

**AMENDED AGENDA
TULSA METROPOLITAN AREA PLANNING COMMISSION
Meeting No. 2737**

**January 4, 2017, 1:30 PM
175 East 2nd Street, 2nd 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:

A. Minutes of December 21, 2016, Meeting No. 2736

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. **LC-839** (Lot-Combination) (CD 1) – Location: North of the northeast corner of East Apache Street and North Rockford Avenue
2. **LC-840** (Lot-Combination) (CD 3) – Location: Northwest corner of East Admiral Boulevard and South Zunis Avenue
3. **LC-841** (Lot-Combination) (CD 1) – Location: East of the northeast corner of North Waco Avenue and West Reading Street
4. **LC-842** (Lot-Combination) (CD 4) – Location: West of the southwest corner of South Boston Avenue and East 25th Street South (related to LS-20952)
5. **LS-20952** (Lot-Split) (CD 4) – Location: West of the southwest corner of South Boston Avenue and East 25th Street South (related to LC-842)
6. **LS-20951** (Lot-Split) (County) – Location: South of the southwest corner of North Birmingham Avenue and East 96th Street North
7. **LS-20953** (Lot-Split) (CD 8) – Location: East and South of the Southeast corner of East 109th Street South and South 74th East Avenue
8. **Crosstown Industrial No. 1** (CD 3) – Final Plat, Location: Southwest corner of East Pine Street and South 129th East Avenue

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

PUBLIC HEARINGS:

9. **96th & Sheridan** (County) – Preliminary Subdivision Plat, Location: Southwest corner of East 96th Street North and North Sheridan Road
10. **Memorial Imports** (CD 7) – Minor Subdivision Plat, Location: North of the northeast corner of East 91st Street South and South Memorial Drive
11. **CZ-449 Jeffery Tuttle**-(County) Location: East of the northeast corner of East 136th Street North and North Sheridan Road requesting rezoning from **AG to RE**.
12. **ZCA-3** - Various amendments to the City of Tulsa Zoning Code in the following chapters: Chapter 5 Residential Districts; Chapter 10 Mixed-use Districts; Chapter 15 Office, Commercial and Industrial Districts; Chapter 20 Overlay Districts; Chapter 25 Special Districts; Chapter 35 Building Types and Use Categories; Chapter 40 Supplemental Use and Building Regulations; Chapter 45 Accessory Uses and Structures; Chapter 50 Temporary Uses; Chapter 55 Parking; Chapter 60 Signs; Chapter 65 Landscaping, Screening and Lighting; Chapter 70 Review and Approval Procedures; Chapter 75 Administration; Chapter 80 Nonconformities; Chapter 90 Measurements; and Chapter 95 Definitions.

OTHER BUSINESS

13. **Election of Officers**
14. **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

email address: esubmit@incog.org

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

Final Subdivision Plat

Crosstown Industrial No. 1 - (CD 3)

Southwest corner of East Pine Street North and South 129th East Avenue

This plat consists of 1 lot, 1 block on 10.77 acres.

Staff has received release letters for this plat and recommends **APPROVAL** of the Final Plat.



Tulsa Metropolitan Area
Planning Commission

Case : 96th & Sheridan
Preliminary Plat

Hearing Date: January 4, 2017

Case Report Prepared by:

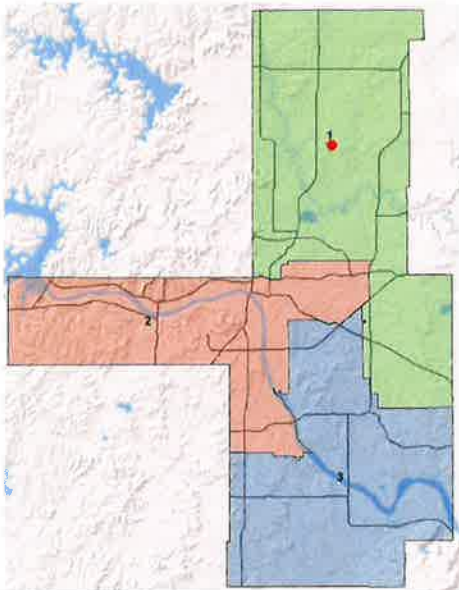
Nathan Foster

Owner and Applicant Information:

Applicant: Alan Betchan, AAB Engineering

Owner: Executive Homes, LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Preliminary Plat

Location: Southwest corner of East 96th
Street North & North Sheridan Road

Zoning: RE (Residential Estate)

Staff Recommendation:

Staff recommends **approval**.

County Commission District: 1

Commissioner Name: John Smaligo

EXHIBITS:

Site Map, Aerial, Preliminary Plat, Utility Layout

PRELIMINARY SUBDIVISION PLAT

96th & Sheridan (County)

Southwest corner of East 96th Street North & North Sheridan Road

This plat consists of 52 lots, 3 blocks, on 40 acres.

The following issues were discussed December 15, 2016, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned RE (Residential Estate)
2. **Streets:** Dedicate an additional 8' of right-of-way along the south side of 96th Street North, from the Sheridan Road section line to a point 388' to the west to allow for turn lane. The County Engineer has requested stub streets to the west and south to provide connectivity for future development.
3. **Sewer:** No comment.
4. **Water:** Water service will be provided by Rural Water District #3. The easement along the south side of 96th Street North needs to be 20' instead of the currently shown 17.5'. Waterline plans must be submitted for review.
5. **Storm Drainage:** Show overland drainage easements for offsite flow across lots.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** AT&T has requested rear utility easements for Lot 1-12 Block 2
7. **Other: GIS:** Submit subdivision data control sheet with final plat. Graphically show all found or set property pins associated with the plat. Provide a north arrow for the location map. Remove contours before submitting final plat. State the basis of bearings between two known points and provide the bearing angle. Change Whirlpool Drive to North Yale Avenue in the location map.

Staff recommends **APPROVAL** of the preliminary subdivision plat with the TAC recommendations and the special and standard conditions listed below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. The concerns of the Development Services and Engineering Services staffs must be taken care of to their satisfaction.

Standard Conditions:

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures shall be borne by the owner(s) of the lot(s).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
14. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]

15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.
19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

E 96th ST N

AG

AG

RE

AG

AG

SUBJECT TRACT

N SHERIDAN RD



96TH & SHERIDAN

21-13 22

9.5





E 96th ST N

N SHERIDAN RD

0 Feet
200
400



Subject
Tract

96TH & SHERIDAN

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

21-13 22

9.6

Aerial Photo Date: February 2016



96th & Sheridan

THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4) OF SECTION TWENTY TWO (22), TOWNSHIP TWENTY-ONE (21) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA



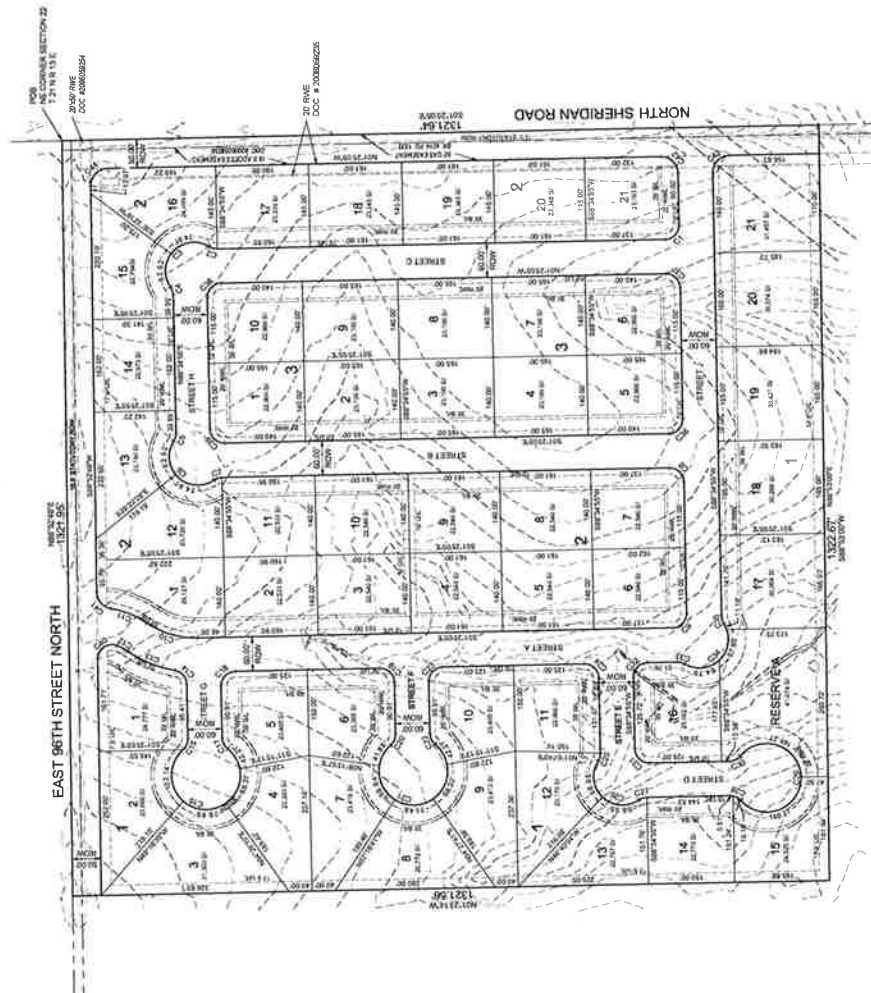
EXECUTIVE HOMES, LLC
12340 68TH STREET NORTH
OWASSO, OK 74055
PHONE (818) 272-0270
ATTN NOBLE SOKOLOSKY

PAB ENGINEERING LLC
 DATE OF AUTHORIZATION NO. 8316, EXP. JUNE
 PO BOX 2138
 SAND SPRINGS, OK 74063
 PHONE: 818/514-4283
 FAX: 818/514-4283

ALL OF THE PROPERTY IS CONTAINED IN FEMA ZONE X (UNSHADED) (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS SHOWN ON FIRM PANEL "40143C0120L" DATED OCTOBER 18, 2012.

[illegible]

CURVE #	LENGTH	RADIUS	DELTA
C1	30.27'	25.00'	90.0000°
C2	14.75'	25.00'	33.4403°



BENCHMARK
CHISELED "X" SET ON CONCRETE PAD LOCATED IN THE
NORTHEAST CORNER OF THE SUBJECT PROPERTY
ELEVATION = 100.18 PLAYS 100.00
BASIS OF BEARINGS

STAMPED "CAG316" TO BE SET AT ALL LOT CORNERS, POINTS OF CURVE, POINTS OF TANGENT, POINTS OF COMPOUND CURVE, POINTS OF REVERSE CURVE MAG NAL WITH WASHER STAMPED "CAG316" TO BE SET AT ALL STREET CENTERLINE INTERSECTIONS, CENTER OF CUL-DE-SACS AND CENTER OF EYEBROWS, AFTER COMPLETION OF IMPROVEMENTS, UNLESS NOTED OTHERWISE.

ADDRESSES SHOWN ON THIS PLAT WERE ACCURATE AT THE TIME THIS PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF LEGAL DESCRIPTION.

MUNICIPAL AUTHORITY
TULSA COUNTY
500 S. DENVER, 3RD FLOOR
TULSA, OK 74103

[illegible]

Printed on 10/1/00



Tulsa Metropolitan Area
Planning Commission

Case : Memorial Imports

Hearing Date: January 4, 2017

Case Report Prepared by:

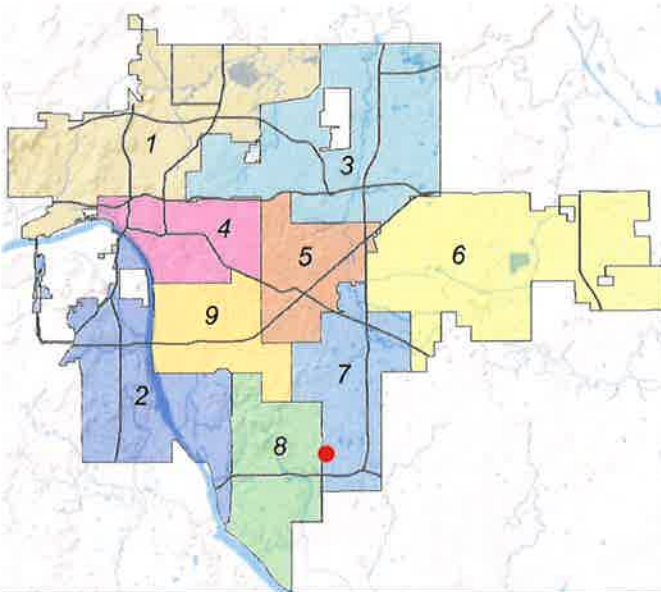
Nathan Foster

Owner and Applicant Information:

Applicant: Nicole Watts, KKT Architects

Owner: Memorial Imports Investments,
LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Minor Subdivision Plat

Location: North of the northeast corner of
East 91st Street South & South Memorial
Drive

Zoning: CG w/ Optional Development Plan
Z-7342

Staff Recommendation:
Staff recommends **approval**.

City Council District: 7

Councilor Name: Anna America

County Commission District: 3

Commissioner Name: Ron Peters

EXHIBITS:

Site Map, Aerial, Land Use, Growth & Stability, Memorial Imports Plat, Utility Layout

MINOR SUBDIVISION PLAT

Memorial Imports - (CD 7)

North of the northeast corner of East 91st Street South and South Memorial Drive

The plat consists of 1 Lot, 1 Block, on 10.69 acres.

The following issues were discussed December 15, 2016, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned CG with an approved Optional Development Plan (Z-7342). The conceptual site plan submitted with the plat does not currently meet the standards of the optional development plan. These issues will be resolved through the detail site plan review.
2. **Streets:** Approved as submitted.
3. **Sewer:** Approved as submitted.
4. **Water:** Approved as submitted.
5. **Storm Drainage:** Approved as submitted.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** Release letters from utilities will be required before plat can be released.
7. **Fire:** Approved as submitted.
8. **GIS:** Submit a subdivision control data sheet. In the written legal description use abbreviations on all bearing angles OR spell out directional calls consistently. Correct the subdivision boundary for "Living Word Missions" on the location map. Remove label "Meadowbrook Country Club" from the location map since it is not a platted subdivision.

Staff recommends **APPROVAL** of the minor subdivision plat with the TAC recommendations and the special and standard conditions listed below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. The concerns of the Development Services and Engineering Services staffs must be taken care of to their satisfaction.

Standard Conditions:

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to

property line and/or lot lines.

2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures shall be borne by the owner(s) of the lot(s).
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16. The method of water supply and plans therefor shall be approved by the

City/County Health Department.

