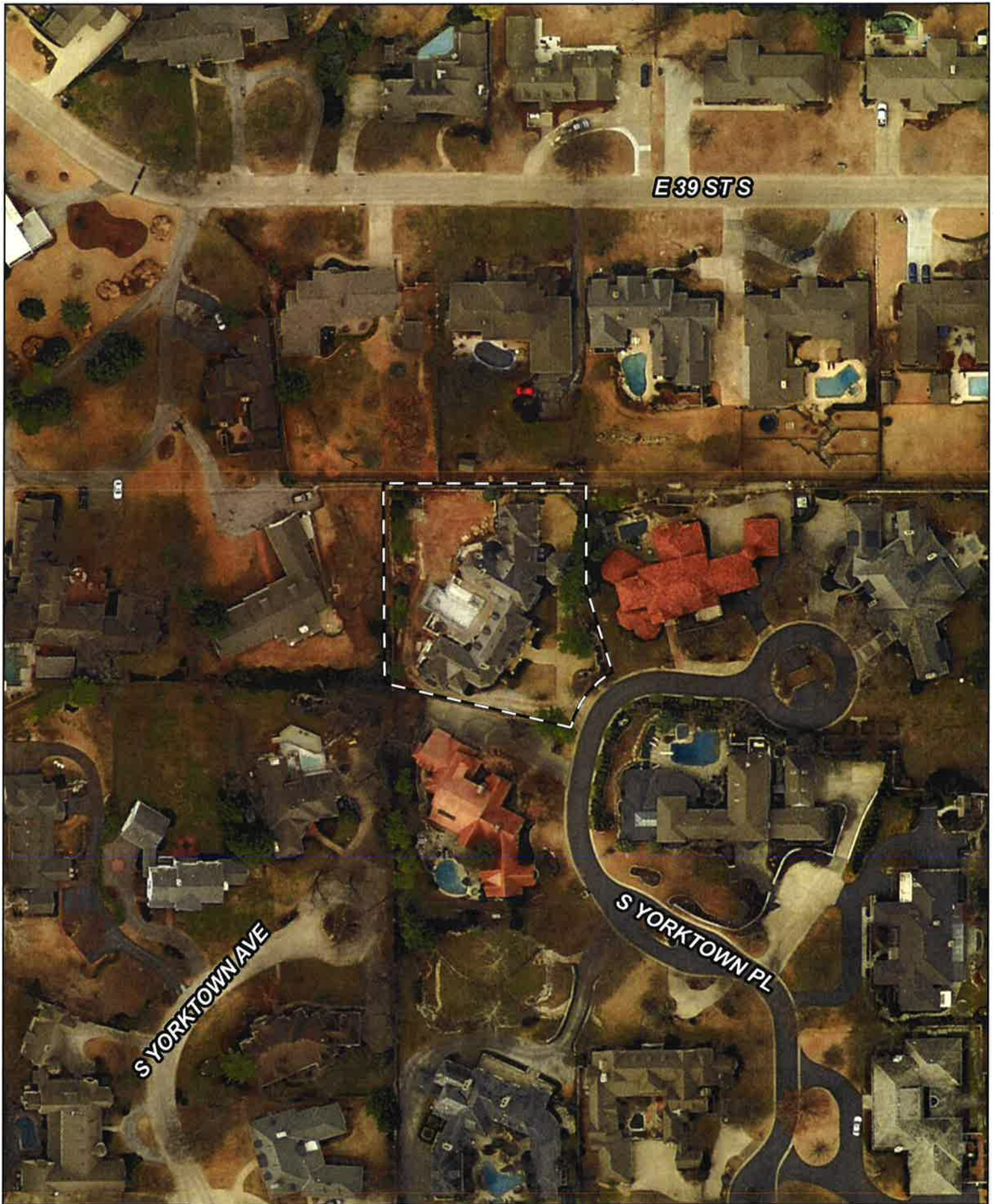
**1.4**

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

Aerial Photo Date: February 2018







E 39th St

S Yorktown Ave

S Yorktown Pl

0 50 100  
Feet



Subject  
Tract

**PUD-493-5**

19-13 19

**1.5**

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

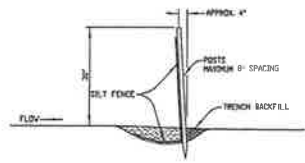
Aerial Photo Date: February 2018



# NOTES:

## GRADING AND EROSION CONTROL PLAN

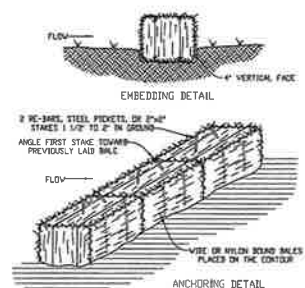
- ALL GRADING AND EROSION CONTROL SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE OKLAHOMA CITY SHARED CONSTRUCTION SPECIFICATIONS.
- ALL EROSION CONTROL CONSTRUCTION SHALL BE INSPECTED BY THE PUBLIC WORKS DEPARTMENT UTILITY INSPECTIONS, IN ACCORDANCE WITH CITY POLICY.
- EROSION CONTROL SHALL START WITH INITIAL CONSTRUCTION AND BE PRACTICED THROUGHOUT THE PROJECT.
- HAY BALE DIKES OR SILT FENCES SHALL BE CONSTRUCTED ADJACENT TO ALL DRAINAGE-WAYS, AND IN ALL AREAS THAT WILL CROSS INTO THE STORM SEWER SYSTEM.
- WHERE CONSTRUCTION ACTIVITY TEMPORARILY CEASES FOR 14 DAYS, THE DISTURBED AREAS SHALL BE STABILIZED WITH SEED AND MULCH.
- THE CONTRACTOR SHALL RE-SEED ALL AREAS DISTURBED DURING CONSTRUCTION AND CONTRACTOR SHALL BE RESPONSIBLE FOR SEEDING AREAS UNTIL GROWTH IS ESTABLISHED TO A UNIFORM HEIGHT OF TWO (2) INCHES.
- THERE ARE NO OFFSITE MATERIAL, WASTE, MESS, OR EQUIPMENT STORAGE AREAS.
- THE STORM WATER POLLUTION PREVENTION PLAN SHALL BE UPDATED AS NECESSARY TO REMAIN CONSISTENT WITH ANY CHANGES APPLICABLE TO PROTECT SURFACE WATER RESOURCES IN SUBSEQUENT EROSION SITE PLANS OR SITE PERMITS, OR STORM WATER MANAGEMENT SITE PLANS OR SITE PERMITS APPROVED BY STATE OR LOCAL OFFICIALS FOR WHICH THE PERMITEE RECEIVES WRITTEN NOTICE.



