TULSA METROPOLITAN AREA PLANNING COMMISSION
Meeting No. 2802
September 18, 2019, 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:
Review TMAPC Receipts for the month of July 2019

CONSENT AGENDA:
All matters under "Consent" are considered by the Planning Commission to be routine and will be enacted by one motion. Any Planning Commission member may, however, remove an item by request.

1. **PUD-739-2 Stephen Hetrick** (CD 2) Location: West of the northwest corner of West 81st Street South and South Elwood Avenue requesting a **PUD Minor Amendment** to reduce required front and side yard setback

2. **Oklahoma Oncology** (CD 7) Change of Access, Location: Southwest corner of East 48th Street South and South Garnett Road

PUBLIC HEARINGS:

3. **Z-7499 David Henke** (CD 4) Location: East of the northeast corner of East 10th Street South and South Peoria Avenue rezoning from **RS-4 to CH** (withdrawn by applicant)

4. **Z-7489 Kyle Gibson** (CD 4) Location: Northwest corner of East 5th Street South and South Norfolk Avenue rezoning from **IL and RM-2 to CH** (Continued from July 17, 2019 and August 21, 2019 and September 4, 2019)
4. **Z-7489 Kyle Gibson** (CD 4) Location: Northwest corner of East 5th Street South and South Norfolk Avenue rezoning from IL and RM-2 to CH (Continued from July 17, 2019 and August 21, 2019 and September 4, 2019)

5. **Z-7492 Mohamad Soukieh** (CD 5) Location: North of the northeast corner of South Hudson Avenue and East 11th Street South requesting rezoning from CH to IM (Continued from August 7, 2019 and September 4, 2019) with optional development plan

6. **Z-7498 Malcolm Rosser** (CD 6) Location: South of the southeast corner of East 11th Street South and East Skelly Drive rezoning from CS to IL with optional development plan

7. **CZ-491 Christina Wilson** (County) Location: West of the southwest corner of West 21st Street South and South 49th West Avenue rezoning from CS to IL

8. **PUD-230-A Nathan Cross** (CD 7) Location: Northwest of the northwest corner of East 41st Street South and Highway 169 requesting a PUD Major Amendment to add School as an allowable use

9. **The Reserve at Forest Trails** (CD 8) Minor Subdivision Plat, Location: North of the northeast corner of East 111th Street South and South Sheridan Road

10. **ZCA-15** Consider amending the Tulsa Zoning Code, Title 42 Tulsa Revised Ordinances, to establish the regulations for a new agricultural-residential (AG-R) zoning district and to establish the regulations for accessory dwelling units (ADU) to be allowed by special exception. (Continued from September 4, 2019)

**OTHER BUSINESS**

11. **ZCA-16** Discuss proposed amendments to the City of Tulsa Zoning Code regarding dumpster and recyclable material bins/donation bins in advance of a public hearing.

12. **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 pagers must be turned off during the Planning Commission.

Visit our website at www.tmapc.org email address: esubmit@incoq.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.
### JULY 2019 receipt comparison

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* Advertising, Signs & Postage Expenses for City of Tulsa Applications with Fee Waivers.
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<th>Case Report Prepared by:</th>
<th>Owner and Applicant Information:</th>
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<td>Jay Hoyt</td>
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<td>Property Owner: Robert E Merrick</td>
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**Location Map:**
(shown with City Council Districts)

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<th>Zoning:</th>
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<td>Existing Zoning: RS-4/PUD-739</td>
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<td>Land Use Map: Existing Neighborhood Growth and Stability Map: Stability</td>
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<th>Staff Recommendation:</th>
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<td>Staff recommends approval.</td>
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<td>Hearing Date: September 18, 2019</td>
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<th>Applicant Proposal:</th>
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<tr>
<td>Concept summary: PUD minor amendment to reduce the required front and side yard setback</td>
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<td>Gross Land Area: 0.55 acres</td>
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<td>Location: W of NW/c of W 81st St S &amp; S Elwood Ave.</td>
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<tr>
<td>Lot 25, Block 1 The Reserve at Stonebrooke</td>
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<td>8015 Guthrie Court</td>
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<tr>
<td>Councilor Name: Jeannie Cue</td>
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<td>Commissioner Name: Karen Keith</td>
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SECTION I: PUD-739-2 Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Revise the development standards to reduce the required front yard setback from 30 ft to 29 ft and side yard setback from 7.5 ft to 6 ft in order to permit the minor encroachment of the existing structure.