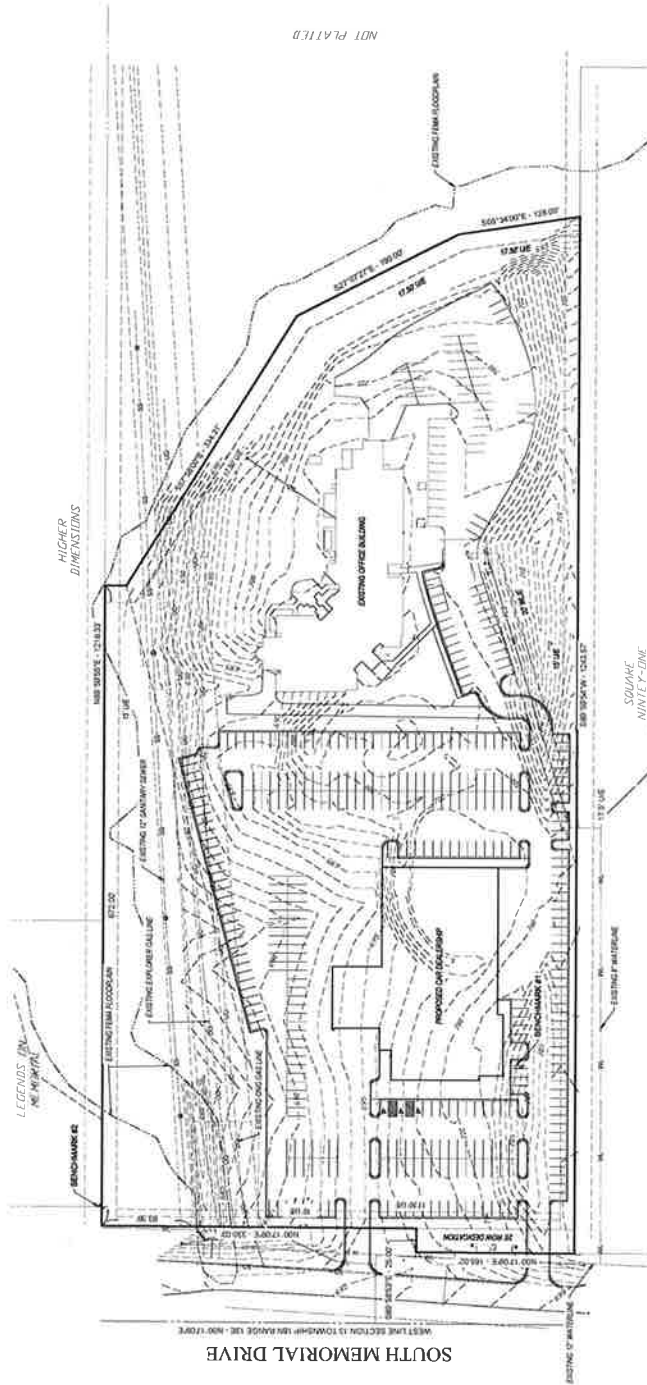
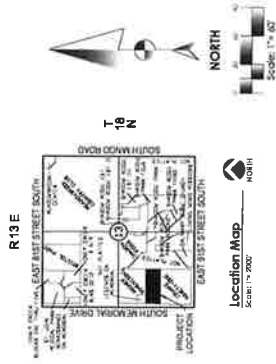
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20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

CONCEPTUAL SITE PLAN

Memorial Imports

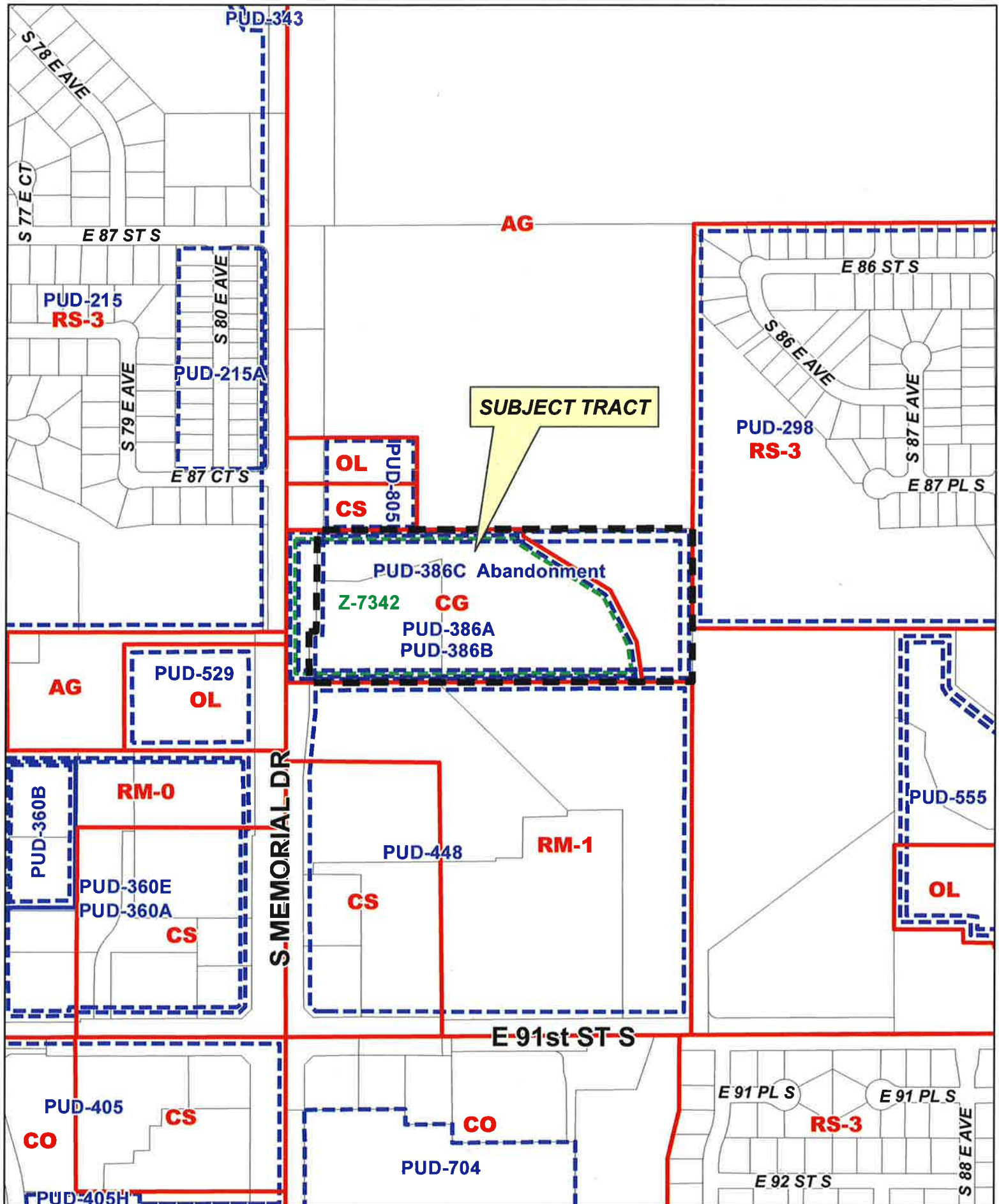
A REPEAT OF "CARMAN MINISTRIES, INC. HEADQUARTERS" (PLAT # 4885)

PART OF THE W/2 OF THE SW/4 OF SECTION THIRTEEN (13), TOWNSHIP 18 NORTH, RANGE 13 EAST, OF THE INDIAN BASE AND MERIDIAN. AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA



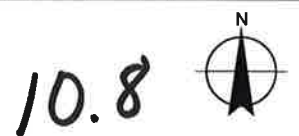
Benchmark #1 +	Benchmark #2 +	Benchmark #3 +
10" HIGH PIN	8" HIGH PIN	8" HIGH PIN
ELEVATION: 685.21	ELEVATION: 685.21	ELEVATION: 685.21

10.7



MEMORIAL IMPORTS

18-13 13





0 200 400
Feet



Subject
Tract

MEMORIAL IMPORTS

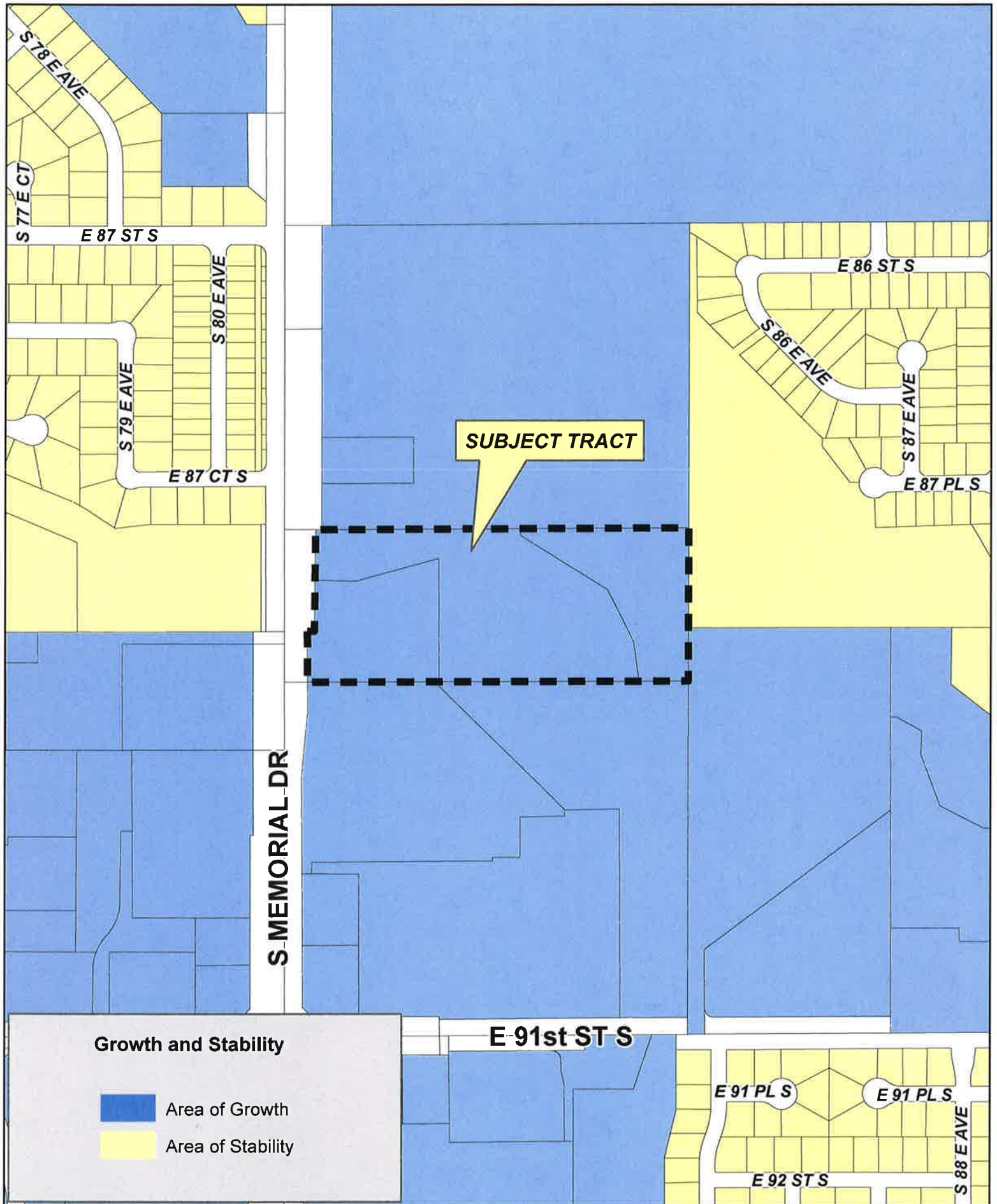
18-13 13

10.9

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

Aerial Photo Date: February 2016





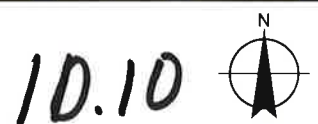
Growth and Stability

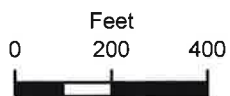
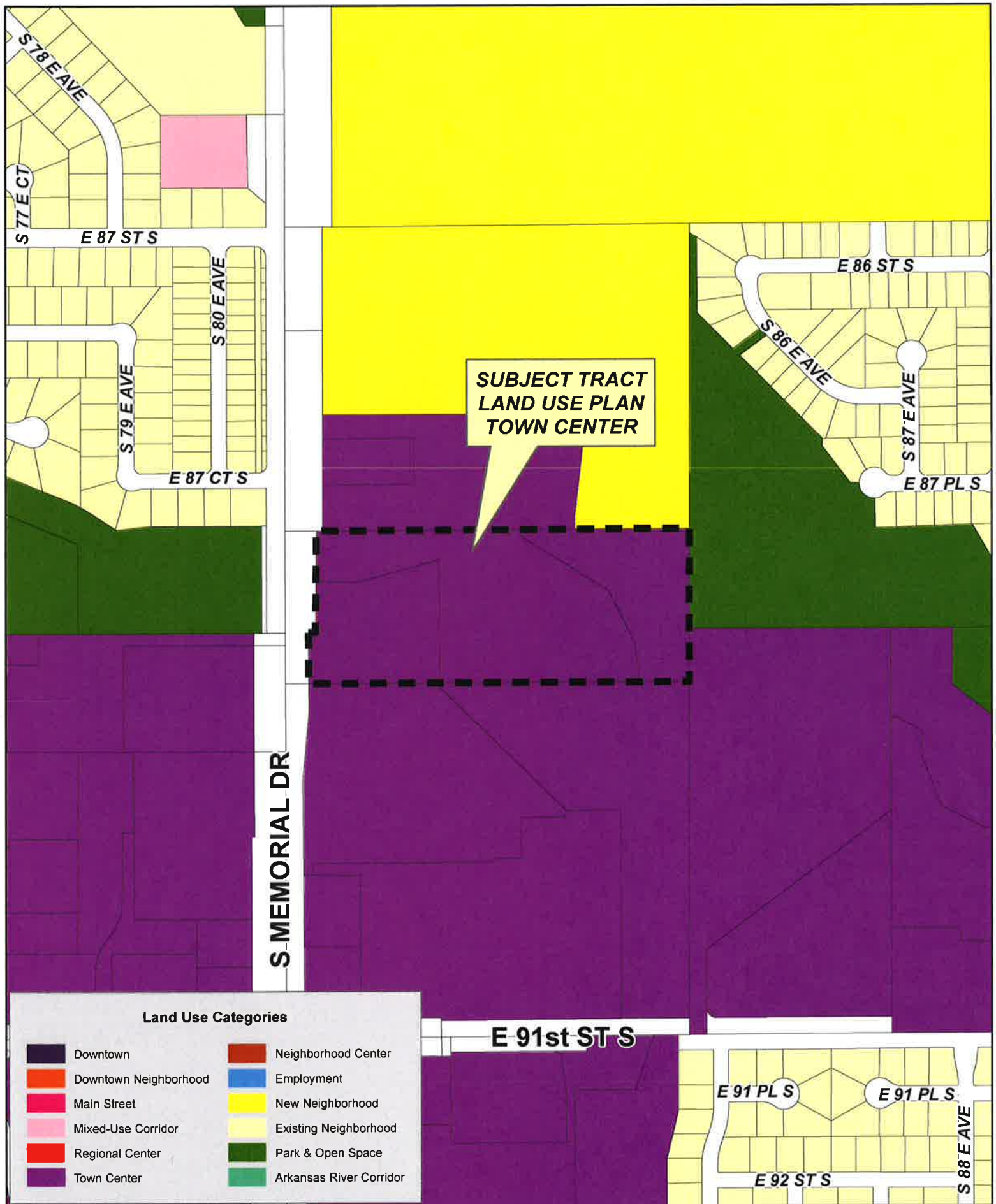
- Area of Growth
- Area of Stability



MEMORIAL IMPORTS

18-13 13





MEMORIAL IMPORTS

18-13 13





Tulsa Metropolitan Area
Planning Commission

Case Number: CZ-449

Hearing Date: January 4, 2017

Case Report Prepared by:

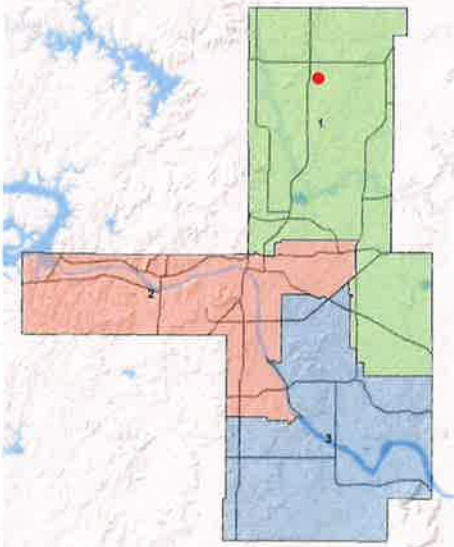
Jay Hoyt

Owner and Applicant Information:

Applicant: Jeffrey Tuttle

Property Owner: CLARK, KAREN E TRUSTEE IDA
B DUNN TRUST

Location Map:
(shown with County Commission Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Residential subdivision

Concept summary: Rezone subject tract to permit a
single family residential subdivision.

Tract Size: 44.5 \pm acres

Location: East of the northeast corner of E. 136th
St. N. and N. Sheridan Rd.

Zoning:

Existing Zoning: AG

Proposed Zoning: RE

Comprehensive Plan: None

Land Use Map: N/A

Stability and Growth Map: N/A

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 2326

CZM: 7

Atlas: N/A

County Commission District: 1

Commissioner Name: John Smaligo

11.1

SECTION I: CZ-449

DEVELOPMENT CONCEPT: The applicant is requesting to rezone the subject tract to permit a single family residential subdivision.

EXHIBITS:

INCOG Case map
INCOG Aerial

DETAILED STAFF RECOMMENDATION:

RE zoning is non injurious to the existing proximate properties and;

RE zoning is consistent with the anticipated future development pattern of the surrounding property therefore;

Staff recommends Approval of CZ-449 to rezone property from AG to RE.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: *The subject area is not located within a designated Comprehensive Plan Area.*

Land Use Vision:

Land Use Plan map designation: N/A

Areas of Stability and Growth designation: N/A

Transportation Vision:

Major Street and Highway Plan: 136th Street North is a Secondary Arterial. North 71st East Avenue is a Residential Collector.

Trail System Master Plan Considerations: None

Small Area Plan: N/A

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is currently agricultural land.*

Environmental Considerations: A portion of the tract along the east property line, lies within the 100 year flood plain.