- POSTS SHALL BE ANGLED SLIGHTLY TOWARD RUNOFF SOURCE.
- THE TOP OF THE SILT FENCE SHALL BE TRENCHED IN AND BACKFILLED.
- THE TRENCH SHOULD BE 6" DEEP BY 3" TO 4" WIDE TO ALLOW SILT FENCE TO BE LAIN IN AND BACKFILLED.
- SILT FENCE SHALL BE FASTENED TO POSTS OR TO WOVEN WIRE, WHICH IS IN TURN ATTACHED TO THE POSTS.
- INSPECTION SHALL BE FREQUENT & REPAIR OR REPLACEMENT PROMPT.
- SILT FENCES SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR USEFULNESS SO AS NOT TO IMPED STORMWATER FLOW.
- TRAPPED SEDIMENT SHALL BE DISPOSED OF IN AN APPROVED MANNER AND LOCATION WHICH WILL NOT CONTRIBUTE TO ADDITIONAL SILTATION.
- ACCUMULATED SILT SHALL BE REMOVED WHEN IT REACHES A DEPTH OF 6" TO 9" AND DISPOSED OF AS IN NOTE 7 ABOVE.

## 3 SILT FENCE DETAIL

SCALE: NONE



- BALES SHALL BE PLACED IN A ROW WITH ENDS TIGHTLY ABUTTING THE ADJACENT BALES.
- EACH BALE SHALL BE EMBEDDED IN THE SOIL A MINIMUM OF FOUR INCHES, WHERE POSSIBLE.
- BALES SHALL BE SECURELY ANCHORED IN PLACE BY STAKES OR RE-BARS DRIVEN THROUGH THE BALES. THE FIRST STAKE IN EACH BALE SHALL BE ANGLED TOWARD PREVIOUSLY LAIN BALE TO FORCE BALES TOGETHER.
- INSPECTION SHALL BE FREQUENT AND REPAIR OR REPLACEMENT SHALL BE MADE PROMPTLY AS NEEDED BY CONTRACTOR.
- BALES SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR USEFULNESS SO NOT TO BLOCK OR IMPED STORM FLOW OR DRAINAGE.
- ACCUMULATED SILT SHALL BE REMOVED WHEN IT REACHES A DEPTH OF 6 INCHES.