Based on the survey provided by the applicant. The existing structure is located only a few inches beyond the required setback lines provided in the PUD development standards along the north and east boundaries. The purpose of this amendment is to bring the structure into conformance with the PUD standards for the subject lot.

Staff Comment: This request can be considered a Minor Amendment as outlined by Section 30.010.1.2.c(9) of the City of Tulsa Zoning Code.

"Changes in structure heights, building setbacks, yards, open spaces, building coverage and lot widths or frontages, provided the approved PUD development plan, the approved standards and the character of the development are not substantially altered."

Staff has reviewed the request and determined:

1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.

2) All remaining development standards defined in PUD-739 and subsequent amendments shall remain in effect.

Exhibits included with staff recommendation:

INCOG zoning case map
INCOG aerial photo
INCOG aerial photo (enlarged)
Applicant Survey

With considerations listed above, staff recommends approval of the minor amendment request to reduce the required front and rear setback as indicated.
Note: Graphic overlays may not precisely align with physical features on the ground. 

Aerial Photo Date: February 2018
Note: Graphic overlays may not precisely align with physical features on the ground.

Subject Tract

PUD-739-2

18-12 11

Aerial Photo Date: February 2018
SUBJECT PROPERTY LIES WITHIN FLOOD ZONE "UNSADDLED X" AN AREA OF MINIMAL FLOOD HAZARD AS SHOWN ON FIRM MAP#405361 03612, DATED 10/16/2012.

Note: Dwelling encroaches 7.5' B/L 0.7'+/- as shown.
Note: Dwelling encroaches 30' B/L 0.2'+/- as shown.

THIS PLAT IS MADE FOR AND AT THE REQUEST OF:
American Eagle Title Group, LLC / MidFirst Bank
FOR MORTGAGE LOAN PURPOSES ONLY COVERING LEGAL DESCRIPTION AS PROVIDED:
Lot Twenty-five (25), Block One (1), THE RESERVE AT STONEBROOKE, a Subdivision in the City of Tulsa, Tulsa County, Oklahoma, according to the recorded Plat thereof.

Property address: 8015 South Guthrie Court, Tulsa, Oklahoma

SURVEYOR'S STATEMENT:

COLLINS LAND SURVEYING INC., AN OKLAHOMA CORPORATION, AND THE UndERSigned REGISTERED PROFESSIONAL LAND SURVEYOR DO HEREBY STATE THAT IN OUR PROFESSIONAL OPINION, THE ABOVE INSPECTION PLAT SHOES THE DWELLING AS LOCATED ON THE PREMISES DESCRIBED, THAT IT IS NEITHER WITHIN THE ENCROACHED TRACT BOUNDARIES AND THERE ARE NO ENCROACHMENTS THEREON BY VISIBLE PERMANENT IMPROVEMENTS, EXCEPT AS (UN)SHOWN, THAT THE ABOVE INSPECTION PLAT SHOWS ALL RECORDED PLAT EASEMENTS AND OTHER SUCH EASEMENTS WHICH HAVE BEEN DISCLOSED BY A CURRENT TITLE OPINION OR BY EXAMINATION FOR TITLE INSURANCE AND COVERS THEREOF PROVIDED TO US, THAT THIS INSPECTION PLAT WAS PREPARED FOR IDENTIFICATION ONLY FOR THE MORTGAGOR AND IS NOT A ESTABLISHMENT OF FENCE, BUILDING, OR OTHER IMPROVEMENTS, THAT UNDERGROUND UTILITIES WERE NOT FIELD LOCATED AND THEREFORE ARE NOT SHOWN ON THIS INSPECTION PLAT UNLESS SPECIFICALLY REQUESTED BY THE CLIENT THAT THIS INSPECTION PLAT WAS PREPARED SOLELY FOR THE CLIENT LISTED HEREIN AND MAY NOT BE USED FOR ANY SUBSEQUENT LOAN CLOSING, REFINANCE, OR OTHER TRANSACTION; AND THAT NO RESPONSIBILITY OR LIABILITY IS ASSUMED HEREBY TO THE PRESENT OR FUTURE LAND OWNER OR OCCUPANT. BURIED SERVICE CABLE LOCATIONS ARE APPROXIMATE; CALL BEFORE DIGGING 1-(800) 222-6536