11.2

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 136 th Street North	Secondary Arterial	100 feet	2

Utilities:

The subject tract has Washington County Rural 3 water and no sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	AG	N/A	N/A	Single-Family
East	AG	N/A	N/A	Vacant/Agricultural
South	AG	N/A	N/A	Single-Family/Agricultural
West	AG/RS	N/A	N/A	Single-Family/Agricultural

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 98254 dated September 15, 1980, established zoning for the subject property.

Subject Property:

No relevant history.

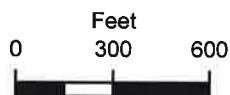
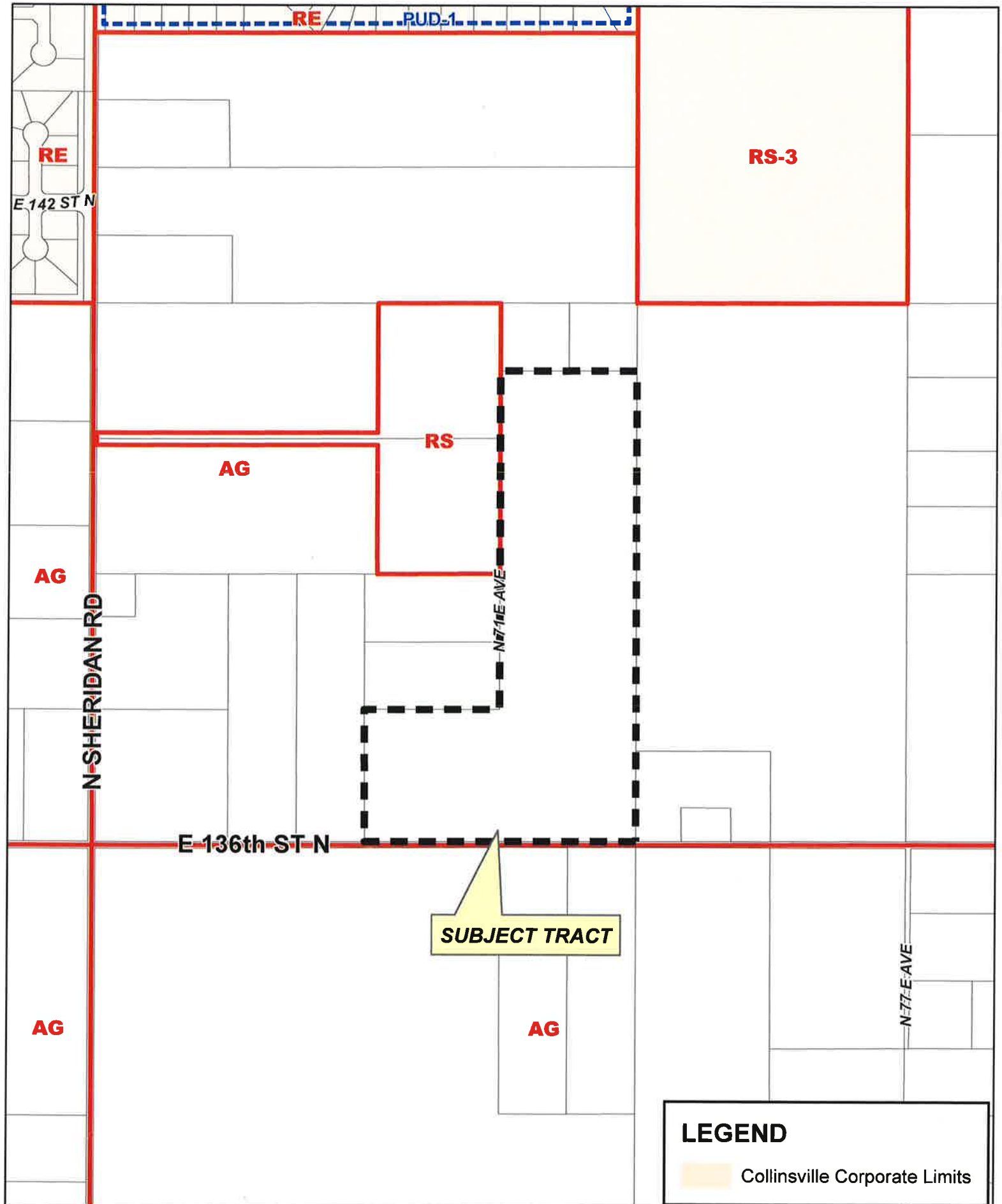
Surrounding Property:

CZ-349 December 2004: All concurred in approval of a request for rezoning a 20± acre tract of land from AG-R to RS, for residential use, on property located north and east of the northeast corner East 136th Street North and North Sheridan Road, and abutting west of part of subject property.

CZ-324 August 2003: Approval was granted by TMAPC and the County Commission to grant RE from AG zoning on a 341-acre tract located south and east of the southeast corner of East 146th Street and Highway 75 and directly south of the subject property.

CZ-302 August 2002: All concurred in approval of a request for rezoning a 20± acre tract of land from AG to AG-R, for residential/agriculture use, on property located north and east of the northeast corner East 136th Street North and North Sheridan Road, and abutting west of part of subject property.

CZ-267 June 2000: All concurred in approval of a request to rezone an eighty-acre tract located east of the northeast corner of East 146th Street North and North Sheridan Road and north of the subject tract, from AG to RE for residential development.



CZ-449

22-13 26

11.4





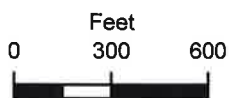
E 142 ST N

N SHERIDAN RD

E 136th ST N

N 77 E AVE

N 77 E AVE



Subject
Tract

CZ-449

22-13 26

11.5

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

Aerial Photo Date: February 2016



TMAPC Public Hearing Staff Report
January 4, 2016
ZCA-3, Zoning Code amendments

Item: Various amendments to the City of Tulsa Zoning Code in the following chapters: Chapter 5 Residential Districts; Chapter 10 Mixed-use Districts; Chapter 15 Office, Commercial and Industrial Districts; Chapter 20 Overlay Districts; Chapter 25 Special Districts; Chapter 35 Building Types and Use Categories; Chapter 40 Supplemental Use and Building Regulations; Chapter 45 Accessory Uses and Structures; Chapter 50 Temporary Uses; Chapter 55 Parking; Chapter 60 Signs; Chapter 65 Landscaping, Screening and Lighting; Chapter 70 Review and Approval Procedures; Chapter 75 Administration; Chapter 80 Nonconformities; Chapter 90 Measurements; and Chapter 95 Definitions.

- A. Background:** The new City of Tulsa Zoning Code became effective on January 1, 2016. It was discussed during the development of the zoning code that staff anticipated that cleanup items would be identified as implementation began in 2016. In early 2016, a zoning code implementation team was established and began meeting regularly to discuss situations where inconsistencies existed, clarification was needed, intent was not fully accomplished and where unintended consequences occurred. Primarily these items were identified through interactions with the public, both through the zoning and building permit processes. The zoning code implementation team was comprised of members of INCOG Land Development Services, City of Tulsa Planning and Development Department and City Legal.

These amendments were presented to the Planning Commission at a work session on December 7, 2016. Staff and the Planning Commission discussed details of the amendments at the meeting. The revised regulations regarding coffee roasters were discussed at length and Planning Commission asked that staff research comparable cities regarding their practices. Staff research found that the cities (Seattle, Kansas City, Memphis, Austin) relied on their building permit process to determine whether the use was accessory or a principal use. The City of Tulsa permit office would prefer to establish a threshold in the Zoning Code based on the need for consistency and previous neighborhood interactions with these uses.

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 primarily minor in nature and located in every chapter of the Zoning Code, except for Chapters 1, 30 and 85.

- B. Staff recommends APPROVAL** of proposed amendments to the City of Tulsa Zoning Code as shown in Attachment I.

ATTACHMENT I

List of Figures

Figure 90-16: Build-to-Zone 90-11

Reason for changes:

- 1) Figure 90-16- The change was made to correct a typo.

Chapter 5 | Residential Districts

Section 5.020 Use Regulations

Table 5-2: R District Use Regulations

USE CATEGORY		RS-							RM-						
Subcategory	RE	1	2	3	4	5	RD	RT	0	1	2	3	RMH	Supplemental Regulations	
Specific use															
RESIDENTIAL															
Household Living (if allowed in building type identified in Table 5-2.5)															
Single household	P	P	P	P	P	P	P	P	P	P	P	P	P		
Two households on single lot	-	-	-	S	S	S	P	P	P	P	P	P	-		
Three or more households on single lot	-	-	-	-	-	S	S	P	P	P	P	P	-		
Detached house	P	P	P	P	P	P	P	P	P	P	P	P	S		
Patio House	-	-	-	P	P	P	P	P	P	P	P	P	-	Section 40.290	
Townhouse															
2-unit townhouse	-	-	-	S	S	P	P	P	P	P	P	P	-	Section 40.390	
3+ unit townhouse	-	-	-	-	-	-	-	P	P	P	P	P	-	Section 40.390	
Cottage house development	-	-	-	-	-	P	S	S	P	P	P	P	-	Section 40.110	
Duplex	-	-	-	S	S	S	P	P	P	P	P	P	-		
Multi-unit house	-	-	-	-	-	S	S	P	P	P	P	P	-	Section 40.250	
Apartment/condo	-	-	-	-	-	-	-	-	P	P	P	P	-	Section 40.030	
Manufactured housing unit	S	S	S	S	S	S	S	S	S	S	S	S	P	Section 40.210	
Manufactured housing subdivision	-	-	-	-	-	-	-	-	-	-	-	-	P	Section 40.220	
Mobile home	-	-	-	-	-	-	-	-	-	-	-	-	P	Section 40.240	
Mobile home park	-	-	-	-	-	-	-	-	-	-	-	-	P	Section 40.240	
Group Living														Section 40.160	
Assisted living facility	S	S	S	S	S	S	S	S	P	P	P	P	-		
Community group home	S	S	S	S	S	S	S	S	P	P	P	P	-	Section 40.100	

Convent/monastery/novitiate	S	S	S	S	S	S	S	S	P	P	P	P	-	
Elderly/retirement center	-	-	-	-	-	-	-	-	P	P	P	P	-	
Fraternity/Sorority	-	-	-	-	-	-	-	-	P	P	P	P	-	
Homeless center	S	S	S	S	S	S	S	S	S	S	S	S	S	Section 40.130
Life care retirement center	S	S	S	S	S	S	S	-	P	P	P	P	-	
Re-entry facility	S	S	S	S	S	S	S	S	S	S	S	S	S	
Residential treatment center	S	S	S	S	S	S	S	S	S	S	S	S	S	Section 40.130
Rooming/boarded house	-	-	-	-	-	-	-	-	P	P	P	P	-	
Shelter, emergency and protective	S	S	S	S	S	S	S	S	S	S	S	S	S	Section 40.130
Transitional living center	S	S	S	S	S	S	S	S	S	S	S	S	S	Section 40.130

Table 5-2.5: R District Building Type Regulations for Household Living

USE CATEGORY	RE	RS-					RD	RT	RM-				RMH	Supplemental Regulations	
Subcategory Specific Uses Building Type		1	2	3	4	5			0	1	2	3			
RESIDENTIAL															
Household Living															
Single household															
Detached house	P	P	P	P	P	P	P	P	P	P	P	P	P	S	
Patio House	-	-	-	P	P	P	P	P	P	P	P	P	P	-	Section 40.290
Townhouse															
2-unit townhouse	-	-	-	S	S	P	P	P	P	P	P	P	P	-	Section 40.390
3+-unit townhouse	-	-	-	-	-	-	-	P	P	P	P	P	P	-	Section 40.390
Manufactured housing unit	S	S	S	S	S	S	S	S	S	S	S	S	S	P	Section 40.210
Manufactured housing subdivision	-	-	-	-	-	-	-	-	-	-	-	-	-	P	Section 40.220
Mobile home	-	-	-	-	-	-	-	-	-	-	-	-	-	P	Section 40.240
Mixed-use building	-	-	-	-	-	-	-	-	-	S	S	S	-	-	
Vertical mixed-use building	-	-	-	-	-	-	-	-	-	S	S	S	-	-	
Two households on single lot															
Duplex	-	-	-	S	S	S	P	P	P	P	P	P	P	-	
Mixed-use building	-	-	-	-	-	-	-	-	-	P	P	P	P	-	
Vertical mixed-use building	-	-	-	-	-	-	-	-	-	P	P	P	P	-	
Three or more households on single lot															
Cottage house development	-	-	-	-	-	P	S	S	P	P	P	P	P	-	Section 40.110
Multi-unit house	-	-	-	-	-	S	S	P	P	P	P	P	P	-	Section 40.250
Apartment/condo	-	-	-	-	-	-	-	-	P	P	P	P	P	-	Section 40.030
Mobile home park	-	-	-	-	-	-	-	-	-	-	-	-	-	P	Section 40.240
Mixed-use building	-	-	-	-	-	-	-	-	-	P	P	P	P	-	
Vertical mixed-use building	-	-	-	-	-	-	-	-	-	P	P	P	P	-	

Section 5.030 Lot and Building Regulations

Table 5-3: R District Lot and Building Regulations

Regulations	RE	RS-1	RS-2	RS-3	RS-4	RS-5	RD	RT	RM-0	RM-1	RM-2	RM-3	RMH
Minimum Lot Area (sq. ft.)													
Detached house	22,500	13,500	9,000	6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	5,500
Patio house	-	-	-	6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	-
Townhouse	-	-	-	4,500	4,500	2,200	2,750	1,600	1,600	1,600	1,600	1,600	-
Cottage house dev't	-	-	-	-	-	15,000	15,000	15,000	15,000	15,000	15,000	15,000	-
Duplex	-	-	-	9,000	9,000	3,300	6,900	6,900	6,900	6,900	6,900	6,900	-

Regulations	RE	RS-1	RS-2	RS-3	RS-4	RS-5	RD	RT	RM-0	RM-1	RM-2	RM-3	RMH
Multi-unit house	–	–	–	–	–	3,300	6,900	5,500	5,500	5,500	5,500	5,500	–
Apartment/condo	–	–	–	–	–	–	–	–	10,000	10,000	6,000	24,000	–
Mobile home park	–	–	–	–	–	–	–	–	–	–	–	–	[1]
Other allowed buildings/uses													
Permitted by right	22,500	13,500	9,000	6,900	5,500	5,500	5,500	5,500	5,500	5,500	5,500	5,500	5,500
Special exceptions	22,500	13,500	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000
Min. Lot Area per Unit (sq. ft.)													
Detached house	22,500	13,500	9,000	6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	–
Patio house	–	–	–	6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	–
Townhouse	–	–	–	4,500	4,500	2,200	2,750	1,600	1,600	1,600	1,600	1,600	–
Cottage house dev't	–	–	–	–	–	2,750	2,750	2,750	2,750	2,750	2,750	2,750	–
Duplex	–	–	–	4,500	4,500	1,650	3,450	3,450	3,450	3,450	3,450	3,450	–
Multi-unit house	–	–	–	–	–	1,100	1,800	1,800	1,800	1,375	1,100	900	–
Apartment/condo	–	–	–	–	–	–	–	–	2,900	1,750	1,100	400	–
Other allowed buildings/uses													
Permitted by right	–	–	–	–	–	–	–	–	5,500	5,500	5,500	5,500	5,500
Special exceptions	22,500	13,500	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000
Minimum Lot Width (ft.)													
Detached house	150	100	75	60	50	30	50	50	50	50	50	50	–
Patio house	–	–	–	60	50	30	50	50	50	50	50	50	–
Townhouse	–	–	–	30	30	20	25	20	20	20	20	20	–
Cottage house dev't	–	–	–	–	–	5	75	75	75	75	75	75	–
Duplex	–	–	–	75	75	30	60	60	60	60	60	60	–
Multi-unit house	–	–	–	–	–	30	50	50	50	50	50	50	–
Apartment/condo	–	–	–	–	–	–	–	–	100	100	50	100	–
Other allowed buildings/uses													
Permitted by right	150	100	75	60	50	50	50	50	50	50	50	50	50
Special exceptions	150	100	100	100	100	100	100	100	100	100	100	100	100
Minimum Street Frontage													
Residential bldgs/uses [2]	30	30	30	30	30	30	30	30	30	30	30	30	30
Min. Building Setbacks (ft.)													
Street [3]													
Arterial or fwy service rd.	35	35	35	35	35	35	35	35	35	35	35	35	35
Other streets	35	35	30	25	20	20	25	10	25	25	10	25	25
Side (interior) [4]	15	5	5	5	5	5	5	5[5]	5[6]	5[6]	5[6]	5[7]	10
Rear [4]	25	25	25	20	20	20	20	20	20	20	10	20	15
Min. Open Sp./Unit (sq. ft.)	12,000	7,000	5,000	4,000[8]	2,500	600	2,000	1,200	1,200	600	200	–	2,500
Max. Building Height (feet)	35	35	35	35	35	35	35	35	35	35	35	–	35

5.030-B Tables Notes

[4] Uses requiring special exception approval in R zoning districts require minimum 25-foot building setback from R-zoned lots occupied by residential uses.