## 2 HAY BALE DIKE DETAIL

SCALE: NONE

## LEGAL DESCRIPTION

- LOT 6, BLOCK 1
- ROYAL OAKS
- TULSA, OKLAHOMA

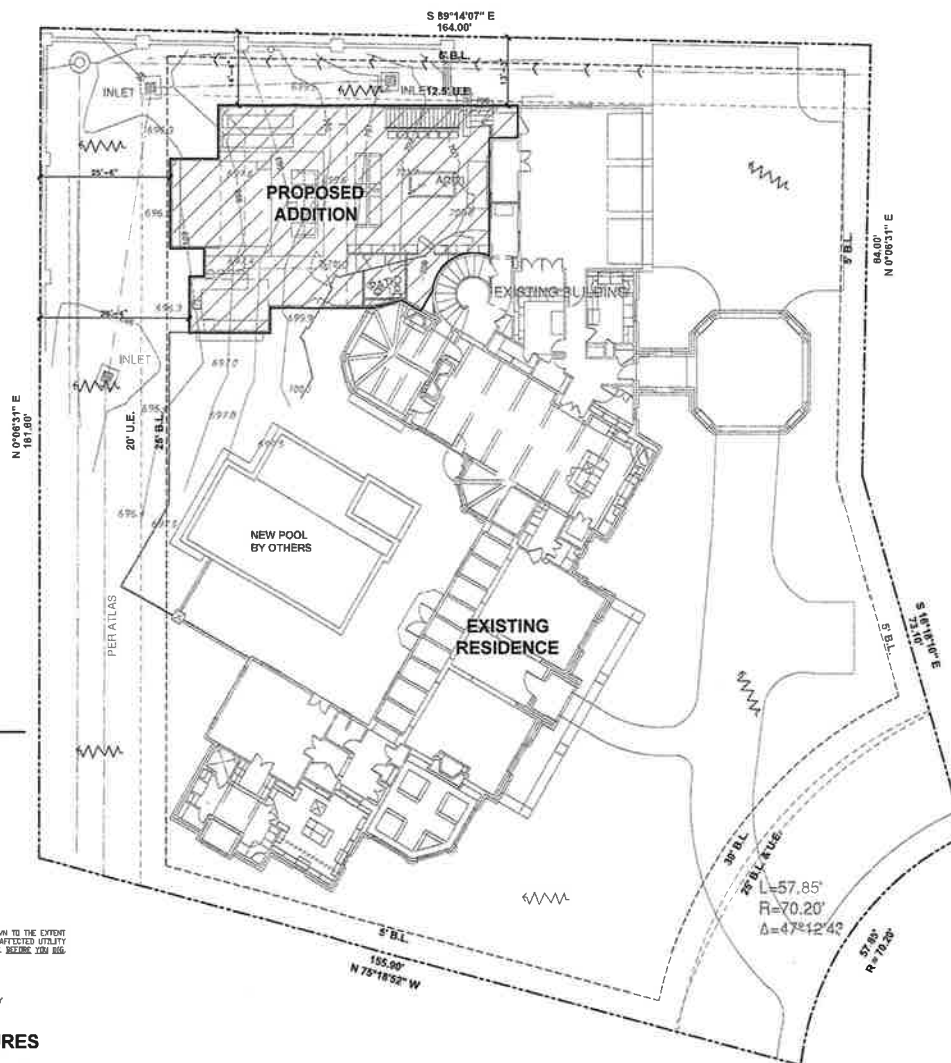
## LIVABILITY SPACE

- ZONING = RS-1
- LOT SIZE = 30,513 SQ. FT.
- STRUCTURE HEIGHT = 32'-0"
- BASEMENT ADDITION FRAMED = 2,352 SQ. FT.
- FIRST FLOOR ADDITION FRAMED = 2,352 SQ. FT.
- SECOND FLOOR ADDITION FRAMED = 1,188 SQ. FT.
- TOTAL ADDITION FRAMED = 5,892 SQ. FT.
- FIRST FLOOR EXISTING FRAMED = 4,737 SQ. FT.
- SECOND FLOOR EXISTING FRAMED = 1,988 SQ. FT.
- TOTAL FRAMED = 12,617 SQ. FT.
- GARAGE = 1,600 SQ. FT.
- PORCH = 910 SQ. FT.
- DRIVEWAY = 446 SQ. FT.
- LIVABILITY SPACE REQUIRED = 7,000 SQ. FT.
- LIVABILITY SPACE = 20,488 SQ. FT.



## EROSION CONTROL MEASURES

- SWALE IN GRADE
- DOWNSPOUT
- DOWNSPOUT TO SPLASH PAD
- UNDERGROUND LEADER, DISCHARGE AT CURB
- NEW DRAINAGE FLOW
- EXISTING DRAINAGE FLOW
- HAY BALE
- SILT FENCE



## 1 ARCHITECTURAL SITE PLAN

SCALE: 3/32" = 1'-0"



wdesign  
ARCHITECTURE & INTERIORS  
815 E. 3rd Street, Suite C  
Tulsa, OK 74120  
Office: 918.794.6616  
Fax: 918.794.6602  
www.wdesignsllc.com

SEAL:



PROJECT:

**CARTER  
RESIDENCE  
ADDITION**

**PROJECT #  
17264.01**

**4018 S.  
YORKTOWN PL.  
TULSA, OK**

CONSULTANT:

REVISIONS:

ISSUE DATE:

4.13.2018

**SHEET NAME:  
ARCHITECTURAL  
SITE PLAN**

SHEET #:

**SP**

DRAWN BY: ACO





**Case Number:** PUD-464-5  
**Minor Amendment**

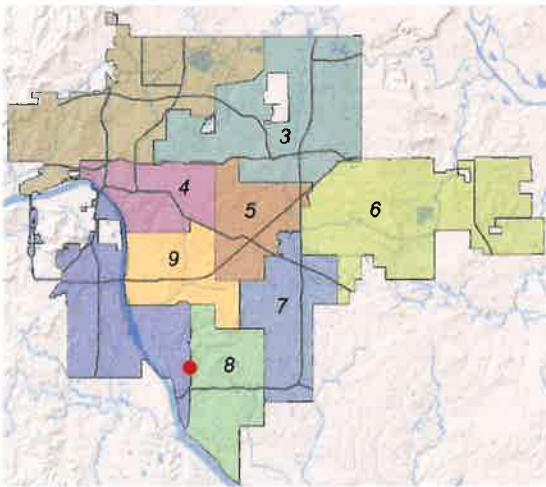
**Hearing Date:** June 20, 2018

**Case Report Prepared by:**  
 Jay Hoyt

**Owner and Applicant Information:**  
 Applicant: Artisan Pools

Property Owner: Matt/Karis Monger

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



**Applicant Proposal:**

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 91<sup>st</sup> 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