WITNESS MY HAND AND SEAL THIS DATE:
FINAL: 08/09/2019

K.S. COLLINS
OKLAHOMA REGISTERED LAND SURVEYOR NO. 1259
CG00555 EXPIRE: 06/30/2020

10
**Case:** Oklahoma Oncology  
**Hearing Date:** September 18, 2019

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<th><strong>Owner and Applicant Information:</strong></th>
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<td>Nathan Foster</td>
<td><strong>Applicant:</strong> Nicole Watts, KKT</td>
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<td><strong>Owner:</strong> Saint Francis Hospital, INC</td>
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**Location Map:**  
(shown with City Council Districts)

![Location Map Image]

**Applicant Proposal:**  
Change of Access  
*Location:* Southwest corner of East 48th Street South and South Garnett Road  
*Summary:* Proposal to condense 3 separate access points into 1 larger access on South Garnett Road

**Zoning:**  
IL (Industrial – Light)/ PUD-312-A

**Staff Recommendation:**  
Staff recommends approval of the Change of Access request.

**City Council District:** 7  
*Councilor Name:* Lori Decter Wright  
**County Commission District:** 1  
*Commissioner Name:* Stan Sallee

**EXHIBITS:**  
Proposed new access & limits of access
CHANGE OF AND CONSENT TO
AREAS OF ACCESS AS SHOWN ON RECORDED PLAT

WHEREAS, SAINT FRANCIS HOSPITAL, INC.
are the owners of Lots 1 and 2, Block 1, Okanogan Oncology,
in the city and/or county of Tulsa, Oklahoma, according to the recorded plat thereof; and

WHEREAS, said owners desire to change the access points from multiple
by Access point(s) to one (1) Access point to the above described property and,
at 293.86' from North property line
WHEREAS, such change requires approval of the Tulsa Metropolitan Area
Planning Commission; and

WHEREAS, the Tulsa Metropolitan Area Planning Commission may approve
such change of access with a favorable recommendation by the designated Engineer of
the City of Tulsa or Tulsa County, Oklahoma.

NOW THEREFORE, the undersigned owners of the above named property in
the City (and/or) County of Tulsa, Oklahoma according to the recorded plat thereof,
does hereby change the access point(s) from its (their) present location as shown on
the above named plat as recorded in the office of the County Clerk of Tulsa County,
Oklahoma, as plat number _______ to the location(s) as shown on the attached Exhibit
A, which is incorporated herein by reference and made a part hereof for all purposes.

The Tulsa Metropolitan Area Planning Commission by the affixing of its
approval to this instrument does hereby stipulate and agree to such change and, that
from and after the date of this consent, ingress and egress shall be permitted over,
through and across the areas of access as shown on attached Exhibit A, which is
incorporated herein by reference. The area of "access" as previously shown are hereby
revoked and access to the property prohibited across said area. The area of limits of
no access previously existing along the area of access now permitted by this change
and consent is hereby expressly vacated, annulled and held for naught.

IN WITNESS WHEREOF, the parties have hereunto set their hands and
affixed their seals this _______ day of __________, 20____.

[Signatures]
Owner

APPROVED:

[Signatures]
City/County Engineer

TMAPC
STATE OF ) ) SS INDIVIDUAL ACKNOWLEDGEMENT
COUNTY OF )

Before me, the undersigned, a Notary Public in and for said County and State, on this _______ day of _______________, 20_____, personally appeared _________, to me known to be the identical person(s) who executed the foregoing instrument and acknowledged to me that _______ executed the same as _______ free and voluntary act and deed for the purposes therein set forth.

GIVEN under my hand and seal the day and year last above written.

My Commission Expires: ____________________

__________________________________
Notary Public

STATE OF OKLAHOMA ) ) SS CORPORATE ACKNOWLEDGEMENT
COUNTY OF Tulsa )

Before me, the undersigned, a Notary Public in and for said County and State, on this 20_____ day of May______, 2019, personally appeared Eric Schick, the name of the maker thereof to the foregoing instrument as its _________, and acknowledged to me that _______ executed the same as _______ free and voluntary act and deed of such corporation, for the purposes therein set forth.

GIVEN under my hand and seal the day and year last above written.

My Commission Expires: 6-20-19

__________________________________
Notary Public

Change Of And Consent To Areas As Shown On Recorded Plat
From: Sawyer, Kim
Sent: Thursday, September 12, 2019 10:12 AM
To: Sawyer, Kim
Subject: FW: Pearl Ridge Rezoning (Z-7499) Withdrawal from applicant.