Reason for changes:

- 2) Table 5-2 – The changes added specific uses to Household Living subcategory and deleted building types, moving them to Table 5-2.5 to clarify distinctions between specific uses and building types.
- 3) Table 5-2.5-The new table is created to provide which residential building types are permitted for specific uses in the Household Living subcategory.
- 4) Table 5-3- Establishes lot area per unit requirements for other allowed buildings/uses permitted by right and special exception.
- 5) 5.030-B[4]- The change was made to correct a typo.

| Mixed-use Districts

Section 10.010 General

10.010-C Use, Character and Height Designations

3. On the zoning map, all the components of the applicable mixed-use zoning district will be identified as a single map symbol. MX1-P-4045, for example, is the map symbol denoting a neighborhood-oriented mixed-use district (MX1) that requires a very pedestrian-oriented (-P) building pattern (character) and that allows buildings up to 4045 feet in height (-4045).

Section 10.030 Character Designations

10.030-C -P, Pedestrian Character Designation

2. Allowed Building Types

a. Vertical Mixed-use buildings

3. Lot and Building Regulations

The lot and building regulations of Table 10-4 apply to all new construction and building additions in -P character zones, except that civic/institutional buildings and open space sites are subject to -F character zone regulations (see §10.030-H). General exceptions to lot and building regulations and rules for measuring compliance can be found in Chapter 90. Existing buildings are exempt from compliance with build-to-zone (BTZ), ground floor ceiling height and transparency regulations.

Table 10-4: Lot and Building Regulations for –P Character Zones

Minimum Lot Area (sq. ft.)	3,500	Min. Ground Floor Ceiling Height (feet)	14
A Minimum Lot Width (feet)	25	Minimum Transparency (%)	
B Minimum Street Frontage (feet)	20	E Ground floor	50
Minimum Open Space per Unit (sq. ft.)	100	F Upper floors	20
Minimum Building Setbacks (feet)		D Min. Parking Setbacks (ft)(see also §55.080-C)[1]	
Street	0	Primary street	30
Abutting R district	10	Secondary street or R zoning district	10
Abutting nonresidential district	0	Nonresidential zoning district	0
Abutting alley	5	G Street-facing Entrance Required	Yes
C Build-to-Zone (BTZ) (minimum/maximum in feet)	0/10		
Primary street BTZ (%)	80		
Secondary street BTZ (%)	30		

10.030-E Urban Character Designation

2. Allowed Building Types

a. Vertical Mmixed-use buildings and mixed use-buildings

3. Lot and Building Regulations

The lot and building regulations of [Table 10-4](#) apply to all new construction and building additions in –P character zones, except that civic/institutional buildings and open space sites are subject to –F character zone regulations (see [§10.030-H](#)). General exceptions to lot and building regulations and rules for measuring compliance can be found in [Chapter 90](#). Existing buildings are exempt from compliance with build-to-zone (BTZ), ground floor ceiling height and transparency regulations.

Table 10-5: Lot and Building Regulations for –U Character Zones

Minimum Lot Area (sq. ft.)		Min. Parking Setbacks (feet)(see also §55.080-C)[1]	
Townhouse	1,600	Primary street	30
Apartment/condo	7,500	Secondary street or R zoning district	10
All other	3,500	Nonresidential district	0
Minimum Lot Width (feet)		Min. Ground Floor Ceiling Height (feet)	
Townhouse	20	Mixed-use and commercial buildings	14
Apartment/condo	50	Other buildings	–
All other	25	Minimum Transparency (%)	
Minimum Street Frontage (feet)	20	<u>Vertical Mmixed-use buildings</u>	
Minimum Open Space per Unit (sq. ft.)		Ground floor	40
Townhouse	200	Upper floors	20
Apartment/condo/mixed-use	100	Commercial buildings <u>and mixed-use buildings</u>	
Minimum Building Setbacks (feet)		Ground floor	35
Street	0	Upper floors	20
Abutting R district	10	Other buildings	20

Abutting nonresidential district	0	Street-facing Entrance Required	Yes
Abutting alley	5		
Build-to-Zone (BTZ) (minimum/maximum in feet)	0/20		
Primary street BTZ (%)	60		
Secondary street BTZ (%)	30		

10.030-G Variable Character Designation

2. Allowed Building Types

a. Vertical Mixed-use buildings and mixed use-buildings

3. Lot and Building Regulations

The lot and building regulations of [Table 10-4](#) apply to all new construction and building additions in -P character zones, except that civic/institutional buildings and open space sites are subject to -F character zone regulations (see [§10.030-H](#)). General exceptions to lot and building regulations and rules for measuring compliance can be found in [Chapter 90](#). Existing buildings are exempt from compliance with build-to-zone (BTZ), ground floor ceiling height and transparency regulations.

Table 10-6: Lot and Building Regulations for -V Character Zones

Minimum Lot Area (sq. ft.)		C Build-to-Zone (BTZ) (minimum/maximum in feet)	0/110
Townhouse	1,600	Primary street BTZ (%)	50
Apartment/condo	7,500	Secondary street BTZ (%)	25
All other	3,500	D Min. Parking Setbacks (feet)(see also §55.080-C)[1]	
A Minimum Lot Width (feet)		Street or R zoning district	10
Townhouse	20	Nonresidential zoning district	0
Apartment/condo	50	Min. Ground Floor Ceiling Height (feet)	
All other	25	Mixed-use and commercial buildings	14
B Minimum Street Frontage (feet)	20	Other buildings	-
Minimum Open Space per Unit (sq. ft.)		Minimum Transparency (%)	
Townhouse	200	Vertical Mixed-use buildings	
Apartment/condo/mixed-use	100	E Ground floor	40
Minimum Building Setbacks (feet)		F Upper floors	20
Street	0	Commercial buildings and mixed use buildings	
Abutting R district	10	E Ground floor	35
Abutting nonresidential district	0	F Upper floors	20
Abutting alley	5	Other buildings	20
		G Street-facing Entrance Required	Yes

10.030-I Flexible Character Designation

2. Allowed Building Types

a. **Vertical Mixed-use buildings and mixed use-buildings**

Table 10-7: Lot and Building Regulations for -F Character Zones

Minimum Lot Area (sq. ft.)

Townhouse	1,600
Duplex	5,000
Apartment/condo	7,500
Other buildings	3,500

Minimum Lot Width (feet)

Townhouse	20
Duplex	45
Apartment/condo	50
Other buildings	25

Minimum Street Frontage (feet)

20

Minimum Open Space per Unit (sq. ft.)

Detached house	400
Townhouse/Duplex	200
Apartment/condo/mixed-use	100

Minimum Building Setbacks (feet)

Detached house/townhouse/duplex	
Street	15[1]
Side	3[2]
Rear	20
Other buildings	
Street	5
Abutting R district	10
Abutting nonresidential district	0
Abutting alley	5

Minimum Parking Setbacks (feet)(see also §Error! Reference source not found.)

Detached house/townhouse/duplex	-
Other buildings [3]	
Street	10
Abutting R district	10
Abutting nonresidential district	0
Abutting alley	2

Min. Ground Floor Ceiling Height (feet)

Mixed-use and commercial buildings	14
Other buildings	-

Minimum Transparency (%)

Vertical Mixed-use buildings	
Ground floor	40
Upper floors	20
Commercial buildings and mixed-use buildings	
Ground floor	35
Upper floors	20
Other buildings	20
Street-facing Entrance Required	Yes

Reason for changes:

- 5) 10.010-C.3 - 40' is not one of the height designations offered for MX districts in Table 10-8; therefore it should be changed to 45'.
- 6) 10.030-C.2.a, 10.030-E.2.a, 10.030-G.2.a, 10.030-I.2.a- The changes are consistent with the addition of Vertical mixed-use and mixed-use as building types in 35.010-L and 35.010-M.
- 7) 10.030-C.3, Table 10-4, 10.030-E.3, Table 10-5, 10.030-G.3, Table 10-6- The changes were made to correct typos.
- 8) Table 10-5, Table 10-6, Table 10-7 (vertical mixed-use and mixed-use buildings) – The tables specify regulations for newly added allowed building types. The changes are consistent with the addition of Vertical mixed-use and mixed-use as building types in 35.010-L and 35.010-M.
- 9) Table 10-4, Table 10-5 & Table 10-6 (%)– Currently in the Build-to Zone section of the tables, the Primary street BTZ and Secondary street BTZ the table references a number without defining if is a length or percentage. The change is to add that it is a percentage (%).

Office, Commercial, & Industrial Districts

Section 15.020 Use Regulations

Table 15-2: O, C and I District Use Regulations

USE CATEGORY	OL	OM	OMH	OH	CS	CG	CH	CBD	IL	IM	IH	Supplemental Regulations
Subcategory												
Specific use												
RESIDENTIAL												
Household Living (if allowed in building type identified in Table 15-2.5)												
Single household	P	P	P	P	P	P	P	P	P	P	P	
Two households on single lot	P	P	P	P	P	P	P	P	P	P	P	
Three or more households on single lot	P	P	P	P	P	P	P	P	P	P	P	
Detached house	P	S	S	S	S	S	S	S	-	-	-	
Townhouse	P	P	P	P	P	P	P	P	-	-	-	
Duplex	P	S	S	S	S	S	S	S	-	-	-	
Multi-unit House	P	S	S	S	S	S	S	S	-	-	-	
Apartment/condo	S	P	P	P	P	P	P	P	-	-	-	Section 40.030
Manufactured housing unit	-	-	-	-	-	S	S	-	S	S	S	Section 40.210
Group Living												
Assisted living facility	S	P	P	P	P	P	P	P	-	-	-	Section 40.160
Community group home	S	P	P	P	P	P	P	P	-	-	-	Section 40.100

USE CATEGORY	OL	OM	OMH	OH	CS	CG	CH	CBD	IL	IM	IH	Supplemental Regulations
Subcategory												
Specific use												
Convent/monastery/novitiate	S	P	P	P	P	P	P	P	-	-	-	
Elderly/retirement center	S	P	P	P	P	P	P	P	-	-	-	
Fraternity/Sorority	S	P	P	P	P	P	P	P	-	-	-	
Homeless center	S	S	S	S	S	S	S	S	S	S	S	Section 40.130
Life care retirement center	S	P	P	P	P	P	P	P	-	-	-	
Re-entry facility	S	P	P	P	S	S	S	S	P	S	S	
Residential treatment center	S	P	P	P	S	S	S	S	P	S	S	Section 40.130
Rooming/boarded house	S	P	P	P	P	P	P	P	-	-	-	
Shelter, emergency and protective	S	S	S	S	S	S	S	S	S	S	S	Section 40.130
Transitional living center	S	P	P	P	S	S	S	S	P	S	S	Section 40.130
PUBLIC, CIVIC AND INSTITUTIONAL												
Airport	S	S	S	S	S	S	S	S	S	S	S	
Cemetery	S	S	S	S	S	S	S	S	S	S	S	Section 40.150
College or University	S	P	P	P	P	P	P	P	S	S	S	Section 40.070
Day Care	S	P	P	P	P	P	P	P	S	S	S	
Detention and Correctional Facility	S	S	S	S	S	S	S	S	S	S	S	Section 40.130
Fraternal Organization	S	S	S	S	S	S	S	S	S	S	S	
Governmental Service	S	S	S	S	S	S	S	S	S	S	S	
Hospital	S	P	P	P	P	P	P	P	S	S	S	Section 40.070
Library or Cultural Exhibit	S	P	P	P	P	P	P	P	S	S	S	
Natural Resource Preservation	P	P	P	P	P	P	P	P	P	P	P	
Parks and Recreation	S	P	P	P	P	P	P	P	S	S	S	
Postal Services	S	S	S	S	S	S	S	S	S	S	S	
Religious Assembly	S	P	P	P	P	P	P	P	S	S	S	Section 40.320
Safety Service	S	S	S	S	P	P	P	P	P	P	P	
School												
Established on or before Jan. 1, 1998	P	P	P	P	P	P	P	P	P	P	P	Section 40.350
Others	S	P	P	P	P	P	P	P	P	S	S	Section 40.350
Utilities and Public Service Facility												
Minor	P	P	P	P	P	P	P	P	P	P	P	
Major	S	S	S	S	S	S	S	S	S	S	S	
Wireless Communication Facility												
Freestanding tower	S	S	S	S	P	P	P	P	P	P	P	Section 40.420
Building or tower-mounted antenna	P	P	P	P	P	P	P	P	P	P	P	Section 40.420
COMMERCIAL												
Animal service												Section 40.020
Boarding or shelter	-	-	-	-	S	P	P	P	P	P	P	
Grooming	-	-	-	-	P	P	P	P	P	P	P	
Veterinary	-	-	-	-	P	P	P	P	P	P	P	
Assembly and Entertainment												Section 40.040
Indoor gun club	-	-	-	-	S	S	S	S	S	S	S	Section 40.040
Other indoor												
Small (up to 250-person capacity)	-	-	-	-	P[2]	P[2]	P[2]	P[2]	S	S	S	Section 40.040
Large (>250-person capacity)	-	-	-	-	S	S	S	S	S	S	S	Section 40.040
Outdoor gun club	-	-	-	-	S	S	S	-	S	S	S	Section 40.040
Other outdoor	-	-	-	-	S	S	S	S	S	S	S	Section 40.040
Broadcast or Recording Studio	P	P	P	P	P	P	P	P	P	P	P	
Commercial Service												
Building service	-	-	-	-	S	P	P	P	P	P	P	
Business support service	-	-	-	-	P	P	P	P	P	P	P	Section 40.300
Consumer maintenance/repair service	-	-	-	-	P	P	P	P	P	P	P	
Personal improvement service	S	S	S	S	P	P	P	P	P	P	P	
Research service	-	-	-	-	-	S	P	P	P	P	P	
Financial Services (except as below)	P	P	P	P	P	P	P	P	P	P	P	
Personal credit establishment	-	-	-	-	P	P	P	P	P	P	P	Section 40.300

USE CATEGORY	OL	OM	OMH	OH	CS	CG	CH	CBD	IL	IM	IH	Supplemental Regulations
Subcategory												
Specific use												
Funeral or Mortuary Service	P	P	P	P	P	P	P	P	P	P	P	
Lodging												
Bed & breakfast	S	S	S	S	S	S	S	S	S	S	S	Section 40.060
Campgrounds and RV parks	-	-	-	-	S	P	P	P	P	P	P	
Hotel/motel	-	-	S	S	P	P	P	P	S	S	S	
Marina	S	S	S	S	S	S	S	S	S	S	S	
Office												Section 40.260
Business or professional office	P	P	P	P	P	P	P	P	P	P	P	
Medical, dental or health practitioner office	P	P	P	P	P	P	P	P	P	P	P	
Plasma center	-	-	-	-	P	P	P	P	P	P	P	Section 40.300
Parking, Non-accessory	P	P	P	P	P	P	P	P	P	P	P	
Restaurants and Bars												
Restaurant	P[1]	P[1]	P[1]	P[1]	P	P	P	P	P	P	P	Section 40.330
Bar (except as below)	-	-	-	-	P[2]	P[2]	P[2]	P[2]	S	S	S	Section 40.050
Brewpub	-	-	-	-	S	S	S	P[2]	S	S	S	Section 40.050
Retail Sales												Section 40.340
Building supplies and equipment	-	-	-	-	P	P	P	P	P	P	P	
Consumer shopping goods	-	S[3]	S[3]	P[3]	P	P	P	P	P	P	P	
Convenience goods	-	S[3]	S[3]	P[3]	P	P	P	P	P	P	P	Section 40.300
Self-service Storage Facility	S	S	S	S	S	P	P	P	P	P	P	Section 40.360
Sexually Oriented Business Establishment	-	-	-	-	P	P	P	P	S	S	S	Section 40.370
Studio, Artist or Instructional Service	P	P	P	P	P	P	P	P	P	P	P	Section 40.380
Trade School	-	-	-	-	S	P	P	P	P	P	P	
Vehicle Sales and Service												Section 40.400
Commercial vehicle repair/maintenance	-	-	-	-	S	P	P	P	P	P	P	
Truck stop	-	-	-	-	-	S	S	-	P	P	P	
Commercial vehicle sales and rentals	-	-	-	-	S	P	P	P	P	P	P	
Fueling station	-	-	-	-	P	P	P	P	P	P	P	
Personal vehicle repair and maintenance	-	-	-	-	P	P	P	P	P	P	P	
Personal vehicle sales and rentals	-	-	-	-	S	P	P	P	P	P	P	
Vehicle part and supply sales	-	-	-	-	P	P	P	P	P	P	P	
Vehicle body and paint finishing shop	-	-	-	-	S	P	P	P	P	P	P	
WHOLESALE, DISTRIB. & STORAGE												Section 40.410
Equip. & Materials Storage, Outdoor	-	-	-	-	S	P	P	P	P	P	P	
Trucking and Transportation Terminal	-	-	-	-	S	P	P	P	P	P	P	
Warehouse	-	-	-	-	S	P	P	P	P	P	P	
Wholesale Sales and Distribution	-	-	-	-	S	P	P	P	P	P	P	
INDUSTRIAL												Section 40.180
Low-impact Manufacturing & Industry	-	-	-	-	-	S	S	S	P	P	P	
Moderate-impact Manufacturing & Industry	-	-	-	-	-	-	-	-	S	P	P	
High-impact Manufacturing & Industry	-	-	-	-	-	-	-	-	-	S	P	
Mining or Mineral Processing	-	-	-	-	-	-	-	-	-	S	S	Section 40.230
Junk or Salvage Yard	-	-	-	-	-	-	-	-	-	S	P	Section 40.190
RECYCLING												Section 40.310
Construction or Demolition Debris	-	-	-	-	-	-	-	-	S	S	P	
Consumer Material Drop-off Station	-	-	-	-	P/S[5]	P	P	P	P	P	P	
Consumer Material Processing	-	-	-	-	-	-	-	-	P	P	P	
AGRICULTURAL												
Animal Husbandry	-	-	-	-	-	-	-	-	-	P	P	
Community Garden	P	P	P	P	P	P	P	P	P	P	P	Section 40.090
Farm, Market- or Community-supported	P	P	P	P	P	P	P	P	P	P	P	
Greenhouse	-	-	-	-	S	P	P	P	P	P	P	
Horticulture Nursery	-	-	-	-	-	-	-	-	P	P	P	