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

**Staff Data:**  
 TRS: 8317

**City Council District:** 8  
*Councilor Name:* Phil Lakin

**County Commission District:** 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:

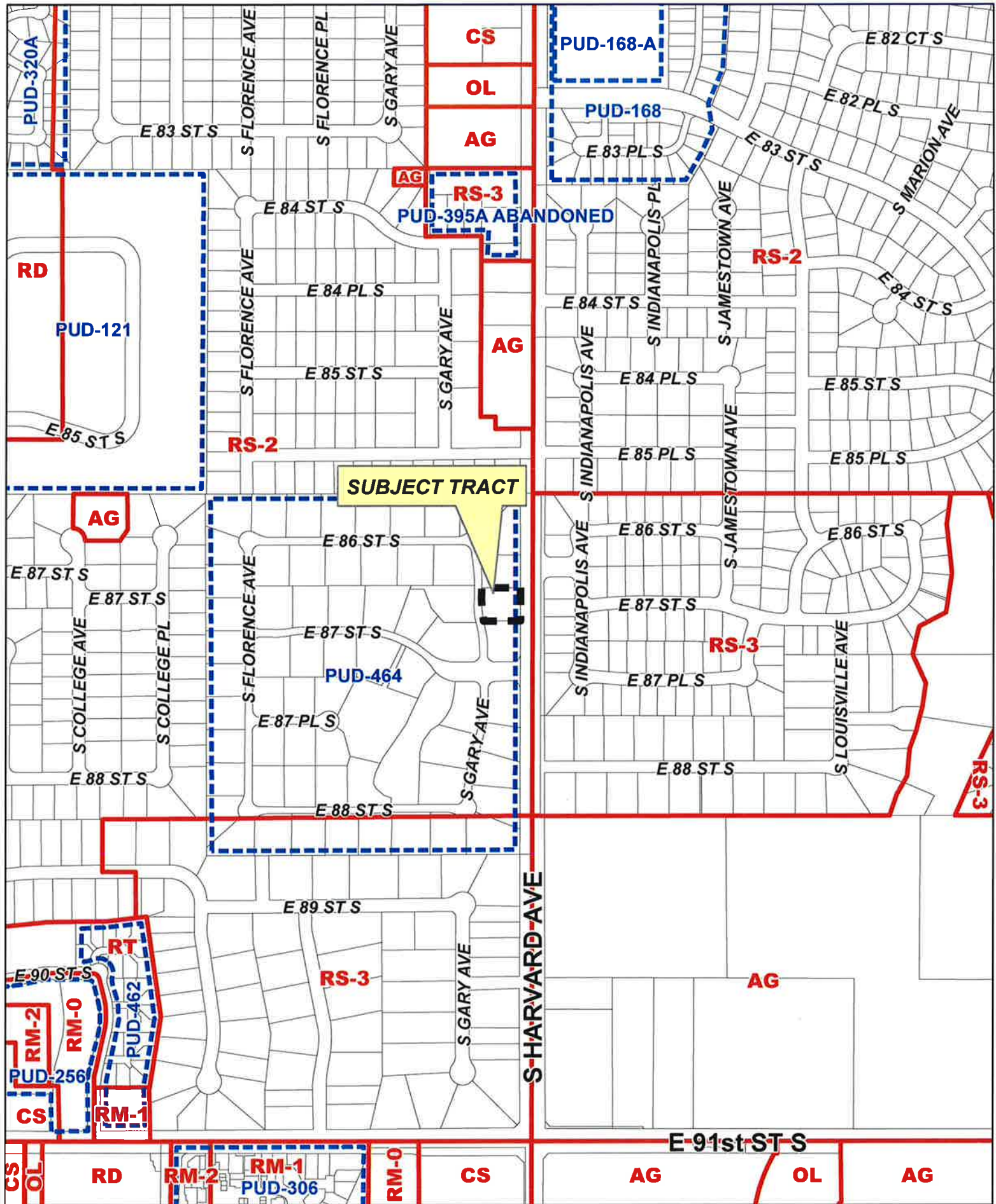
- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-464 and subsequent amendments shall remain in effect.

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.