Dwayne Wilkerson, ASLA, PLA
Principal Planner | Current Planning
Tulsa Planning Office
2 W. 2nd St., 8th Floor | Tulsa, OK 74103
918.579.9475
dwilkerson@incog.org

From: David Henke <dhenke@mce.us.com>
Sent: Thursday, September 5, 2019 12:55 PM
To: Wilkerson, Dwayne <DWilkinson@incog.org>
Subject: Pearl Ridge Rezoning

Dwayne

I received your email about the MX 1 vs the MX 2 change. I will proceed with the MX 1-UU as instructed.

I will also use this email to withdraw my Zoning Application Z7499 as discussed. I would also like for it to be considered to reimburse our application fee for this application due it being withdraw. Please advise any further action needed on our for this task.

Thanks,

David Henke, P.E., C.F.M.
Project Manager

McClelland Consulting Engineers, Inc.
**Hearing Date:** September 18, 2019  
- Applicant continuance from 9.4.2019 to 9.18.2019  
- Planning Commission continuance from 8.21.2019 (no quorum) to 9.4.2019  
- Applicant continuance from 7.17.2019 to 8.21.2019

<table>
<thead>
<tr>
<th>Case Report Prepared by:</th>
<th>Owner and Applicant Information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwayne Wilkerson</td>
<td>Applicant: Kyle Gibson</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Location Map: (shown with City Council Districts)</th>
<th>Applicant Proposal:</th>
</tr>
</thead>
</table>
| ![Location Map](image) | **Present Use:** Parking Lot  
**Proposed Use:** Office/Warehouse  
**Concept summary:** Construct office/warehouse building on empty lot  
**Tract Size:** 0.37 + acres  
**Location:** Northwest corner of East 5th Street South and South Norfolk Avenue |

<table>
<thead>
<tr>
<th>Zoning:</th>
<th>Staff Recommendation:</th>
</tr>
</thead>
</table>
| **Existing Zoning:** IL, RM-2  
**Proposed Zoning:** CH | **Staff recommends denial.**  
This lot and its proposed building are in direct conflict with the current concept plans for the Elm Creek west detention facility. The City of Tulsa is acquiring property for construction as part a five-year plan for completion. |

<table>
<thead>
<tr>
<th>Comprehensive Plan:</th>
<th>Staff Data:</th>
</tr>
</thead>
</table>
| **Land Use Map:** Downtown Neighborhood  
**Stability and Growth Map:** Area of Growth | **TRS:** 9201  
**CZM:** 36 |

<table>
<thead>
<tr>
<th>City Council District:</th>
<th>Councilor Name: Kara Joy McKee</th>
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</thead>
<tbody>
<tr>
<td><strong>Commissioner District:</strong> 2</td>
<td><strong>Commissioner Name:</strong> Karen Keith</td>
</tr>
</tbody>
</table>
SECTION I: Z-7489

DEVELOPMENT CONCEPT:
Applicant plans to construct an office warehouse on an empty lot. The property has two zoning categories and needs to be changed to a single category. The Downtown Neighborhood land use designation supports commercial zoning and CH is in the surrounding area.

EXHIBITS:
- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map
- Applicant Exhibits:
  - Site plan
  - City of Tulsa preliminary construction plans
  - City of Tulsa memo about planned acquisition
  - City of Tulsa map of acquisition properties

DETAILED STAFF RECOMMENDATION:
Uses and density supported by CH zoning is non-injurious to the surrounding properties and,

CH zoning allows uses are consistent with the anticipated development pattern in the area and,

CH zoning is consistent with Downtown Neighborhood land use designation and,

Staff has recently learned that The City of Tulsa is acquiring property with anticipated construction of this facility within 5 years, therefore,

Staff recommends Denial of Z-7489 to rezone property from RM-2 and IL to CH

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The planning effort on this area of Tulsa has been extensive. The current Small Area Plan and the Tulsa Comprehensive Plan supports the rezoning request for CH zoned uses. CH zoning does not have a maximum floor area ratio, building heights or building setbacks. Many of these uses and the unlimited floor area are generally consistent with the Downtown Neighborhood vision in the Comprehensive Plan and the Auto Oriented Commercial designation in the 6th Street Infill Plan.

Land Use Vision:

Land Use Plan map designation: The site is completely inside the Downtown Neighborhood designation.

Downtown Neighborhoods are located outside but are tightly integrated with the Downtown Core. These areas are comprised of university and higher educational campuses and their attendant housing and retail districts, former warehousing and manufacturing areas that are evolving into areas where people both live and work, and medium to high-rise mixed-use
residential areas. Downtown Neighborhoods are primarily pedestrian-oriented and are well connected to the Downtown Core via local transit. They feature parks and open space, typically at the neighborhood scale.