USE CATEGORY	OL	OM	OMH	OH	CS	CG	CH	CBD	IL	IM	IH	Supplemental Regulations
Subcategory												
Specific use												
OTHER												
Drive-in or Drive-through Facility (as a component of an allowed principal use)	S	S	P	P	P	P	P	S	P	P	P	Section 55.100
Off-Premise Outdoor Advertising Sign [4]	—	—	—	—	P	P	P	P	P	P	P	Chapter 60
Oil or Gas Well	S	S	S	S	S	S	S	S	S	S	S	Section 40.270

15.020-G Table Notes

- [1] Restaurant is permitted as accessory use in OL, OM, and OMH districts. Use must be located entirely within the principal office building and may not occupy more than 5% of the building's floor area.

Table 15-2.5: O, C and I District Building Type Regulations for Household Living

USE CATEGORY	OL	OM	OMH	OH	CS	CG	CH	CBD	IL	IM	IH	Supplemental Regulations
Subcategory												
Specific use												
Building Types												
RESIDENTIAL												
Household Living												
Single household												
Detached house	P	S	S	S	S	S	S	S	—	—	—	
Townhouse	P	P	P	P	P	P	P	P	—	—	—	
Manufactured housing unit	—	—	—	—	—	S	S	—	S	S	S	
Mixed-Use building	P	P	P	P	P	P	P	P	S	—	—	
Vertical mixed-use building	P	P	P	P	P	P	P	P	S	—	—	
Two households on single lot												
Duplex	P	S	S	S	S	S	S	S	—	—	—	
Mixed-Use building	P	P	P	P	P	P	P	P	S	—	—	
Vertical mixed-use building	P	P	P	P	P	P	P	P	S	—	—	
Three or more households on single lot												
Multi-unit House	P	S	S	S	S	S	S	S	—	—	—	
Apartment/condo	S	P	P	P	P	P	P	P	—	—	—	Section 40.030
Mixed-Use building	P	P	P	P	P	P	P	P	S	—	—	
Vertical mixed-use building	P	P	P	P	P	P	P	P	S	—	—	

Section 15.030 Lot and Building Regulations

15.030-B Table Notes

- [3] Same as required in RM-3 district.
~~[3] Same as required in RM-3 district.~~
 [4] Garage doors must be set back at least 20 feet or 20 feet from the back of the sidewalk, whichever is greater.

Section 15.040 Other Relevant Regulations

15.040-A Outdoor Storage and Display

In the CS district, outdoor storage, including storage of recyclable materials, and outdoor merchandise display is prohibited within 300 feet of an abutting R district.

Reason for changes:

- 10) Table 15-2(Household Living) –The changes added specific uses to Household Living subcategory and deleted building types, moving them to Table 5-2.5 to clarify distinctions between specific uses and building types.
- 11) Table 15-2.5- The new table is created to provide which residential building types are permitted for specific uses in the Household Living subcategory.
- 12) Table 15-2 (Greenhouse)- This was deleted to be consistent with the removal of Greenhouse as an agricultural use subcategory, 35.090-D.
- 13) Table 15-2 (Religious Assembly) - This supplemental regulation applies only to Religious Assembly use in AG and R districts, and Table 15-2 is for office, commercial and industrial districts.
- 14) Table 15-2 (Restaurant), 15.020-G[1]- Modifies to be consistent with previous zoning code- restaurants in all O districts, except for OH, are permitted as accessory use only and are limited to 5% of the floor area of the building; restaurants are permitted by right in OH and are not limited to a percentage of the building floor area.
- 15) 15.030-B[3]-The change was made to correct a typo.
- 16) 15.030-B[4]- Revised to be consistent with 5.030-B[3] which states 20 feet or 20 feet from back of sidewalk, whichever is greater.

Chapter 20 | Overlay Districts

Section 20.050 RDO, River Design Overlays

20.050-A General

4. Exemptions

- d. New or modified public utility and service uses, where allowed, and accessory uses customarily incidental to park and recreation uses (excluding restaurants) are exempt from compliance with the:

- (1) Build-to-zone regulations of Table 20-2;
- (2) Ground floor transparency regulations of Table 20-3; and
- (3) Building entrance requirements of Table 20-3.

7. **Effect of PUD, MPD or CO Zoning Modifications to RDO Regulations**

- a. The land use administrator is authorized to grant administrative adjustments to provisions in this Section 20.050 in accordance with Section 70.100
- b. The Board of Adjustment is authorized to modify the build-to-zone regulations in Table 20-2, the transparency regulations in Table 20-3 and the parking regulations in §20.050-C2.b(3) through the Special Exception process provided that the Board of Adjustment finds the Special Exception will be in harmony with the spirit and intent of the zoning code, including the spirit and intent of this Section 20.050 and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
- c. The regulations of an RDO district may not be varied or modified through approval of or amendment of a Planned Unit Development (PUD), Master Planned Development (MPD) district or Corridor (CO) district.
- d. The regulations of an RDO district may not be varied or modified through approval of or amendment of a Master Plan Development (MPD) district except that in a MPD with a minimum area of 20 acres, the build-to-zone regulations in Table 20-2 may be modified. If the build-to-zone in the MPD is modified, the MPD must demonstrate activation along the trail and/or street edge through the use of other principles of the RDO. The MPD must meet all other RDO provisions and remain consistent with the purpose and intent of both the RDO and the MPD.

20.050-B Uses

Table 20-1: RDO District Use Regulations

USE CATEGORY		RDO-1	RDO-2	RDO-3
Subcategory				
Specific use				
Building Types				
X = expressly prohibited use <input type="checkbox"/> and unlisted uses = underlying zoning governs				
RESIDENTIAL				
Household Living (if allowed in building type indicated in Table 20-1.5)				
Single household		X	X	X
Two households on single lot		X	X	X
Three or more households on single lot		X	X	X
Detached house		X	X [1]	<input type="checkbox"/>
Cottage house development		X	X	<input type="checkbox"/>
Duplex		X	X [1]	<input type="checkbox"/>
Manufactured housing unit		X	X	X

USE CATEGORY				
Subcategory		RDO-1	RDO-2	RDO-3
Specific use				
Building Types				
Manufactured housing subdivision		X	X	X
Mobile home		X	X	X
Mobile home park		X	X	X

Table 20-1.5: RDO Building Type Regulations for Household Living

USE CATEGORY				
Subcategory		RDO-1	RDO-2	RDO-3
Specific use				
Building Type				
X = expressly prohibited use □ and unlisted uses = underlying zoning governs				
RESIDENTIAL				
Household Living				
Single household				
Detached house		X	X [1]	□
Manufactured housing unit		X	X	X
Manufactured housing subdivision		X	X	X
Mobile home		X	X	X
Two households on single lot				
Duplex		X	X [1]	□
Three or more households on single lot				
Mobile home park		X	X	X
Cottage house development		X	X	□

Reason for changes:

- 17) 20.050.A.4.d – This change allows for park accessory building to be exempt from overlay standards. This was the intent, but was inadvertently omitted.
- 18) 20.050-A.7.a, 20.050-A.7.b, 20.050-A.7.c, 20.050-A.7.d- This revision is a follow up to the RDO ordinance to allow special provisions for developments on larger parcels to be located in an MPD.
- 19) Table 20-1– The changes added specific uses to Household Living subcategory and deleted building types, moving them to Table 5-2.5 to clarify distinctions between specific uses and building types.
- 20) Table 20-1.5-The new table is created to provide which residential building types are permitted for specific uses in the Household Living subcategory.

Chapter 25| Special Districts

Section 25.020 AG, Agricultural District

25.020-B Use Regulations

Table 25-1: AG District Use Regulations

USE CATEGORY		Supplemental Use Regulations
Subcategory (Section 35.020)	AG	
Specific use		
Household Living (if allowed in building type indicated in 25-1.5)		
Single household	P	
Detached House	P	
Manufactured Housing Unit	S	

AGRICULTURAL		
Animal Husbandry	P	
Community Garden	P	Section 40.090
Farm, Market- or Community-supported	P	
Horticulture Nursery	S P	

Table 25-1.5: AG Building Type Regulations for Household Living

USE CATEGORY		Supplemental Use Regulations
Subcategory (Section 35.020)	AG	
Specific use		
Building Type		
RESIDENTIAL		
Household Living		
Single household		
Detached house	P	
Manufactured housing unit	S	

25.020-C Lot and Building Regulations

Table 25-2: AG District Lot and Building Regulations

Regulations	AG
Min. Lot Area	2 acres
Min. Lot Area per Unit	2 acres
Minimum Lot Width (feet)	200
Min. Lot Frontage (feet)	30
Min. Building Setbacks (feet)	
Street	25
Side (one side/other side)	10/5
Rear	40
Max. Building Height (feet)	-

Section 25.040 CO, Corridor District

25.040-B Use Regulations

Table 25-4: CO District Use Regulations

USE CATEGORY		CO	Supplemental Regulations
Subcategory (Section 35.020)	Specific use		

PUBLIC, CIVIC AND INSTITUTIONAL			

Parks and Recreation		P*	
Postal Services		P*	
Religious Assembly		P*	Section 40.320

COMMERCIAL			

Financial Services (except as below)		P*	

AGRICULTURAL			
Community Garden		P*	Section 40.090
Farm, Market- or Community-supported		P*	
Greenhouse		P*	
OTHER			
Drive-in or Drive-through Facility (as a component of an allowed use)		P*	
Oil or Gas Well		P*/S	Section 40.270
Off-Premise Outdoor Advertising Sign [1]		P*	

25.040-C Table Notes

[1] Allowed only when located within freeway sign corridors. See Chapter 60 for other supplemental regulations that apply to off-premise outdoor advertising signs.

25.040-CD Lot and Building Regulations

25.040-DE Special Procedures Applicable to Corridor (CO) District Rezoning and Developments

Section 25.050 SR, Scientific Research District

25.050-B Use Regulations

Table 25-5: SR District Use Regulations

USE CATEGORY		Supplemental Regulations
Subcategory (Section 35.020)	SR	
Specific use		

PUBLIC, CIVIC AND INSTITUTIONAL		

Parks and Recreation	S	
Postal Services	S	
Religious Assembly	S	Section 40.320

Section 25.060 IMX, Institutional Mixed-Use

25.060-B Use Regulations

Table 25-7: IMX District Use Regulations

USE CATEGORY		Supplemental Regulations
Subcategory (Section 35.020)	IMX	
Specific use		
RESIDENTIAL		
Household Living (if allowed in building type indicated in Table 25-7.5)		
Single household	P	
Two households on single lot	P	
Three or more households on single lot	P	
Detached house	P	
Townhouse	P	
Duplex	P	
Multi-unit house	P	
Apartment/condo	P	

PUBLIC, CIVIC AND INSTITUTIONAL		

Parks and Recreation	P	
Postal Services	S	
Religious Assembly	P	Section 40.320

Table 25-7.5: IMX District Building Type Regulations

USE CATEGORY		Supplemental Regulations
Subcategory (Section 35.020)	IMX	
Specific use		
Building Type		
RESIDENTIAL		
Household Living		
Single household		
Detached house	P	
Townhouse	P	
Two households on single lot		
Duplex	P	
Three or more households on single lot		

USE CATEGORY		Supplemental Regulations
Subcategory (Section 35.020)	IMX	
Specific use		
Building Type		
Multi-unit house	P	
Apartment/condo	P	

25.060-C Lot and Building Regulations

1. Table of Regulations

The lot and building regulations of [Table 25-8](#) apply to all new construction and building additions in IMX districts. General exceptions to lot and building regulations and rules for measuring compliance can be found in [Chapter 90](#). Existing buildings are exempt from compliance with build-to-zone (BTZ) and transparency regulations.

25.060-G Landscaping and Screening

2. L2 Street Tree Yards

a. When required

L2 street tree yards with a minimum depth of 10 feet are required between the planned right-of-way and the closest edge of the build-to-zone within the lot, extending the full width of the lot.

Reason for changes:

- 21) Table 25-1, Table 25-7 (Household Living)- The changes added specific uses to Household Living subcategory and deleted building types, moving them to Table 5-2.5 to clarify distinctions between specific uses and building types.
- 22) Table 25-1.5, Table 25-7.5-The new table is created to provide which residential building types are permitted for specific uses in the Household Living subcategory.
- 23) Table 25-2 – The Agriculture district does not currently have a minimum frontage requirement, although the previous zoning code required 30'. A minimum of 30' frontage should be required to ensure police and fire services have necessary access to serve lots.
- 24) Table 25-4, Table 25-5, Table 25-7(Religious Assembly)- The supplemental regulation found in Section 40.320 applies only to Religious Assembly use in Agriculture and Residential districts and was deleted.
- 25) Table 25-4 (Off –Premise Outdoor Advertising Sign) –This was added as a permitted use category if approved as a part of an approved development plan. This is consistent with the previous zoning code.
- 26) 25.040-C- The Table Note was added to permit Off-premise outdoor advertising signs in Corridor Districts. This is consistent with the previous zoning code.
- 27) 25.040-D, 25.040-E- Renumbering is required due to addition of 25.040-C Table Notes.
- 28) Table 25-4 (Financial Services) - There is no "below" in this instance.
- 29) Table 25-4 (Greenhouse)- This was deleted to be consistent with the removal of Greenhouse as an agricultural use subcategory, 35.090-D.
- 30) 25.060-C.1, 25.060-G.2- The changes were made to correct typos.

Chapter 35| Building Types and Use Categories

Section 35.010 Building Types

35.010-F ~~Multit~~-Multi-unit House

35.010-L Mixed-Use Building, Vertical

A vertical mixed-use building is a principal building occupied by one or more commercial uses on the ground floor and one or more residential uses dwelling units on upper floors.

Figure 35-8: Vertical Mixed-use Building

35.010-M Mixed-Use Building

A mixed-use building is a principal building occupied by one or more commercial uses and one or more residential dwelling units.

35.010-MN Commercial Building

A commercial building is a principal building occupied primarily by commercial non-residential uses.

35.010-NO Civic/Institutional Building

35.010-OP Civic/Institutional Building

Section 35.040 Public, Civic and Institutional Use Category

35.040-G Governmental and Social Services

Local, state or federal government services or similar functions, and non-profit or charitable services or similar functions, that are not otherwise classified. Typical uses include health department, courthouse, soup kitchens and food pantries.

Section 35.050 Commercial Use Category

35.050-B Assembly and Entertainment

Uses that provide gathering places for participant or spectator recreation, entertainment or other assembly activities. Assembly and entertainment uses may provide incidental food or beverage service. Typical uses include gun clubs, shooting ranges, health clubs, gymnasiums, riding stables and academies, banquet halls, entertainment centers, event centers, billiard centers, bowling centers, cinemas, go-cart tracks, laser tag, paintball, miniature golf courses, stadiums, arenas, video arcades, race tracks, fairgrounds, rodeo grounds, water parks, amusement parks, food truck courts, and live theaters. Outdoor seating and dining areas that exceed 50% of the indoor floor area of the subject principal use (e.g., bar, restaurant or indoor assembly and entertainment use) are regulated as an outdoor assembly and entertainment use.