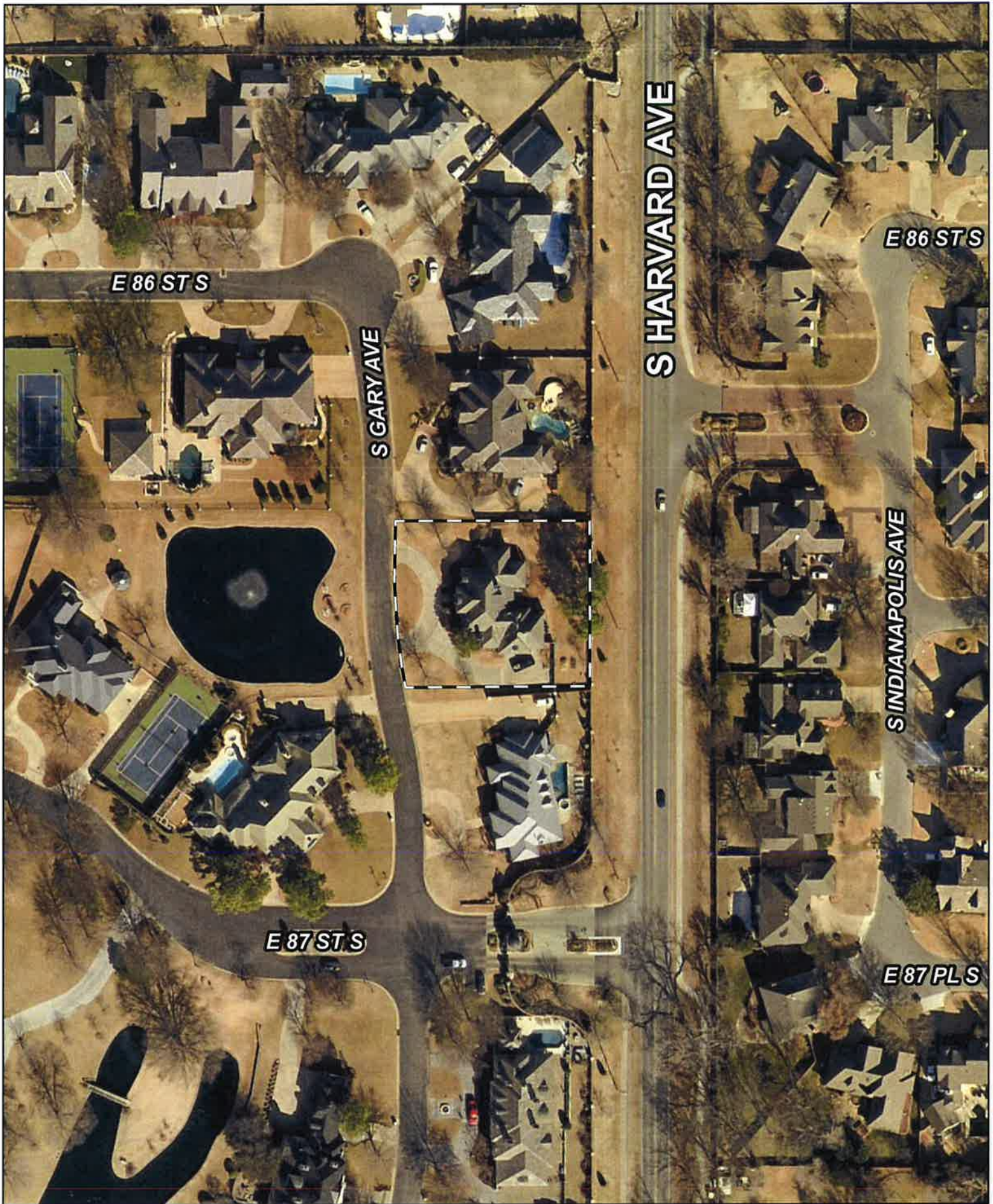
**PUD-464-5**

18-13 17

**2.3**







0 50 100  
Feet



Subject  
Tract

**PUD-464-5**

18-13 17

**2.4**

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

Aerial Photo Date: February 2018







0 250 500  
Feet



Subject  
Tract

**PUD-464-5**

18-13 17

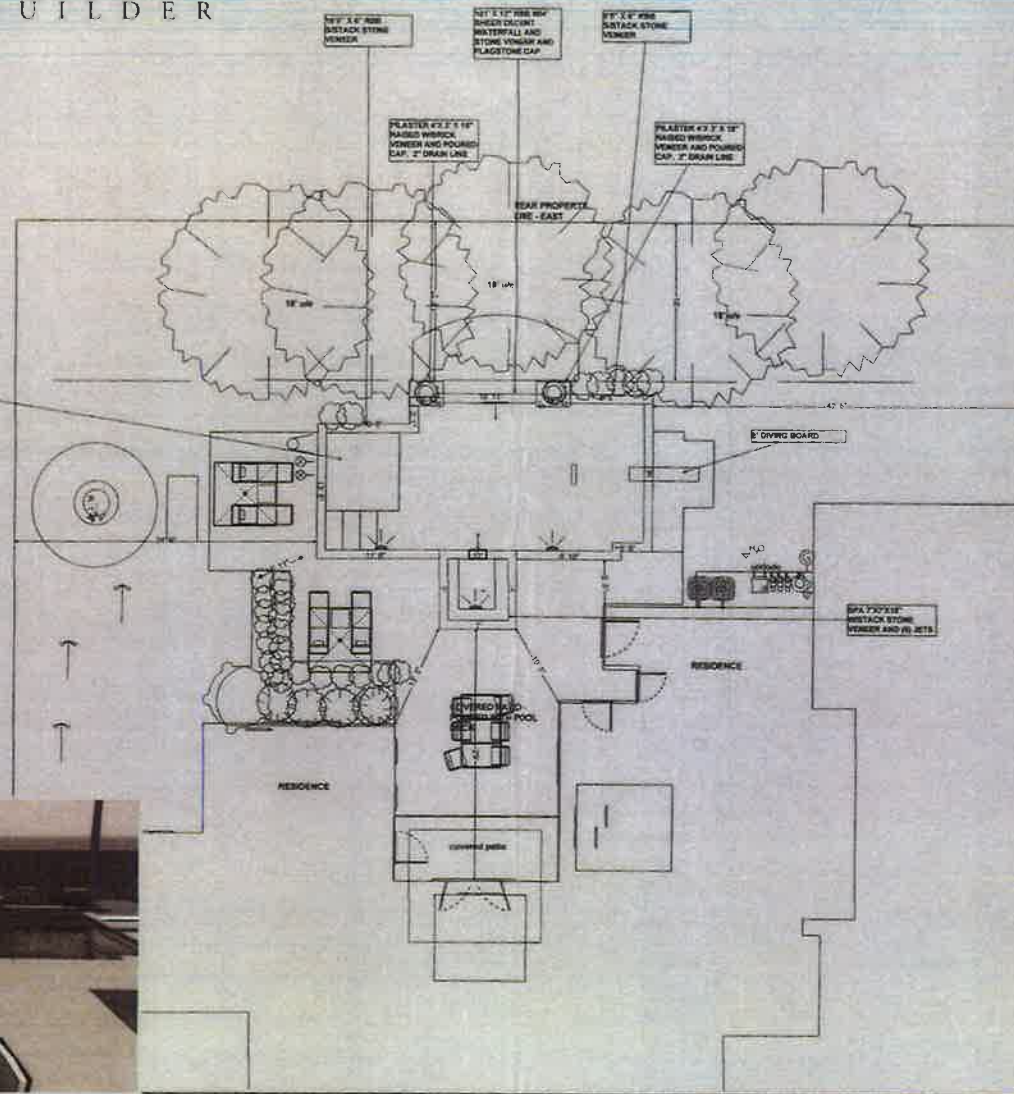
**2.5**

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

Aerial Photo Date: February 2018







**NOTE**

I have reviewed and I give my approval to proceed with the continuation of this project.