**Areas of Stability and Growth designation:** The site is completely inside the Area of Growth designation.

The purpose of an Area of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are in close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

**Transportation Vision:**

**Major Street and Highway Plan:**
East 5th Street South and South Norfolk Avenue are not illustrated on the major street and highway plan. 5th Street South connects to Peoria just east of this site where transit riders can connect to the Bus Transit system on Peoria approximately two blocks from the site.

**Trail System Master Plan Considerations:** None

**RELATIONSHIP TO THE SMALL AREA PLAN: (PEARL DISTRICT – 6TH STREET INFILL PLAN)**

**Small Area Plan Land Use Vision:**

The site is completely included an Auto Oriented Commercial District defined in the 6th Street Infill Plan which was amended in April 2014. This Auto Oriented Commercial District was originally mixed-use infill supporting the anticipated public investment in the regional detention facility. This site appears to be in the planned storm water detention area. When that facility is constructed it is likely this lot and building will be demolished.

The Auto Oriented Commercial district is defined as “Commercial, Office, high-intensity Residential, Institutional, Manufacturing and Warehousing; usually located on primary arterial streets & highways. This economic model depends on vehicular access and visitors from throughout the region”

**Small Area Plan-6th Street Infill Plan Land Use Map:**

Latest amendments approved by Tulsa City Council on 4/3/2014 indicate that this site is included in the Mixed Use Infill area. The entire small area plan could be broadly defined as a commercial, office, high-intensity residential institutional, manufacturing and warehousing area which is usually located on primary arterial streets and highways. This economic model depends on vehicular access and visitors.
from throughout the region. The plan recognized that a storm water detention pond could be constructed in this area and recognized that the specific site could be mixed use infill could be residential, commercial, office, manufacturing, warehousing, reuse of existing structures, smaller-scale, compatible infill.

ELM CREEK STUDY

**Historic Preservation Overlay:** None

**DESCRIPTION OF EXISTING CONDITIONS:**

*Staff Summary:* The site is nearly flat and there are no existing structures.

**Environmental Considerations:** The subject property is in a planned regional stormwater detention facility and is in an area where the City of Tulsa is currently acquiring property for construction of this pond.

**Streets:**

<table>
<thead>
<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
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<tr>
<td>S. Norfolk Avenue</td>
<td>None</td>
<td>50 feet</td>
<td>2</td>
</tr>
<tr>
<td>East 5th Street</td>
<td>None</td>
<td>50 feet</td>
<td>2</td>
</tr>
</tbody>
</table>

REvised 9/11/2019
Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Area of Stability or Growth</th>
<th>Existing Use</th>
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</thead>
<tbody>
<tr>
<td>North</td>
<td>CH</td>
<td>Downtown Neighborhood</td>
<td>Growth</td>
<td>Industrial uses</td>
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<tr>
<td>East</td>
<td>IL</td>
<td>Downtown Neighborhood</td>
<td>Growth</td>
<td>Parking lot for industry</td>
</tr>
<tr>
<td>South</td>
<td>RM-2</td>
<td>Downtown Neighborhood</td>
<td>Growth</td>
<td>Empty lot</td>
</tr>
<tr>
<td>West</td>
<td>RM-2</td>
<td>Downtown Neighborhood</td>
<td>Growth</td>
<td>Single family residential</td>
</tr>
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</table>

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11814 dated June 26, 1970 established zoning for the subject property.

Subject Property:

Z-5027 October 1977: All concurred in approval of a request for rezoning a tract of land from RM-2 to IL on property located on subject property. (Ordinance 13951, October 1977)

Surrounding Property:

BOA-22212 March 2017: The Board of Adjustment approved a special exception to permit low-impact manufacturing and industry (microbrewery) in the CH District, subject to conceptual plan 7.15, on property located at Northwest corner of South Peoria Avenue and East 5th Street South.

PUD-817-A June 2015: All concurred in approval of a proposed Major Amendment to PUD on a 0.5+ acre tract of land to add Use Unit 12A (Adult Entertainment establishments) and Use Unit 20 (Commercial Recreation) on property located at the Southeast corner of East 4th Street South and South Madison Avenue.

BOA-21868 May 2015: The Board of Adjustment approved a special exception to permit a food truck court and an outdoor event venue in the CH District; approved a variance of the allowable days for open air activities; approved a variance of the requirement that all motorized vehicles be parked on all-weather surface, subject to conditions, on property located at Northwest corner of South Peoria Avenue and East 5th Street South.