35.050-K Restaurants and Bars

2. Restaurant

An establishment that serves food or beverages for on- or off-premise consumption as its principal business. The preparation and processing of food or beverages to be served or sold on-site directly to consumers is permitted as an accessory use to a restaurant, including on-site coffee roasting with a maximum roasting capacity of 3-kilos 15 kilograms per batch. Typical examples of restaurant uses include principal use restaurants, cafés, cafeterias, ice cream/yogurt shops, donut shops and coffee shops. Maximum roasting capacity for restaurant uses in any office district shall not exceed 3 kilograms per batch.

Section 35.70 Industrial Use Category

35.070-A Low-Impact Manufacturing and Industry

Manufacturing and industrial uses that do not, as part of their normal operations, generate noticeable off-site impacts in terms of noise, smoke, particulate matter, odors, or vibration. Typical examples of low-impact manufacturing and industrial uses include: commercial laundries and linen supply services, apparel manufacturing, bakery products manufacturing, bottling plants, ice manufacturing, mattress manufacturing and assembly, microbreweries, micro distilleries, coffee roasting with a maximum roasting capacity of 35 kilograms per batch, musical instrument and parts manufacturing, newspaper printing and binderies.

35.070-B Moderate-Impact Manufacturing and Industry

Manufacturing and industrial uses that, as part of their normal operations, generate noticeable off-site impacts in terms of noise, smoke, particulate matter, odors, or vibration. Typical examples of moderate-impact manufacturing and industrial uses include: large breweries, distilleries and alcohol manufacturing (other than micro distilleries) coffee roasting with a roasting capacity of more than 3-kilos 35 kilograms per batch, dairy products manufacturing, foundries, chrome plating, crematoriums and animal rendering plants, electroplating, fiberglass manufacturing, flour mills and paper products manufacturing.

Section 35.090 Agricultural Use Category

35.090-C Farm, Market or Community-Supported

An area managed and maintained by an individual, group or business entity to grow and harvest food crops or non-food crops (e.g., flowers) for sale or distribution. Market Farms may be principal or accessory uses and may be located on a roof or within a building.

35.090-D Greenhouse

A building used for propagation and growth of trees or plants for wholesale or retail sales and distribution. Does not include on-site retail sales unless such sales are otherwise allowed in the subject zoning district.

35.090-ED Horticulture Nursery

A primarily outdoor use involving propagation and growth of trees or plants in containers or in the ground for wholesale or retail sales and distribution. Does not include on-site retail sales unless such sales are otherwise allowed in the subject zoning district.

Reason for changes:

- 31) 35.010-F- *The change was made to correct a typo.*
- 32) 35.010-L, Figure 35-8- *Added "Vertical" to differentiate between vertical and horizontal mixed-use building. Currently only vertical mixed-use is allowed (under the term "mixed-use").*
- 33) 35.010-M- *This changes the definition of mixed-use to include a horizontal orientation. For example, retail and residential could both locate on the same floor.*
- 34) 35.010-N- *This change clarifies uses allowed in a commercial building.*
- 35) 35.010-N, 35.010-O, 35.010-P- *Renumbering was required due to addition of item 35.010-M*
- 36) 35.040-G- *Clarifies that the category includes services provided by private funding/organizations.*
- 37) 35.050-B- *This change adds food truck courts into the Assembly and Entertainment use subcategory for clarity.*
- 38) 35.050-K.2- *The change establishes revised thresholds for coffee roasting capacity within a restaurant use.*
- 39) 35.070-A- *This would allow coffee roasting, with a maximum capacity of 35 kilograms per batch, as a Low-Impact Manufacturing and Industry use.*
- 40) 35.070-B- *This would allow coffee roasting, exceeding 35 kilograms per batch, as a Moderate-Impact Manufacturing and Industry use.*
- 41) 35.090-C, 35.090-D, 35.090-E- *These changes are to clarify Agricultural uses and to acknowledge that Greenhouse is a building type that would be included within certain use subcategories.*

Chapter 40| Supplemental Use and Building Regulations

Section 40.210 Manufactured Housing Units

~~40.210-A~~ The application for a special exception must be accompanied by a written signed agreement by the applicant and the property owner to remove the manufactured housing unit within one year of the date of special exception approval.

~~40.210-B~~ The manufactured housing unit must be removed from the lot within one year of the date of special exception approval. The board of adjustment is authorized to extend the one-year limit through approval of a subsequent special exception if the (special exception) extension request is filed before expiration of the one-year time limit.

~~40.210-C~~ No more than one manufactured housing unit may be located on a lot.

~~40.210-D~~ Manufactured housing units are required to comply with the same lot and building regulations that apply to detached houses in the subject zoning district.

~~40.210-E~~ When a manufactured housing unit is located on a lot abutting an RE, RS or RD-zoned lot, a screening wall or fence must be provided along the common lot line in accordance with the F1 screening fence or wall standards of §65.060-C2.

~~**Figure 40-8: Screening of Manufactured Housing Unit Abutting RE, RS or RD District~~

Section 40.360 Self-Service Storage Facilities

40.360-A General

3. All lots to be occupied by self-service storage facilities must have frontage on an arterial street. A single dwelling unit may be integrated into the self storage facility.
4. No activities other than rental storage units and pick-up and deposit of stored materials are allowed on the premises within the storage units.

Section 40.400 Vehicle Sales and Services

~~40.400-A~~ Whenever a vehicle sales and service use is located on a lot abutting an R-zoned lot, a screening wall or fence must be provided along the common lot line in accordance with the F1 screening fence or wall standards of §65.060-C2.

~~40.400-B~~ Whenever commercial or personal vehicle sales or rentals are within 300 feet of an R-zoned lot, off-street parking and vehicle display areas must comply with the parking area design standards of Section 55.090.

Reason for changes:

- 42) 40.210-A-The zoning code currently requires that a manufactured home be removed within one year of the special exception approval; however, requiring the homeowner/applicant to submit a letter agreeing that the manufactured home will be removed is not necessary.
- 43) 40.210-B, 40.210-C- A renumbering is necessary due to deleted items.
- 44) 40.210-E, Figure 40-8- This requirement is removed because screening is not necessary between a manufactured housing unit and other residential uses.
- 45) 40.360-A.3, 40.360-A.4-The arterial street frontage requirement for mini-storage facilities is not necessary. These facilities generally have a low-impact and can be appropriately located on non-arterial streets. This change also allows for a single dwelling unit (caretakers unit), which is typical for mini-storage facilities and clarifies the allowed uses within the storage unit.
- 46) 40.400-A, 40.400-B- On lots containing vehicle sales, the change provides design and dimensional standards for parking and vehicle display areas within 300 feet of an R-zoned lot. This change addresses neighborhood issues which are frequently encountered by the Board of Adjustment.

Chapter 45| Accessory Uses and Structures

Section 45.080 Fences and Walls

- 45.080-A Fences and walls within required building setbacks may not exceed 8 feet in height, except that in required street setbacks fences and walls may not exceed 4 feet in height. However, in R zoned districts, fences up to 8 feet in height are permitted in side street setbacks of detached houses or duplexes located on corner lots and in street setbacks abutting the rear lot line of houses or duplexes located on double frontage lots. The board of adjustment is authorized to modify these fence and wall regulations in accordance with the special exception procedures of Section 70.120.

Section 45.030 Accessory Buildings and Carports in RE and RS-R Districts

- 45.030-A RE and RS-1 Districts Accessory Building Size

1. RE and RS-1 Districts

In RE and RS-1 districts, the total aggregate floor area of all detached accessory buildings and accessory buildings not erected as an integral part of the principal residential building may not exceed 750 square feet or 40% of the floor area of the principal residential structure, whichever is greater. [1]

2. RS-2, RS-3, RS-4, and RS-5 and RM Districts

In RS-2, RS-3, RS-4, and RS-5 or RM districts, zoned lots used for detached houses or duplexes, the total aggregate floor area of all detached accessory buildings and accessory buildings not erected as an integral part of the principal residential building may not exceed 500 square feet or 40% of the floor area of the principal residential structure, whichever is greater. [1]

[1] For detached accessory buildings located within rear setbacks see §90.090-C2

45.030-B RS-2, RS-3, RS-4 and RS-5 Districts Carports

Carports are allowed in R zoning districts. Any carport that occupies all or a portion of the street setback or street yard area must be approved in accordance with the special exception procedures of Section 70.120 and comply with the regulations of Section 90.090-C1.

Section 45.100 Home Occupations

45.100-G Where Allowed

2. Type 2 Home Occupations

a. Type 2 home occupations may be approved as an accessory use to a principal use in the household living use category only through the special exception procedures of Section 70.120. Type 2 home occupations are subject to the general regulations of §45.100-H and the supplemental regulations of §45.100-J.

b. Type 2 home occupations may be approved as an accessory use to a principal use in the household living use category through mandatory development plan provisions defined in Section 70.040-B.1. Type 2 home occupations are subject to the general regulations of §45.100-H and the supplemental regulations of §45.100-J or as may be further regulated in a mandatory development plan.

45.100-H General Regulations

4. External structural alterations or site improvements that change the residential character of the lot upon which a home occupation is located are prohibited. Examples of such prohibited alterations include construction of parking lots, the addition of commercial-like exterior lighting, the addition of a separate building entrance that is visible from abutting streets or the exterior display of an illuminated nameplate sign. (See Section 60.030-C Nameplates)

45.100-J Supplemental Regulations for Type 2 Home Occupations

1. Only uses approved in accordance with the special exception procedures of Section 70.120 or through a mandatory development plan are allowed as type 2 home occupations.

Reason for changes:

- 47) 45.080-A- *This change is consistent with the previous zoning code.*
- 48) 45.030-A.1, 45.030-A.2, 45.030-A[1]- *This change adds a reference to Chapter 90 and allows accessory buildings on RM-zoned lots.*
- 49) 45.030-B- *This change adds carports as an accessory use and references Chapters 70 and 90.*
- 50) 45.100-G.2.a, 45.100-G.2.b, 45.100-J.1- *This change adds language that allows Type 2 home occupations to be approved through the development plan process.*
- 51) 45.100-H.4- *This change adds a reference to nameplate regulations.*

Chapter 50| Temporary Uses

Section 50.050 Exemptions

50.050-B

1. Temporary dumpsters are allowed on lots with ongoing construction, subject to compliance with all the following regulations:
 - a. Temporary dumpsters related to ongoing construction are permitted for a period in which construction is ongoing and all required permits remain valid.
 - b. Temporary dumpsters may not exceed 22 feet in length, 8 feet in width, and 8.5 feet in height.
 - c. Temporary dumpsters must comply with all structure setback requirements of the subject zoning district.
 - d. Temporary dumpsters are prohibited within storm water basins, or any other location that may cause hazardous conditions, constitute a threat to public

safety, or create a condition detrimental to surrounding land uses and development.

e. In single-family residential zoning districts and development areas, no more than 1 temporary dumpster may be located on any lot.

2. Temporary dumpsters are allowed on lots for a period of 60 days following a natural disaster (act of God) occurring in the immediate area of the lot, to be used for the disposal of debris resulting from the natural disaster (act of God). The development administrator is authorized to grant extensions of the 60-day time limit.

Reason for changes:

52) 50.050-B.1, 50.050-B.2- This provides a clear-cut means of regulating temporary dumpsters in residential areas.

Chapter 55| Parking

Section 55.020 Minimum Parking Ratios

Table 55-1: Minimum Motor Vehicle Parking Ratios

USE CATEGORY	Measurement (spaces per)	CBD District	CH District and MX District	All Other Districts and PI Overlay [1]	Additional requirements/notes
Subcategory					
Specific use					
[1] See and Section 20.040 for information on PI Overlay					
RESIDENTIAL					
Household Living					
Detached house	dwelling unit	0.00	1.00	2.00	
Townhouse	dwelling unit	0.00	1.00	2.00	
Duplex	dwelling unit	0.00	1.00	2.00	
Manufactured housing unit	dwelling unit	0.00	1.00	2.00	
Mobile home	dwelling unit	0.00	1.00	2.00	
Multi-unit house	0-1 bedroom dwelling unit	0.00	1.10	1.25	
Multi-unit house	2+ bedroom dwelling unit	0.00	1.50	2.00	
Apartment/condo	0-1 bedroom dwelling unit	0.00	1.10	1.25	
Apartment/condo	2+ bedroom dwelling unit	0.00	1.75	2.00	
Group Living					
Assisted living facility	dwelling unit	0.00	0.33	0.45	
Community group home	established as part of special exception-1000 sq. ft	0.00	0.65	0.85	
Convent/monastery/	1,000 sq. ft.	0.00	0.65	0.85	

USE CATEGORY	Measurement (spaces per)	CBD Distr ict	CH District and MX District	All Other Districts and PI Overlay [1]	Additional requirements/n otes
Subcategory					
Specific use					
[1] See and Section 20.040 for information on PI Overlay					
novitiate					
Elderly/retirement center	dwelling unit	0.00	0.50	0.65	
Fraternity/Sorority Homeless Center	bed	0.00	0.33	0.45	
	established as part of special exception				
Life care retirement center	dwelling unit	0.00	0.50*	0.65*	*plus 0.20 per nursing center bed
Re-entry facility	established as part of special exception 1000 sq. ft.	00.0	0.65	0.85	
Residential treatment center	1,000 sq. ft.	0.00	0.65	0.85	
Rooming/boarding house	bed	0.00	0.33	0.45	
Shelter, emergency and protective	1,000 sq. ft.	0.00	0.65	0.85	
Transitional living center	1,000 sq. ft.	0.00	0.65	0.85	
PUBLIC, CIVIC & INSTITUTIONAL					
Airport		0.00	established as part of special exception/development plan		
Cemetery		0.00	established as part of special exception		
College or University	1,000 sq. ft. (classroom)	0.00	1.10	1.40	
Community Center	1,000 sq. ft.	0.00	1.30	1.70	
Day Care	1,000 sq. ft.	0.00	1.30	1.70	
Detention and Correctional Facility		0.00	established as part of special exception		
Fraternal Organization	1,000 sq. ft. (assembly room)	0.00	16.25*	21.25*	*or 3.33 per 1,000 sq. ft. of floor area, whichever is greater
Governmental Service		0.00	established as part of special exception		
Hospital	bed	0.00	0.65*	0.85*	*plus 3.00 per 1,000 sq. ft. emergency/out patient care area
Library or Cultural Exhibit					
Library	1,000 sq. ft.	0.00	1.30	1.70	
Museum/cultural exhibit	1,000 sq. ft.	0.00	0.80	1.10	
Natural Resource Preservation		0.00	0.00	0.00	
Parks and Recreation	seat (stadium)	0.00	0.15*	0.20*	*plus 2 per 1,000 sq. ft. in community center or recreation

USE CATEGORY	Measurement (spaces per)	CBD Distr ict	CH District and MX District	All Other Districts and PI Overlay [1]	Additional requirements/n otes
Subcategory					
Specific use					
[1] See and Section 20.040 for information on PI Overlay					
					building plus 3.33 per 1,000 sq. ft. in swimming pool area
Golf course	hole	0.00	3.25*	4.25*	*plus 2.50 per 1,000 sq. ft. in club house
Tennis court	court	0.00	1.30*	1.70*	*plus 2.50 per 1,000 sq. ft. in club house
Postal Services		0.00	established as part of special exception		
Religious Assembly	1,000 sq. ft. (sanctuary)	0.00	18.5*	24.25*	*or 1 per 3 seats, whichever is greater
Safety Service					
Police station	1,000 sq. ft.	0.00	3.00	4.00	
Fire station/ambulance service	emergency vehicle bay	0.00	3.00	4.00	
School					
Elementary or Middle	1,000 sq. ft.	0.00	0.65	0.85	
Senior High	1,000 sq. ft.	0.00	0.85*	1.10*	*plus 0.20 per stadium/auditor ium seat
Utilities and Public Service Facility					
Minor		0.00	0.00	0.00	
Major		0.00	established as part of special exception		
Wireless Communication Facility					
Freestanding tower		0.00	0.00	0.00	
Building or tower- mounted antenna		0.00	0.00	0.00	
COMMERCIAL					
Animal service					
Boarding or shelter	1,000 sq. ft.	0.00	1.00	1.00	
Grooming	1,000 sq. ft.	0.00	2.80*	3.75	*None for first 5,000 sq. ft.
Veterinary	1,000 sq. ft.	0.00	2.80*	3.75	*None for first 5,000 sq. ft.
Assembly and Entertainment					
Cinema, Theater, Auditorium, Stadium, Gymnasium	seat	0.00	0.15	0.20	
Driving range	tee	0.00	0.65	0.85	
Gun Club (indoor or		0.00	established as part of special exception		