\_\_\_\_\_

Chairman \_\_\_\_\_ Date \_\_\_\_\_





Tulsa Metropolitan Area  
Planning Commission

**Case Number:** Z-7446

**Hearing Date:** June 20, 2018

**Case Report Prepared by:**

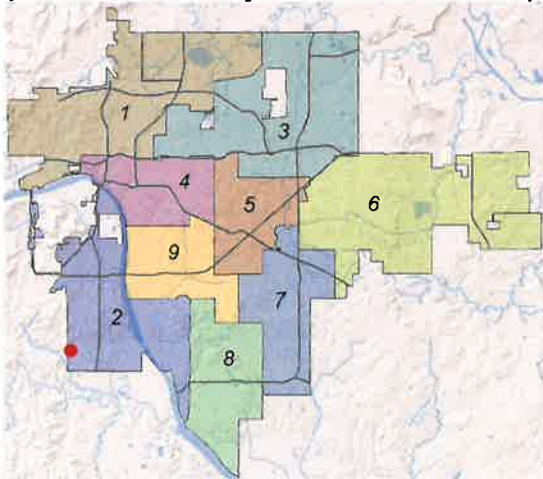
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Wallace Engineering attn. Crystal Keller

*Property Owner:* ESTATES OF COPPER CREEK LLC

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



**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 81<sup>st</sup> Street South & South 33<sup>rd</sup> 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**

**City Council District:** 2

*Councilor Name:* Jeanie Cue

**County Commission District:** 2

*Commissioner Name:* Karen Keith

## 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*

<i>Zoning category</i>	<i>Lot Area (sq. ft.)</i>	<i>Lot width (ft.)</i>	<i>Street Setback (ft.)</i>	<i>Rear Setback (ft.)</i>	<i>Side Setback (ft.)</i>	<i>Open Space (sq. ft)</i>
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	7,000
RS-2	9,000	75	30	25	5	5,000
RS-3	6,900	60	25	20	5	4,000

## 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

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.*

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 R/W</u>	<u>Exist. # Lanes</u>
West 81 <sup>st</sup> 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:

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>
North	RS-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

**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 81<sup>st</sup> Street South & South 33<sup>rd</sup> 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:***

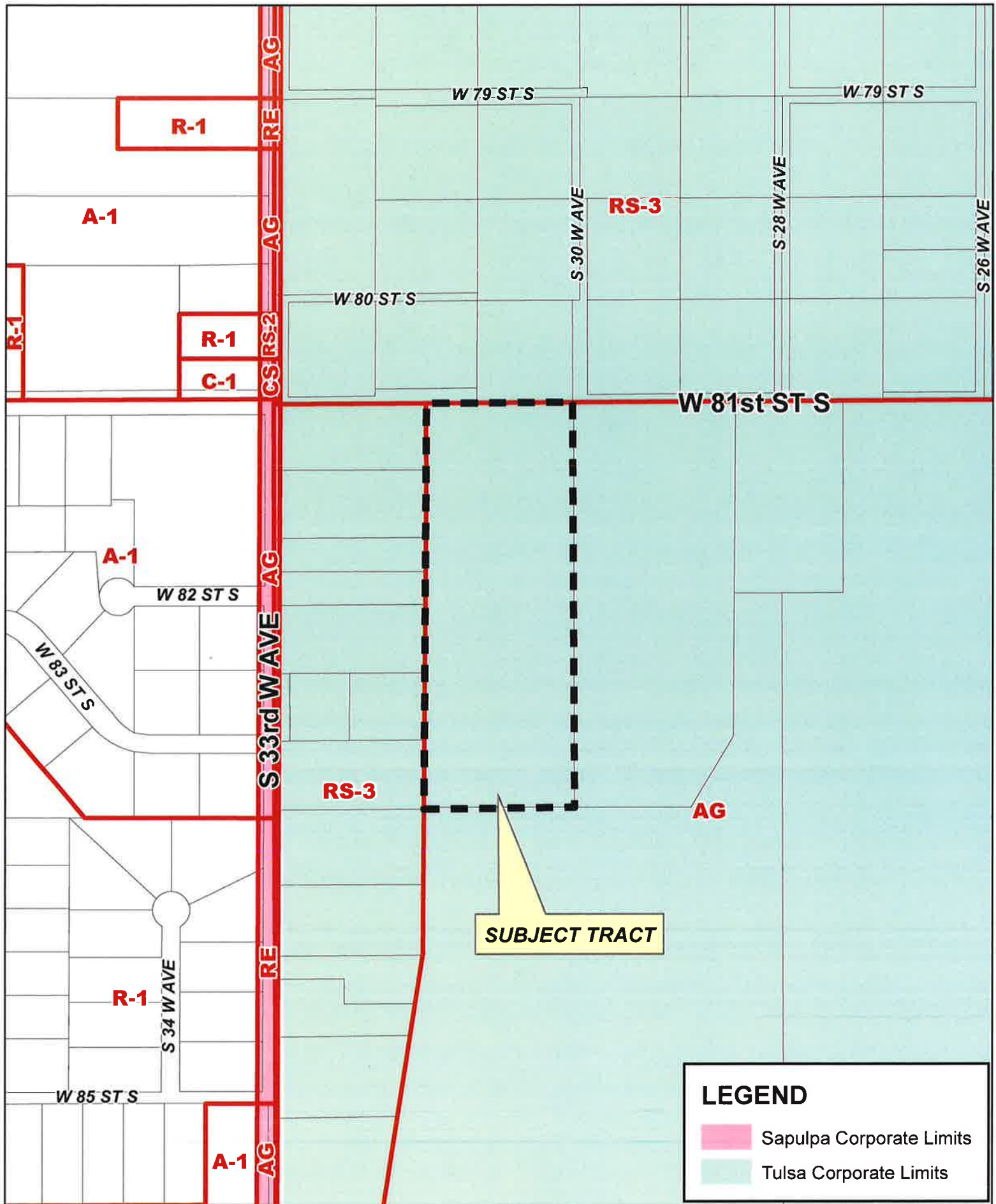
**BOA-21242 March 2011:** The Board of Adjustment **approved** the *variance* of the maximum permitted size of a detached accessory building in the RS-3 district (Section 402.B.1.d) from 1,235 Sq. ft. finding that the proposed structure is to replace what was destroyed by a tornado last year, and the tract is 2.51 acres in size on property located south of the southeast corner of South 33<sup>rd</sup> West Avenue and West 81<sup>st</sup> 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 81<sup>st</sup> Street South and South 28<sup>th</sup> 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 33<sup>rd</sup> West Avenue and West 81<sup>st</sup> 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 33<sup>rd</sup> West Avenue and West 81<sup>st</sup> Street South.

