

# Proposed City of Tulsa Zoning Code changes related to City Department reorganization (ZCA-11)

## Chapter 1 | Introductory Provisions

\*\*\*

### Section 1.090 Rules of Language and Construction

\*\*\*

#### 1.090-I Public Officials and Agencies

- 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.

\*\*\*

- 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.
- 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.
- 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.

\*\*\*

# Chapter 35 | Building Types and Use Categories

\*\*\*

## Section 35.020 Use Categories Generally

\*\*\*

### 35.020-E Determination of Use Categories and Subcategories

1. The ~~planning and development director may delegate to the~~ development administrator or land use administrator **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."

\*\*\*

# Chapter 65 | Landscaping, Screening & Lighting

\*\*\*

## Section 65.050 Tree Planting and Preservation

\*\*\*

### 65.050-B Requirements

1. All required trees must be planted in a permeable area, landscape area or tree pit not less than 5 feet in diameter. Tree planting areas within off-street parking lots must have a minimum permeable area of 64 square feet, with minimum dimensions of at least 8 feet.
2. Minimum required tree sizes at time of planting are as follows:
  - a. Deciduous trees used to satisfy the requirements of this chapter must be at least 8 feet in height and 1.5 inches in caliper size at the time of planting; and
  - b. Conifers/evergreen trees (e.g., pine, spruce or cedar) used to satisfy the requirements of this chapter must be at least 6 feet in height at the time of planting.
3. The ~~planning and development director~~ 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.

\*\*\*

# Chapter 70 | Review and Approval Procedures

## Section 70.010 Common Provisions

\*\*\*

### 70.010-A Applicability

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

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

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

\*\*\*

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

\*\*\*

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

### 70.090-A Purpose and Applicability

1. Day-to-day responsibility for administering and interpreting the provisions of this zoning code, including the zoning map, rests with the development administrator and land use administrator, whose decisions may be appealed to the board of adjustment, in accordance with the procedures of Section 70.140.
2. Occasionally, the zoning code may not sufficiently address an issue that arises in administering or interpreting the zoning code. In those cases, the development administrator ~~and land use administrator~~ may elect to issue, or a citizen may file an application for, a written zoning code interpretation to guide in future decision making. The procedures of this section govern the issuance of such interpretations. The procedures also govern interpretations of the zoning map and interpretations

of the 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 is 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](#).

\*\*\*

## Chapter 75 | Administration

\*\*\*

### Section 75.020 Preservation Commission

\*\*\*

#### 75.020-L Staff

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

\*\*\*

## Chapter 95 | Definitions

\*\*\*

### Section 95.190 Terms Beginning with "P"

\*\*\*

Planning ~~and Development~~ Director  
See ~~§1.090-14~~.