USE CATEGORY	Measurement (spaces per)	CBD Distr ict	CH District and MX District	All Other Districts and PI Overlay [1]	Additional requirements/n otes
Subcategory					
Specific use					
[1] See and Section 20.040 for information on PI Overlay					
outdoor)					
Health club	1,000 sq. ft.	0.00	4.25	5.50	
Video arcade, bingo, billiards	1,000 sq. ft.	0.00	6.50	8.50	
Other assembly and entertainment (indoor)	1,000 sq. ft.	0.00	2.80	3.75	
Other assembly and entertain. (outdoor)	1,000 sq. ft.	0.00	0.80	1.10	
Broadcast or Recording Studio	1,000 sq. ft.	0.00	2.15	2.85	
Commercial Service					
Building service	1,000 sq. ft.	0.00	1.60	2.15	
Business support service	1,000 sq. ft.	0.00	1.60*	2.15	*None for first 5,000 sq. ft.
Consumer maintenance/repair service	1,000 sq. ft.	0.00	2.80*	3.75	*None for first 5,000 sq. ft.
Personal improvement service	1,000 sq. ft.	0.00	2.80*	3.75	*None for first 5,000 sq. ft.
Tanning salon	1,000 sq. ft.	0.00	4.25	5.65	
Research service	1,000 sq. ft.	0.00	0.80	1.00	
Financial Services (except as below)	1,000 sq. ft.	0.00	2.50	3.00*	*2.50 per 1,000 sq. ft. above 30,000 sq. ft.
Personal credit establishment	1,000 sq. ft.	0.00	2.80	3.75	
Funeral or Mortuary Service	1,000 sq. ft. (assembly room)	0.00	16.25*	21.25*	*plus 3.30 spaces per 1,000 sq. ft. in non-assembly area
Lodging					
Bed & breakfast	guest room	0.00	0.65*	0.85*	*plus spaces required for assembly space
Campgrounds and RV parks	camping space	0.00	0.65	0.85*	
Hotel/motel	guest room	0.00	0.65*	0.85*	*plus spaces required for restaurants/bar s and assembly/meeti ng space
Rural retreat	guest room	0.00	0.65*	0.85*	*plus spaces required for restaurants/bar s and assembly/meeti ng space
Marina		0.00	established as part of special exception		
Office					

USE CATEGORY	Measurement (spaces per)	CBD Distr ict	CH District and MX District	All Other Districts and PI Overlay [1]	Additional requirements/n otes
Subcategory					
Specific use					
[1] See and Section 20.040 for information on PI Overlay					
Business or professional office	1,000 sq. ft.	0.00	2.20*	2.80**	*None for first 5,000 sq. ft. **2.50 per 1,000 sq. ft. above 30,000 sq. ft.
Medical, dental or health practitioner office	1,000 sq. ft.	0.00	2.60	3.40	
Plasma center	1,000 sq. ft.	0.00	2.60	3.40	
Parking, Non-accessory		0.00	0.00	0.00	
Restaurants and Bars					
Restaurant	1,000 sq. ft.	0.00	6.50*	8.50	*None for first 5,000 sq. ft.
Restaurant, carry-out only	1,000 sq. ft.	0.00	2.50	2.50	
Bar	1,000 sq. ft.	0.00	8.50*	11.25	*None for first 5,000 sq. ft.
Retail Sales					
Antique dealer or furniture store	1,000 sq. ft.	0.00	1.65	2.20	
Building supplies and equipment	1,000 sq. ft.	0.00	1.65	2.20	
Consumer shopping goods	1,000 sq. ft.	0.00	2.50*	3.33	*None for first 5,000 sq. ft.
Convenience goods	1,000 sq. ft.	0.00	2.50*	3.33	*None for first 5,000 sq. ft.
Convenience goods: Lawn, garden and building materials	1,000 sq. ft. (Outdoor display and storage area)	0.00	1.10	1.40	
Convenience goods: Other materials	1,000 sq. ft. (Outdoor display and storage area)	0.00	2.50*	3.33	*None for first 5,000 sq. ft.
Self-service Storage Facility	1,000 sq. ft.	0.00	0.10	0.20	
Sexually Oriented Business Establishment (except as below)	1,000 sq. ft.	0.00	2.85	3.75	
Adult amusement or entertainment	1,000 sq. ft.	0.00	8.75	11.50	
Adult motel	room	0.00	0.65	0.85	
Adult theater	seat	0.00	0.19*	0.20*	*plus 1 per booth
Studio, Artist or Instructional Service	1,000 sq. ft.	0.00	2.80*	3.75	*None for first 5,000 sq. ft.
Trade School	1,000 sq. ft.	0.00	16.25*	21.25*	*or 0.33 per seat, whichever is greater
Vehicle Sales and Service					
Car wash	See the vehicle stacking space requirements of <u>Section 55.100</u>				

USE CATEGORY	Measurement (spaces per)	CBD Distr ict	CH District and MX District	All Other Districts and PI Overlay [1]	Additional requirements/n otes
Subcategory					
Specific use					
[1] See and Section 20.040 for information on PI Overlay					
Fueling station	1,000 sq. ft.	0.00	1.50	1.80	
Vehicle parts and supply sales	1,000 sq. ft.	0.00	3.33	4.00	
Vehicle repair and maintenance (all types of vehicles/repairs)	1,000 sq. ft.	0.00	1.50*	1.80*	*minimum 5 spaces
Vehicle rentals	1,000 sq. ft.	0.00	1.25	1.50	
Vehicle sales (all types)	1,000 sq. ft.	0.00	1.25*	1.50*	*plus 0.67 per 1,000 sq. ft. of open air display or storage area up to 4,500 sq. ft. plus 0.20 per each add'l 1,000 sq. ft. of open display or storage area
WHOLESALE, DISTRIBUTION & STORAGE					
All Wholesale, Distribution and Storage Subcategories	1,000 sq. ft.	0.00	0.15	0.18	
INDUSTRIAL					
Low-impact, Moderate-impact and High-impact Manufacturing & Industry	1,000 sq. ft.	0.00	0.85	1.00	
Mining/Extraction	1,000 sq. ft.	0.00	0.65	0.85	
Junk or Salvage Yard	1,000 sq. ft.	0.00	0.65	0.85	
RECYCLING					
Construction or Demolition Debris	1,000 sq. ft.	0.00	1.00	1.00	
Consumer Material Drop-off Station	1,000 sq. ft.	0.00	1.00*	1.00*	*minimum 2 spaces
Consumer Material Processing	1,000 sq. ft.	0.00	1.00	1.00	
AGRICULTURAL					
Animal Husbandry		0.00	0.00	0.00	
Community Garden		0.00	0.00	0.00	
Farm, Market- or Community- supported		0.00	0.00	0.00	
Greenhouse	1,000 sq. ft.	0.00	0.20	0.20	-
Horticulture Nursery	1,000 sq. ft.	0.00	0.20	0.20	
OTHER					
Drive-in or Drive- through Facility	See the vehicle stacking space requirements of Section 55.100				

Section 55.090 Parking Area Design

55.090-D Parking Area Layout (Geometrics)

Parking areas must be designed and marked in accordance with the dimensional standards of Table 55-5, which shows minimum dimensions for various parking layouts (angles). Requirements for layouts or angles not shown in Table 55-5, may be interpolated from the layouts shown, as approved by the development administrator. Parking areas serving the following building types are exempt from the marking requirement of this section: Detached house, Patio house, Townhouse, Duplex, Manufactured housing unit, and Mobile home.

55.090-E Tandem Parking

Tandem parking spaces may be used to satisfy parking requirements for household living uses when the spaces are assigned to the same dwelling unit. In all other cases required parking spaces must be designed to allow each parking space to be accessed without passing through another parking space. Tandem parking arrangements must have a minimum stall width of 8.5 feet and a minimum length of 36 feet.

Section 55.130 Pedestrian Circulation

55.130-B Required Connections

The pedestrian circulation system must provide safe, direct and convenient pedestrian access connecting main entrances of buildings and uses with all other such entrances and with available access points including parking, streets, sidewalks and transit stops. In the case of building or site additions, these requirements apply only to the new or expanded areas.

Reason for changes:

- 53) Table 55-1 (Table Note 1), 55.130-B- This change was made to correct typo.
- 54) Table 55-1 (Community Group Home, Re-entry Facility) – The measurement variable was removed and minimum parking ratios were added to reflect that there are certain districts where a special exception is not required to allow a Community Group Home and Re-Entry Facility.
- 55) Table 55-1 (Airport, Cemetery, Detention and Correctional Facility, Governmental Service, Postal Services, Major Utilities and Public Service Facility, Gun Club, Marina)- The change clarifies that there is no minimum parking ratio in the CBD for the stated uses.
- 56) Table 55-1 (Greenhouse)- This was deleted to be consistent with the removal of Greenhouse as an agricultural use subcategory, 35.090-D.
- 57) 55.090-D- This change adds language that requires marked parking spaces for all pavement types. Current text requires marked spaces only on pervious pavement systems.
- 58) 55.090-E- This change clarifies that, except for household living uses, tandem parking is not permitted, whether for required parking or otherwise. This change addresses inaccessible, overcrowded car lot issues which are frequently encountered by the Board of Adjustment.
- 59) 55.130-B- This change was made to correct a typo.

Chapter 60| Signs

Section 60.020 Prohibited Signs and Sign Characteristics

60.020-E Signs located in or that project into the right-of-way or planned right-of-way of a public street, unless a license has been granted by the city and a special exception has been approved by the board of adjustment in accordance with the procedures of Section 70.120 and a license has been granted by the city in the case of the right-of-way or a removal agreement has been entered into in the case of the planned right-of-way. See

also Title 11 § 1400- § 1403, Tulsa Revised Ordinances, which grants a license for certain signs located in the "Central Business District" as therein defined.

Section 60.030 Sign Exceptions

60.030-E Temporary Signs

3. Banners

- a. One Banners attached to the wall of a building are is allowed as a sign exceptions for allowed nonresidential uses, provided that such banner does not exceed 32 square feet in area.

60.030-F Other Sign Exceptions

The following additional signs are also allowed as sign exceptions:

1. Signs of warning, directive, or instructional nature erected by or on behalf of a governmental agency erected and maintained pursuant to the discharge of governmental functions, or that are required by law, ordinance, or government regulation, or that are required to be posted in order to effectuate a legal right.
2. Flags, emblems or insignia of any nation or political subdivision, that do not contain a commercial message.
3. Commemorative wWall plaques and memorial wall signs that are not illuminated and that do not exceed 4 square feet in area;

Section 60.040 Sign Regulations of General Applicability

60.040-E Off-Premise Business Signs

Off-premise business signs may be approved for multi-tenant developments only when such developments are included in a mandatory development plan (See Section 70.040). The authority to approve off-premise business signs is intended to be used only when the location of the identified business or activity precludes placement of a sign that is visible to motorists and pedestrians along the highest (traffic) volume street that provides access to the subject development and when the result of the approval will be in keeping with the stated purposes of this chapter (§60.010-A). The intent of this off-premise business sign authorization is to provide flexibility in overcoming the locational and visibility challenges of lots within a mandatory development plan area, not to allow an overall increase in the amount of signage allowed or encourage a proliferation of signs within the area covered by the mandatory development plan. Any waiver, modification, or variance to these off-premise business sign regulations is considered a use variance and is thereby prohibited in accordance with §70.130-B1.

Section 60.050 Signs in R and AG Zoning Districts

60.050-B Signs Allowed

2. Nonresidential Uses

a. Wall Signs

Nonresidential uses in R and AG districts are allowed a maximum of one wall sign per public building entrance. ~~Such signs may not~~ No individual wall sign may exceed 32 square feet in area and in buildings with multiple public building entrances, the sign area of all wall signs may not exceed 32 square feet in the aggregate.

60.080-F Off-premise Outdoor Advertising Signs

3. Maximum Height

Off-premise outdoor advertising signs may not exceed 50 feet in height, except when the adjacent freeway is elevated 10 feet or more above grade in the location where the sign is to be located, in which case the off-premise outdoor advertising sign may not exceed 50 feet in height or be a maximum of 20 feet in height above the centerline of the travel lanes of the freeway, whichever is greater.

11. Dynamic Displays

- c. The conversion of an off-premise outdoor advertising sign into an off-premise outdoor advertising sign with a dynamic display ~~is considered a change of use requiring~~ requires a permit as if it ~~was~~ were an entirely new sign.

Reason for changes:

- 60) 60.020-E- *Where a sign is proposed for the planned, rather than the actual, right-of-way a removal agreement, rather than a license is required. This section also refers to special provisions for signs in the CBD.*
- 61) 60.030-E.3.a- *This change adds language to limit sign exception to one banner.*
- 62) 60.030-F.1, 60.030-F.2, 60.030-F.3- *This modifies regulations relating to sign exceptions (government signs, flags, wall plaques).*
- 63) 60.040-E- *The additional information provides clarification that variance of off-premise business signs would be a use variance.*
- 64) 60.050-B.2.a- *The language was changed regulates placement of permitted wall signs in R and AG districts for buildings with multiple public entrances.*
- 65) 60.080-F.3- *This change clarifies that where the adjacent freeway is 10 feet or more above grade the maximum height of the permitted sign is the greater of 50 feet or 20 feet above the travel lanes.*
- 66) 60.080-F.11.c- *This change clarifies the intent to require a new permit if an off-premise outdoor advertising sign is converted to a dynamic display.*

Chapter 65| Landscaping, Screening and Lighting

Section 65.020 Applicability

65.020-A Landscaping and Screening

1. The landscaping and screening regulations of this chapter apply as set forth in the individual sections of this chapter. The following are expressly exempt from the landscaping and screening regulations of this chapter:

Section 65.030 Street Yard Landscaping

65.030-B Requirements

1. At least 20% of the required street setback area must be established and maintained as landscaped area. At least one tree must be preserved or planted and maintained or replaced in required street ~~yard~~ **setback** landscape areas for each 1,200 square feet of area, or fraction thereof.

Section 65.060 Screening

65.060-B Features Required to be Screened

3. Mechanical Equipment

a. Ground-mounted Equipment

Mechanical equipment located at ground level, such as heating or cooling equipment, pumps, or generators must be screened from view of the street and any abutting R-~~districts~~ **zoned lots** by walls, fences or vegetation. Screening must be at least as tall as the tallest part of the equipment required to be screened.

b. Roof-mounted Equipment

Mechanical equipment placed on roofs must be screened in one of the following ways, if the equipment is within 50 feet of an R ~~zoning-district~~ **zoned lot**:

- (1) A parapet along facades facing the R ~~district~~ **zoned lot** that is at least as tall as the tallest part of the equipment;
- (2) A screening fence or wall around the equipment that is at least as tall as the tallest part of the equipment required to be screened; or
- (3) An equipment setback from roof edges facing the R ~~district~~ **zoned lot** by at least 3 feet for each one foot of equipment height.

65.060-C Type of Screens

7. Screening Required along Common Lot Line

When the erection of a screening wall or fence is required by this zoning code to be located along a common lot line of two abutting lots, and the lots are separated only by a nonarterial street, alley or railroad right-of-way, the screening wall or fence must be constructed within the lot containing the use or feature required to be screened, along the lot line abutting the nonarterial street, alley or railroad right-of-way, excepting at points of access.

Section 65.090 Outdoor Lighting

65.090-C Lighting Plans

1. General

When outdoor lighting is proposed, Outdoor lighting plans demonstrating compliance with the standards of this section are required with the submittal of a site plan. If no outdoor lighting is proposed, a note must be placed on the face of the site plan indicating that no outdoor lighting will be provided. Applicants have 2 options for the format of the required lighting plan:

Reason for changes:

67) 65.020-A.1- *The change removes language that allows exemption from screening regulations.*

68) 65.030-B.1- *The language was removed to make the first and second sentences consistent with one another. The revision is consistent with the definition of a street setback. The yard is the area between the building and the lot line. The setback is the area between the setback line and the lot line.*

69) 65.060-B.3.a, 65.060-B.3.b- *The changes specify that screening of mechanical equipment should be from abutting R zoned lot rather than from abutting R zoned district.*

70) 65.060-C.7- *This paragraph was added to establish the location of the required screening in instances where there is no common lot line. The term "abutting" as defined in the code includes, for purposes of screening or enclosure requirements, properties that are separated only by a non-arterial street, alley or railroad right of way. Various code provisions (for example 40.260-D) provide that screening must be provided along the "common lot line" of the lot containing the use to be screened and the abutting lot.*

71) 65.090-C.1- *The language was changed because there is no need for statement on the plan if no lighting is proposed.*

Chapter 70| Review and Approval Procedures

Section 70.030 Zoning Map Amendments (Rezoning)

70.030-G Protest Petitions

2. A protest petition will be deemed valid if it is signed and acknowledged by the owners of 20% or more of the area of the lots included in the proposed zoning map amendment area or by the owners of 50% or more of the area of the lots within 300 feet of the area included in the proposed zoning map amendment area and if it meets the other regulations of this Section 70.030-G.