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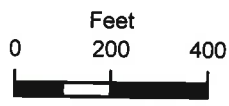
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Subject  
Tract

**Z-7446**

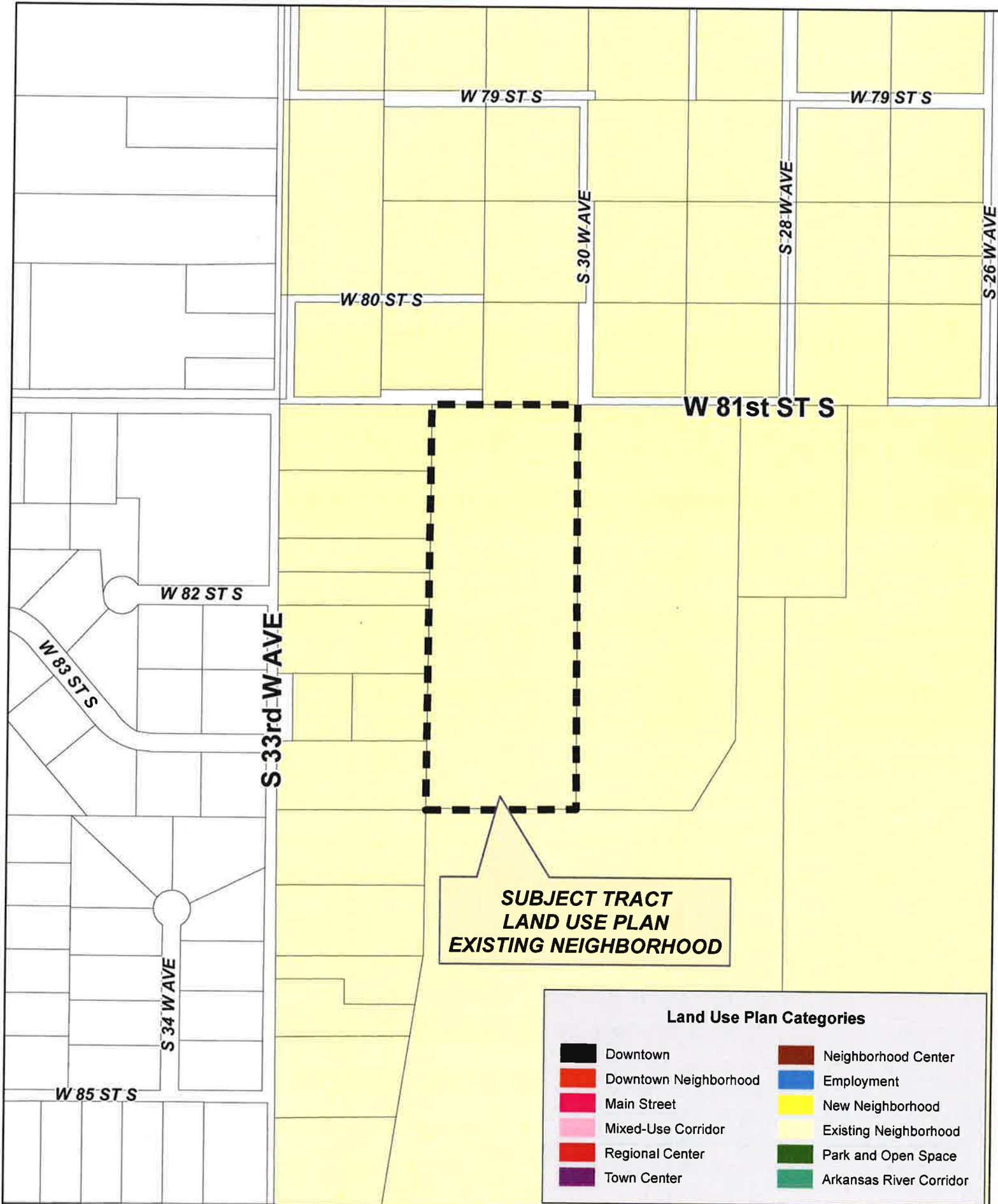
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016

