

**REPORT OF THE SPECIAL RESIDENTIAL FACILITIES
TASK FORCE**

JOSEPH M. WESTERVELT, TASK FORCE CHAIR

**PREPARED FOR THE TULSA METROPOLITAN AREA PLANNING
COMMISSION**

Gary Boyle, Chair

TULSA, OKLAHOMA

**APPROVED BY THE TMAPC SPECIAL RESIDENTIAL TASK FORCE:
JUNE 25, 1998**

**APPROVED BY THE TULSA METROPOLITAN AREA PLANNING
COMMISSION: AUGUST 5, 1998**

SPECIAL RESIDENTIAL FACILITIES TASK FORCE MEMBERSHIP

Chair: Joseph Westervelt, TMAPC

- Herb Suggs, State Office of Juvenile Affairs
- John Hudgens, State Department of Mental Health and Substance Abuse Services
- Michael Brose, Mental Health Association in Tulsa
- Sharon Terry, Youth Services of Tulsa
- Bill Major, Tulsa Senior Services
- June Ross, 12 & 12, Inc.
- Hope Williams, Domestic Violence Intervention Services
- Janice Nicklas, Community Service Council
- Laura Dempsey-Polan, Ph.D., Community Service Council
- Greg Province, State Department of Corrections
- Nena Newman, State Department of Human Services
- Bruce Bolzle, City of Tulsa Board of Adjustment
- Sam Rader, Coldwell Banker, Rader Group
- Dick Sudduth, First Commercial Real Estate Services Corp.
- Vicki Peters, Bank of Oklahoma
- James G. Norton, Downtown Tulsa Unlimited
- Algerita Brooks, Council District 1
- Norma Turnbo, Council District 2
- Joanna Cooper, Council District 4
- John Roy, Council District 5
- Harold Pittenger, Council District 6
- Judie Cherblanc, Council District 7
- Nancy Apgar, Council District 9
- Tom Trimble, Tulsa County Commission

Staff Support

- Dane Matthews, INCOG/TMAPC
- Jay Stump, INCOG/TMAPC
- Richard Brierre, INCOG/TMAPC
- Michael Romig, City Legal Department
- Deputy Chief Charlie Jackson, Tulsa Police Department
- Patrick Treadway, Urban Development Department

The Mission of the Task Force

In December, 1997 the TMAPC appointed the task force and formally charged the membership “[t]o review existing regulations regarding the various types of special residential facilities in light of the needs for those facilities, trends in provision of treatment and recent legislation; to make recommendations for possible changes to those regulations; and to make recommendations for any other procedural or policy changes, such as in licensing and/or registration, that the task force deems appropriate”.

SPECIAL RESIDENTIAL FACILITIES
RECOMMENDATIONS
July 13, 1998
TMAPC Recommendations: August 5, 1998

Recommendations

1. Amend zoning code to not allow the following facilities within single-family residential-zoned areas.

- Adult detention center
- Convict pre-release center
- Correctional community treatment center
- Emergency and protective shelter
- Homeless center
- Jail
- Juvenile delinquency center
- Prison
- Residential treatment center
- Transitional living center

2. Amend the zoning code to allow the following as uses by right:

- Transitional Living Center
- Residential Treatment Center

in the zoning categories listed below, providing that spacing requirements are met.

- OM
- OMH
- OH
- ~~CS*~~
- ~~CG*~~
- IL
- ~~IM*~~
- ~~IH*~~

*Recommended for deletion by TMAPC at August 5 hearing.

3. Amend spacing requirement from one-quarter mile to one-half mile between the facilities indicated below. In addition, at its discretion, the Board of Adjustment should consider setback distances from the following facilities to

sensitive uses such as single-family residential zones, child daycare centers, schools and parks. The BOA, however, should recognize that clustering may be appropriate in certain cases.

- Adult detention center
 - Convict pre-release center
 - Correctional community treatment center
 - Emergency and protective shelter
 - Homeless center
 - Jail
 - Juvenile delinquency center
 - Prison
 - Residential treatment center
 - Transitional living center
4. Recommend the City consider licensing of all such facilities listed in item 3, except for emergency and protective shelters. Such licensed facilities will be indicated on a map to be maintained by the BOA staff.
 5. Establish guidelines for BOA with regard to applications for special residential facilities, including the following.
 - size of facility
 - number of staff/staff-to-client ratio
 - characteristics (levels) of treatment
 - location of site in regard to needed services
 - infrastructure at location
 - compliance with State licensure or certification
 - proximity to other similar uses
 - setback from sensitive uses (single-family residential zones, schools, parks, child daycare centers)
 6. Special Exception uses before the BOA should require posting of a sign on the property involved to improve notice to the neighborhoods. These would include any special residential facilities as designated in the zoning code.
 7. Recommend that Legal Department continually monitor and recommend amendments to the zoning code definitions based on case law and statutory changes.
 8. Strongly suggest that facilities administrators or representatives meet with neighborhood (if site is to be in or near a single-family neighborhood) before or immediately after filing for BOA. If feasible, administrators may wish to

hold an open house for the neighborhood prior to or following the opening of a facility.

9. Two educational programs are strongly recommended to be undertaken by real estate professionals. One program is to educate commercial real estate professionals as to providers' needs for locations and the other should be to educate residential real estate professionals to make them aware of the real material impacts on neighborhoods of the facilities located within or near them, and the implications of discrimination. These programs should be ongoing.
10. A general educational workshop for neighborhood associations and other groups should be developed to make them aware of the providers' and clients' needs. Entities that potentially could be involved in development include Community Service Council, various providers, advocacy groups and the Mayor's Office for Neighborhoods.

Special Note

Recommendations #1 and #3 through #10 are transmitted to the Tulsa Metropolitan Area Planning Commission from the Special Residential Facilities Task Force with full task force consensus. However, on two issues involving recommendation #2, task force members had particularly strong opinions that were resolved by vote.

The first issue was that of allowing some uses by right in specific zoning categories, as opposed to all remaining in Use Unit 2. That was resolved in a 10-4 vote to allow two uses (Transitional Living Centers and Residential Treatment Centers) by right in some categories.

The second, and perhaps most contentious, issue was the categories in which the uses would be allowed by right. The task force members were unanimous in all but two zoning classifications. By separate 9-3 votes, the majority favored allowing the two uses by right in the CS and the IL districts.

Concern was also expressed by staff and at least one task force member at allowing these uses by right in the IM and IH categories.

Issues Outside the Scope of the Task Force

The following two issues were discussed by the task force in conjunction with this study. However, the group determined that although both recommendations had merit, neither was within the purview of the task force to require.

- Encourage the Mayor's Office to continue efforts to get neighborhoods to organize and register to increase communication.
- Providers need to encourage their legislators to allocate adequate funding for their programs to allow them to consider a greater range of available sites.