PUD-817 / Z-7277 August 2014: All concurred in approval of a proposed Planned Unit Development on a 0.5+ acre tract of land for uses allowed in a CH district and Use Unit 26, limited to a microbrewery, and all concurred in approval of a request for rezoning a 0.5+ acre tract of land from CH to IL on property located at the Southeast corner of East 4th Street South and South Madison Avenue.

BOA-21612 August 2013: The Board of Adjustment approved a variance of required parking from 10 spaces to 0 spaces in a CH District, on property located West of the Southwest corner of South Peoria Avenue and East 4th Street South.
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018
DATE: July 16, 2019
TO: Dwayne Wilkerson
FROM: Brooke Caviness
SUBJECT: TMAPC Z-7489 410 S. Norfolk
        SWD: 8845

This lot and its proposed building are in direct conflict with the plans for the Elm Creek West Pond Detention facility.

- This detention facility is part of the Master Drainage Plan for Pearl District flood control.
- The project is being funded through revenue bonds with construction to begin as soon as Fiscal Year 2022.
- Right of way acquisition is currently underway.
  - An offer has not been made to this property owner.
- Design is 60% complete
Part I: Executive Summary

Map 2: 2010 Comprehensive Plan Land Use Plan

2010 Land Use Plan
- Downtown
- Downtown Neighborhood
- Main Street
- Mixed-Use Corridor
- Regional Center
- Neighborhood Center
- Employment
- Existing Neighborhood
- Park and Open Space
- Plan Area

Map 3: Pearl District Small Area Plan — Land Use Plan

Land Use Plan
- Employment
- Employment with Residential
- Downtown Neighborhood
- Mixed-Use Corridor
- Main Street
- Park and Open Space
- Plan Area

City Council Approval 8-7-19

PEARL DISTR

4/15
**Case Number:** Z-7492 with ODP  
(Continued from 8/7/2019 and 9/4/2019)

**Hearing Date:** September 18, 2019

### Case Report Prepared by:
Jay Hoyt

### Owner and Applicant Information:
**Applicant:** Mohamad Soukieh  
**Property Owner:** SOUKIEH, MOHAMAD K AND DAAD

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

![Location Map Image](Image)

### Applicant Proposal:
**Present Use:** Commercial Warehouse  
**Proposed Use:** Cannabis Cultivation  
**Concept summary:** Agricultural Horticulture uses are only allowed in AG, IL, IM and IH zoning districts.  
**Tract Size:** 2.8 ± acres  
**Location:** North of the Northeast corner of South Hudson Avenue at East 11th Street South

### Zoning:
**Existing Zoning:** CH  
**Proposed Zoning:** IM with optional development plan

### Comprehensive Plan:
**Land Use Map:** Employment  
**Stability and Growth Map:** Area of Growth

### Staff Recommendation:
Staff recommends denial of IM and approval of IL with the provisions of the optional development plan as listed in Section II.

### City Council District:
**5**  
**Councilor Name:** Cass Fahler

### County Commission District:
**2**  
**Commissioner Name:** Karen Keith

### Staff Data:
**TRS:** 9303  
**CZM:** 38
SECTION I: Z-7492

DEVELOPMENT CONCEPT: Horticulture nursery uses are only allowed in AG, IL, IM and IH zoning districts. No options exist in the zoning code to use existing buildings in any of the commercially zoned districts for an indoor Horticulture Nursery. The rezoning request is to allow an indoor growing facility inside an existing building.

The applicant has indicated, in the narrative included with this report, that they will be taking measures to assure the security of the facility as well as those to mitigate any impacts from the growing operation.

EXHIBITS:
INCOG Case map
INCOG Aerial (small scale)
INCOG Aerial (large scale)
Tulsa Comprehensive Plan Land Use Map
Tulsa Comprehensive Plan Areas of Stability and Growth Map
Applicant Exhibits:
    Narrative
    Site Illustrations

SECTION II: Optional Development Plan Standards:

Z-7492 with the optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in an IL district and its supplemental regulations except as further refined below. All uses categories, subcategories or specific uses and residential building types that are not listed in the following permitted uses categories are prohibited:

PERMITTED USE CATEGORIES
i.  PUBLIC, CIVIC, AND INSTITUTIONAL
    Safety Service

ii. COMMERCIAL
    Animal Service (includes all specific uses)
    Broadcast or Recording Studio
    Commercial Service (includes all permitted specific uses)
    Financial Services (includes all specific uses)
    Funeral or Mortuary Service
    Office (includes all specific uses)
    Parking, Non-accessory
    Restaurant
    Retail Sales (includes all specific uses)
    Self-service Storage Facility
    Studio, Artist, or Instructional Service
    Trade School
    Vehicle Sales and Service
        Commercial vehicle repair/maintenance
        Commercial vehicle sales/rentals
        Fueling Station
        Personal vehicle repair and maintenance
        Personal vehicle sales and rentals
        Vehicle parts and supply sales
        Vehicle body and paint finishing shop
iii. WHOLESALE, DISTRIBUTION AND STORAGE
   Warehouse
   Wholesale Sales and Distribution

iv. RECYCLING
   Consumer Material Drop-off Station

v. AGRICULTURAL
   Community Garden
   Farm, Market- or Community-supported
   Horticulture Nursery

vi. OTHER
   Drive-in or Drive-through Facility (as a component of an allowed principal use)

DETAILED STAFF RECOMMENDATION:

Uses that may be allowed in an IM district are not consistent with the expected development in the area and,

IM zoning allows low-impact manufacturing and industry uses that may be considered injurious to the surrounding properties,

All Industrial uses are prohibited, except for those within the Agricultural use category;

IL zoning with an optional development plan would be non-injurious to the surrounding properties and would be more consistent with the expected development in the area.

Staff recommends denial of Z-7492 to rezone property from CH to IM and approval of rezoning from CH to IL with an optional development plan.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: IM zoning may be consistent with the employment land use designation in the comprehensive plan however there is no industrial zoning or industrial use opportunities in the area. IL zoning with and optional development plan would be compatible, as well, while remaining less injurious to the surrounding properties.

Land Use Vision:

Land Use Plan map designation is Employment.

Employment areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity.

Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts,
attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.

**Areas of Stability and Growth designation: Area of Growth**

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

**Transportation Vision:**

**Major Street and Highway Plan:** None

**Trail System Master Plan Considerations:** none

**Small Area Plan:** None

**Special District Considerations:** The south portion of this lot is included in the RT 66 overlay. That overlay does not provide use opportunities and is limited to allowing signage that cannot be implemented in the rest of the city.

**Historic Preservation Overlay:** None

**DESCRIPTION OF EXISTING CONDITIONS:**

**Staff Summary:** The subject tract is a parking lot and car repair facility.

**Environmental Considerations:** None

**Streets:**

<table>
<thead>
<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
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<tbody>
<tr>
<td>South Hudson</td>
<td>Collector</td>
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**Utilities:**

The subject tract has municipal water and sewer available.
Surrounding Properties:

<table>
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<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Area of Stability or Growth</th>
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<tr>
<td>North</td>
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<td>Employment</td>
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<td>East</td>
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<td>West</td>
<td>CH</td>
<td>Employment</td>
<td>Growth</td>
<td>Car lot and auto repair</td>
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</table>

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11816 dated June 26, 1970 established zoning for the subject property.

Subject Property:

**BOA-19647 August 2003:** The Board of Adjustment approved a special exception for Use Unit 20 (Commercial Recreation: Intensive) for conducting Motorcycle Safety Foundation approved rider safety courses subject to conditions, located on subject property.

**BOA-15586 November 1990:** The Board of Adjustment approved a special exception to permit off-street parking in an RM-2 zoned district, per plan submitted, located on subject property.

Surrounding Property:

**BOA-20815 January 2008:** The Board of Adjustment approved a special exception to permit fixture assembly and manufacturing (Use Unit 25) in a CH District; a special exception to permit required parking on a lot other than the one containing the principal use, subject to conditions, on property located West of the Northwest corner of East 11th Street and South Hudson Avenue.

**BOA-17761 July 1997:** The Board of Adjustment approved a special exception to permit a lodge in an RM-1 District, per plan submitted, on property located at the Northeast corner of South Joplin Avenue and East 9th Street South.

**BOA-6545 January 1970:** The Board of Adjustment approved an exception to permit extending a nonconforming use (manufacturing of fixtures) in a U-3E district, subject to the plot plan, on property located North of the Northwest corner of East 11th Street South and South Hudson Avenue.

**BOA-5911 May 1968:** The Board of Adjustment approved an exception to permit a service station canopy to extend 12’ 6” over into the major street setback requirements in a U-3E district, subject to the execution of a right-of-way removal agreement, on property located at the Southeast corner of East 11th Street South and South Hudson Avenue.