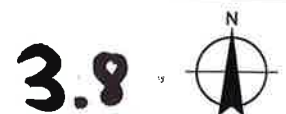




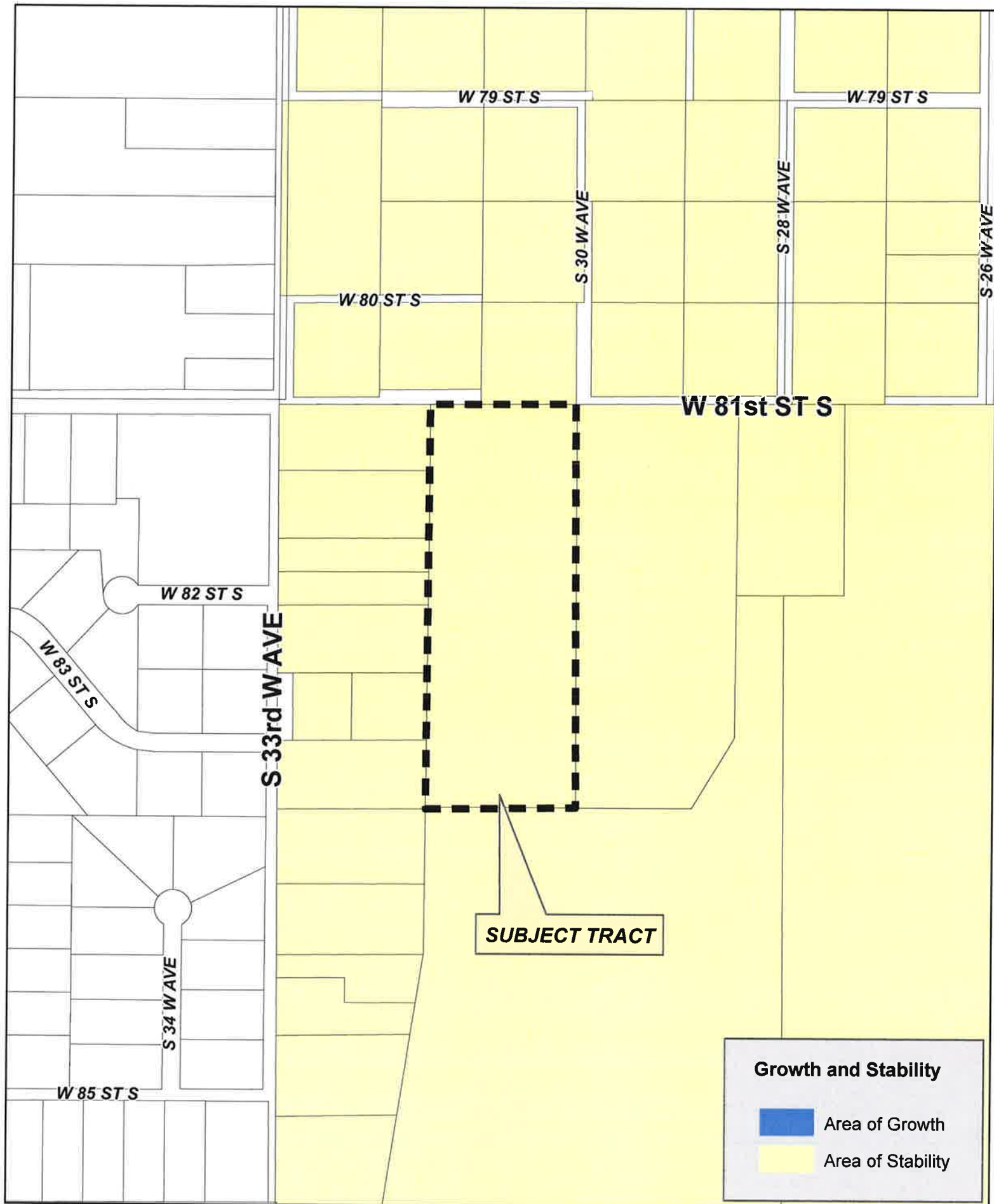


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**Z-7446**

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## TMAPC Public Hearing Staff Report

June 20, 2018

### ZCA-11, Zoning Code amendments re: City Department Reorganization

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**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
- *Land Use Administrator* - head of the Land Development Services Division of the Indian Nations Council of Governments (INCOG).

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.



# ATTACHMENT I

## Chapter 1 | Introductory Provisions

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### Section 1.090 Rules of Language and Construction

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#### 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.

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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.

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## Chapter 35 | Building Types and Use Categories

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### Section 35.020 Use Categories Generally

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#### 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 has 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."

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## Chapter 65 | Landscaping, Screening & Lighting

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### Section 65.050 Tree Planting and Preservation

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#### 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~~ **land use administrator** 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.

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# Chapter 70 | Review and Approval Procedures

## Section 70.010 Common Provisions

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### 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

Procedure	Staff	Preservation Commission	Planning Commission	Board of Adjustment	City Council	Public Notice
Zoning Code Text Amendments	R	—	<R>	—	<DM>	N
Zoning Map Amendments (Non-HP)	R	—	<R>	—	<DM>	<u>N,M,P</u>
Development Plans	R	—	<R>	—	<DM>	<u>N,M,P</u>
Site Plans	<u>DM[1]</u>	—	—	—	—	—
Historic Pres. (HP) Zoning Map Amendments	R	R	<R>	—	<DM>	<u>N,M,P</u>
HP Permits	<u>R[2]</u>	<u>DM[2]</u>	—	—	—	—
Zoning Code Interpretations	<u>DM[3]</u>	—	—	—	—	—
Spacing and Separation Distance Verification	—	—	—	<DM>	—	M
Special Exceptions	—	—	—	<DM>	—	<u>N,M,P[4]</u>
Variances	—	—	—	<DM>	—	<u>N,M</u>
Appeals of Administrative Decisions	—	—	—	<DM> <u>[5]</u>	—	<u>N,M</u>

**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

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

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## 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 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~~ 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~~ land use administrator 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 ~~may~~ 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 director~~ 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~~ development administrator 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.

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## Chapter 75 | Administration

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### Section 75.020 Preservation Commission

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#### 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.

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## Chapter 95 | Definitions

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### Section 95.190 Terms Beginning with “P”

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Planning and Development Director

See §[Error! Reference source not found.](#).