4. The protest petition must identify the zoning case number for which the protest is filed and must state that it is a formal protest of the proposed zoning map amendment.
5. Persons signing the protest petition must be at least eighteen (18) years of age and must hold record title to their properties, as shown in the land records of the Tulsa County Clerk. If a lot is owned jointly by more than one owner, all owners must sign the protest petition. If a lot is owned by a trust, the trustee must sign, noting that he or she signs "as trustee". If there is more than one trustee, and no single trustee is authorized to sign, then all the trustees must sign. If a lot is owned by a corporation, the president or a vice-president or the chair or vice chair of the board of directors, must sign. If a lot is owned by a limited liability company, a manager must sign. If a lot is owned by any other legal entity, the person signing the protest petition must be someone authorized by that entity to convey title to land.
6. Persons signing the protest petition must indicate the street address of the lot owned. If no street address is assigned, a legal description (lot and block of a subdivision, metes and bounds description of unplatted tracts) or a map may be provided.
7. If a protest petition contains multiple signature pages, each page must contain the same protest language. Signatures must be the normal cursive signature of the person signing and should be accompanied by the legibly printed or typed name of the person signing. The name of the person signing must be the same as the name of that person as shown in the land records of the Tulsa County Clerk.
8. A protest petition may not be amended, supplemented or corrected subsequent to the deadline for filing the petition.

Section 70.040 Development Plans

70.040-B Applicability

1. **Mandatory**

Development plans are required (mandatory) for Corridor (CO) district zoning map amendments and Master Planned Development (MPD) zoning map amendments. They are also required for major amendments to existing Planned Unit Developments (PUDs). In acting on mandatory development plans, the planning commission is authorized to recommend and the city council is authorized to approve use and development limitations that comply with, are more restrictive than or, as may be permitted by the respective CO, MPD, or PUD provisions of this

code, are less restrictive than the base zoning district regulations and otherwise applicable standards of this zoning code.

70.040-E Notice of Hearing

2. Mailed Notice

Notice must be mailed to the owner of the subject property and all owners of property within 300 feet of the subject property at least 20 days before the scheduled public hearing. Notice for zoning map amendment constitutes notice for optional development plans

70.040-G Final Action—City Council

~~2. In acting on mandatory development plans, the city council is granted final decision making authority on any special exception, spacing verification, variance or other authorization that would otherwise require approval by the board of adjustment. This "concurrent" approval authority is intended to avoid redundant and conflicting reviews. Concurrent approval authority does not extend to voluntary development plans.~~

~~3.2.~~ Development plans may be approved by a simple majority vote, except that any accompanying zoning map amendment may require a super-majority vote, as stated in §70.030-G.

Section 70.100 Administrative Adjustments

70.100-F Action by Land Use Administrator

2. The land use administrator may not take final action to approve or deny an administrative adjustment application until at least 5 days after the date of delivery of the required notices required notices have been mailed.

Reason for changes:

- 72) 70.030-G.2, 70.030-G.4, 70.030-G.5, 70.030-G.6, 70.030-G.7, 70.030-G.8- This change adds language to acknowledge that Article II Section 6.3 of the Charter provides "The Council shall establish by ordinance the procedures to be followed in the filing, validation, and acceptance of a protest..." These sections establish the procedures to align with previous practices.
- 73) 70.040-B.1-This change adds language to clarify the authority to approve regulations in mandatory development plans that are less restrictive than the otherwise applicable standards of the code.
- 74) 70.040-E.2-The additional language addresses the need to accommodate the optional development plan process that often evolves after the straight zoning application has been submitted and noticed. This change is justified in that the optional development plan only further restricts the straight zoning, thereby the broader notice would cover a more specific optional development plan.
- 75) 70.040-G.2- This section is not necessary because the authority of Planning Commission and City Council over the development standards in PUD, CO and MPD is included in the PUD, CO and MPD provisions in the code.
- 76) 70.100-F.2- The change was made to allow staff to better track noticing requirements.

Chapter 75| Administration

75.010-K Appeals to District Court

1. Procedure

- a. An appeal from any action, decision, ruling, judgment, or order of the board of adjustment may be taken by any person or persons who were entitled, pursuant to any provision of this zoning code, to mailed notice of the public hearing before the board of adjustment, by any person or persons whose property interests are directly affected by such action decision, ruling, judgment or order of the board of adjustment, aggrieved, or any taxpayer or any officer, department, board or bureau of or by the city council to the District Court of Tulsa County by filing with the city clerk and with the clerk of the board of adjustment within 10 days of the date of such action, a notice of

appeal that specifies the grounds for the appeal. No bond or deposit for costs is required for such an appeal.

- b. Upon filing of the notice of appeal, the board of adjustment must transmit to the clerk of the Tulsa County District Court, the original or certified copies of all papers constituting the record in the case, together with the order, decision or ruling of the board of adjustment.
- c. The appeal is heard and tried de novo in the District Court of Tulsa County. An appeal from the action of the District Court may be taken as in all other civil actions. All issues in any proceedings under this section have preference over all other civil actions and proceedings.
- d. Costs are not allowed against the board of adjustment unless the court finds that the board of adjustment, in making its decision, acted with gross negligence, in bad faith or with malice.

2. Stay of Proceedings

An appeal to the District Court stays all proceedings in furtherance of the action appealed until the ultimate disposition of the appeal, unless the chairman of the board of adjustment certifies to the court clerk, after notice of appeal has been filed, that by reason of facts stated in the certificate, a stay would cause imminent peril of life or property. In such case, proceedings may be stayed only by a restraining order granted by the District Court.

During the pendency of such an appeal, the effectiveness of a decision of the board of adjustment shall not be suspended unless a party applies to the district court for a stay pending the district court's determination of the merits of the appeal and the district court issues the stay. Stays in appeals from the board of adjustment to the district court shall be obtained only as set forth in Title 11 Oklahoma Statutes Section 44-110

Reason for changes:

77) 75.010-K- The language was revised to incorporate state statutes as amended in 2016.

Chapter 80| Nonconformities

Section 80.030 Nonconforming Structures

80.030-D Alterations, Enlargements and Expansions

Alterations, including enlargements and expansions, are permitted if the proposed alteration or expansion complies with all applicable lot and building regulations and does not increase the extent of the nonconformity. A building with a nonconforming street setback, for example, may be expanded to the rear as long as the rear expansion complies with applicable rear setback regulations and all other applicable lot and building regulations. Horizontal and vertical extensions of an exterior wall that is nonconforming with regard to applicable setbacks may be approved in accordance with the special exception procedures of [Section 70.120](#), provided the extensions are not located closer to the lot line than the existing structure.

Section 80.060 Nonconforming Signs

80.060-B Off-Premise Outdoor Advertising Signs

2. If an off-premise outdoor advertising sign is nonconforming by reason of restrictions on its brightness or illumination or its use of dynamic displays, strobe or beacon lights, the sign must be immediately removed or made to conform.

80.060-C On-premise Signs

2. If an on-premise sign is nonconforming by reason of restrictions on its brightness or illumination or its use of dynamic displays, strobe or beacon lights, the sign must be immediately removed or made to conform.

Reason for changes:

78) 80.030-D- The added language is for clarification purposes.

79) 80.060-B.2, 80.060-C.2- The language was removed to correct inconsistency with other code provisions regarding nonconforming dynamic displays.

Chapter 90| Measurements

Section 90.090 Setbacks

90.090-C Permitted Setback Obstructions in R Zoning Districts

Table 90-1: Permitted Setback Obstructions in R Zoning Districts

Obstruction	Setback		
	Street	Side	Rear
Accessory buildings (see also §90.090-C2)	No	No	Yes
Air conditioning units	No	Yes	Yes
Arbors and trellises	Yes	Yes	Yes
Awnings, canopies, light shelves and architecturally integrated solar shading devices projecting no more than 2 feet into the setback	Yes	Yes	Yes
Barbeque pits and outdoor fireplaces	No	No	Yes
Bay windows projecting no more than 2 feet into the setback	Yes	Yes	Yes
Carports	Yes [1]	Yes [2]	Yes [2]
Chimneys and flues projecting no more than 2 feet into the setback	Yes	Yes	Yes
Clotheslines	No	Yes	Yes
Decks, patios, and other features and structures less than 30 inches in height above grade	Yes	Yes	Yes
Eaves and gutters projecting no more than 2 feet into the setback	Yes	Yes	Yes
Fences and walls (see also Section 37.010)	Yes	Yes	Yes
Fire escapes projecting no more than 4.5 feet into the setback	Yes	Yes	Yes
Flagpoles and similar features	Yes	Yes	Yes
Geothermal heat pumps and geothermal heat exchange system equipment up to 4 feet in height above grade	No	No	Yes
Green houses and hoop houses	No	No	Yes
Insulation added to the outside of the exterior wall of an existing building	Yes	Yes	Yes
Plants and cold frames	Yes	Yes	Yes
Rainwater harvesting equipment projecting no more than 4.5 feet into the setback	Yes	Yes	Yes
Recreational equipment (e.g., swing sets, playground equipment, tree houses, etc.)	No	No	Yes
Satellite dish antennas	See Section 45.180		
Signs (see also Chapter 46)	Yes	Yes	Yes
Sills, belt courses, cornices and similar architectural features projecting no more than 2 feet into the setback	Yes	Yes	Yes
Solar energy systems, building-mounted	No	Yes	Yes
Solar energy systems, ground-mounted	No	No	Yes
Swimming pools and tennis courts	No	No	Yes
Vehicle parking/storage, inoperable (see also Section 45.140)	No	No	Yes
Wheelchair lifts and ramps that meet federal, state and local accessibility standards	Yes	Yes	Yes

Table 90-1 Notes

[2] Must be setback at least 3 feet from side and rear lot lines.

2. Detached Accessory Buildings in RE, RS, RD districts or RM zoned lots used for detached houses or duplexes

- a. Detached accessory buildings may be located in rear setbacks in RE, RS and RD districts, provided that:

Figure 90-9: Maximum Height of Accessory Buildings In Rear Setbacks (RE, RS and RD Districts)

Table 90-2: Accessory Building Coverage Limits in Rear Setback

Zoning District	Maximum Coverage of Rear Setback
RS-1 and RE Districts	20%
RS-2 District	25%
RS-3, RS-4, RS-5 and RD Districts	30%
RM zoned lots used for detached	30%

12.46

Zoning District	Maximum Coverage of Rear Setback
houses or duplexes	

- b. Detached accessory buildings in the rear yard setbacks must be set back at least 3 feet from all interior lot lines. For lot lines abutting street right-of-way, detached accessory buildings must comply with the same setback requirements that apply to principal buildings.

Figure 90-10: Required Setbacks for Accessory Buildings In Rear Setbacks (RE, RS and RD Districts)

Section 90.110 Build-to-Zone

- 90.110-B** The street-facing building façade must be located in and extend along the length of the build-to-zone for a minimum distance equal to a percentage of the width of the lot, as required by specific provisions of this zoning code. The required minimum percentage is calculated by dividing the width of the building façade located within the building-to-zone by the width of the lot. For purposes of this calculation, the width of the lot is the narrowest width of the lot within the build-to-zone.

Figure 90-16: Build-to-Zone

Reason for changes:

- 80) Table 90-1 (Carports), Table 90-1 Notes [2]- The change in Table 90-1 references the newly added Table Note [2], which provides setback measurement guidelines. Both are consistent with changes made in 45.030-B.
- 81) Figure 90-9, Table 90-2, 90.090-C.2.a, Figure 90-10- These changes were made to clarify detached accessory building regulations in specified districts and zoned lots.
- 82) 90.090-C.2.b- This is a correction, otherwise a 35 ft. height building could be constructed within 3 ft. of the lot line in the rear yard between the house and the rear setback.
- 83) 90.110-B, Figure 90-16- These changes were made to correct typos.

Chapter 95| Definitions

Section 95.030 Measurement-Related Terms

See Chapter 90 for an explanation of various lot and building regulation terms, such as "lot area," "building height," "setbacks" and "build-to-zone."

Section 95.040 Terms Beginning with "A"

Abut or Abutting

To touch or share a contiguous boundary or border, except that in the context of hearing notice and screening or enclosure requirements, "abutting" includes properties that are contiguous or separated therefrom only by a non-arterial street, alley or railroad right-of-way.

Section 95.050 Terms Beginning with "B"

Build-to-Zone (or Build-to Line)

Section 95.100 Terms Beginning with "G"

Greenhouse

A temporary or permanent structure that is primarily used for the cultivation of plants.

Section 95.190 Terms Beginning with "P"

Parking Area

The vehicular driving surfaces and parking area which includes the parking spaces, the maneuvering areas necessary to enter and exit the spaces and the drives providing access to the parking spaces and maneuvering areas from a public or private street or other parking areas.

Section 95.220 Terms Beginning with "S"

Sign

Any object, device, structure or part thereof used to advertise, identify, display or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images. Signs as defined herein do not include the flag or emblem of any nation, organization of nations, state, city or any fraternal, religious or civic organizations; one corporate flag; works of art that in no way identify a product; temporary holiday decorations; or landscape features that display no words or symbols.

(Sign) Banner

A temporary sign composed of lightweight, flexible, non-rigid material that is mounted to a pole or a structure at one or more edges either vertically or horizontally. Flags of any nation or political subdivision are not considered banners.

(Sign) Flag

A generally rectangular or triangular sign or part of a sign made of fabric or other pliant material attached to a flagpole only along one side and which predominately displays distinctive colors, images, shapes or designs rather than legible words, letters, numbers or other linguistic characters.

Sign, Special Event

A sign associated with and approved in connection with a special event permit approved by the city council (see also §60.030-E6)

Reason for changes:

84) 95.030, 95.040, 95.050- These changes were made to correct typos.

85) 95.100- This was deleted to be consistent with the removal of Greenhouse as an agricultural use subcategory, 35.090-D.

86) 95.190- This change clarifies that the drive aisle is part of the parking area.

87) 95.220 (Sign, (Sign) Banner, (Sign) Flag, Sign, Special Event) - The definitions were revised to reflect content neutrality.

Sawyer, Kim

From: Wilkerson, Dwayne
Sent: Thursday, December 29, 2016 10:11 AM
To: Sawyer, Kim
Cc: Miller, Susan; Ulmer, Amy
Subject: FW: Zoning Code sign discussion

Kim,

Please insert this into the distribution packet today.

Thanks

INCOG

C. Dwayne Wilkerson
Assistant Director Land Development Services

2 West Second Street
Suite 800
Tulsa, OK 74103

918-579-9475
dwilkerson@incog.org

From: Andrew Shank [<mailto:AShank@ellerdetrich.com>]
Sent: Thursday, December 29, 2016 10:09 AM
To: Wilkerson, Dwayne
Cc: Nathalie M Schaefer
Subject: RE: Zoning Code sign discussion

Dwayne:

Thank you for the opportunity to review the current zoning code revisions. After analyzing the proposed revisions to the code and discussing the same with several companies in the outdoor advertising industry, I offer the following suggestions:

1. In Section 60.040-E, in the proposed new language at the end of that section, delete "these off-premise business sign regulations" and replace with "Section 60.040-E";
2. In Section 60.080-F, in the proposed new language, delete "50 feet" and replace with "60 feet";

In order to clarify the amendment being made to CO districts (making clear that outdoor advertising is a principal permitted use), I suggest the following revisions to the code that were not included in the packet:

1. In Section 60.080-F(1), in the first sentence add "corridor district" as a zoning district in which outdoor advertising is an allowed use.
2. In Section 60.090-C, in the first sentence, delete "mixed-use".

As we made clear in our meeting yesterday, the most pressing issues in this section of the code revisions are inclusion of outdoor advertising in CO districts **and** updating the height relief valve section in 60.080-F to provide for **60ft in height or 20ft above grade of the highway** (whichever is greater). The current reference to 50ft in the proposed language of 60.080-F is inconsistent with protection afforded by the old zoning code height relief valve in 1221.F.15 and most

importantly does not treat all of the properties in that class the same (if you are 10ft below grade – the class, some get a taller sign – those next to areas of the highway that are at least 50ft high, while others do not – those next to areas of the highway that are not at least 50ft high). By changing that reference to 60ft, everyone with property at least 10ft below grade gets relief with the 20ft reference being a creative solution for those few areas in town where the highway is truly elevated a great deal.

Best,
AAS

Andrew A. Shank

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