8/7/2019 1:30 PM
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016
Subject Tract

Z-7492

19-13 03

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

Aerial Photo Date: February 2018
Land Use Plan Categories

- Downtown
- Downtown Neighborhood
- Main Street
- Mixed-Use Corridor
- Regional Center
- Neighborhood Center
- Employment
- New Neighborhood
- Existing Neighborhood
- Park and Open Space
- Arkansas River Corridor

SUBJECT TRACT LAND USE PLAN EMPLOYMENT

Z-7492
19-13 03
Thank Greg Hambric to regulations healthy advertising whatsoever, efficient Charcoal cultivation intend is identifying required or deemed outside growth install by and we that would the cannabis and hazardous suicide.

We Our approach grown industrial. To occupy the automotive/mechanic building itself mostly unoccupied since its construction. The only interest to occupy has been shown by the automotive/mechanic industry and that was not what the property was initially intended for. We would love to utilize the empty space to provide healthy medicine to the patients of Tulsa. We would be completely compliant with all of the regulations and requirements set forth by the OMMA, INCOG and The City of Tulsa.

Thank You,
Greg Hambric – 918-510-1101 – greg.hambric@yahoo.com

Light Industrial Rezoning
905 South Hudson, Tulsa, OK

First of all, thank you for your consideration. If able, we intend to cultivate organically grown cannabis for our fellow medical marijuana patients of Oklahoma and more so, Tulsa. Our approach is a small, fine-tuned operation with a major emphasis on clean tested medicine. We are asking for the rezoning of the property to be changed from Heavy Commercial to Light Industrial. The impact this change would have would be minimal and unnoticed by the surrounding neighbors.

After reviewing the differences in the two, it seems that our only major need would be the agriculture aspect. We are not interested in light/moderate manufacturing or any activities that would have an impact on the environment. We would not be dealing with anything hazardous that would have a negative impact on the environment. We only want to cultivate cannabis and will not be extracting or processing at this desired location.

We would hire eight to ten local employees based on the amount of work at hand and will provide training where it is necessary. Our group is comprised of all local Tulsa residents and we take pride in our city and state. The cannabis industry in Oklahoma is growing stronger by the day and we intend to teach and employ Tulsans to further their education and positive growth into this upcoming industry.

The property is entirely gated and is reinforced with a rail system to protect it from outside theft, blocking the ability of any unwanted vehicles to enter the premises. We will install a high quality video camera system as well as any other security measures that are required or deemed necessary.

The cultivation itself would be extremely discreet on its own. There would be no identifying signs that this would be a cannabis cultivation facility from the outside. Our design is to use one/two of the bays in the design attached. We would build two small rooms for main cultivation inside the bay itself resulting in a lack of detection from the outside perimeter. We intend on using large scale charcoal filters inside the cultivation rooms as well as inside the bay, Charcoal filters are a way to eliminate the smell of flowering cannabis and are extremely efficient making the public unaware of the use of the facility. There will be no signs or any advertising whatsoever, as we would want to stay discreet.

The building itself has been mostly unoccupied since its construction. The only interest to occupy has been shown by the automotive/mechanic industry and that was not what the property was initially intended for. We would love to utilize the empty space to provide healthy medicine to the patients of Tulsa. We would be completely compliant with all of the regulations and requirements set forth by the OMMA, INCOG and The City of Tulsa.

Thank You,
Greg Hambric – 918-510-1101 – greg.hambric@yahoo.com
Hearing Date: September 18, 2019

Owner and Applicant Information:

Applicant: Malcolm Rosser
Property Owner: Tulsa Realty Development Auth LLC

Applicant Proposal:

Present Use: Commercial/Hotel
Proposed Use: Mixed Use
Concept summary: Rezone from CS to IL to permit a mixed-use facility
Tract Size: 4.83 ± acres
Location: S. of SE/c of E. 11th St. S. & E. Skelly Dr.

Staff Recommendation:

Staff recommends approval.

City Council District: 6
Councilor Name: Connie Dodson
County Commission District: 1
Commissioner Name: Stan Sallee
SECTION I: Z-7498

DEVELOPMENT CONCEPT: The applicant is proposing to rezone from CS to IL with an optional development plan in order to permit a mixed-use facility within the designated area of the subject lot. The proposed uses would include office, retail shopping outlets and storefronts, a medical marijuana grow facility and a higher end hotel, with the intention of making the property a destination for medical marijuana conventions and classes.

The subject lot is contained within an area designated by the City of Tulsa Comprehensive Plan as an area of Employment, which would support the proposed IL zoning, particularly with the proposed optional development plan incorporated.

The requested IL zoning will be limited to the portions of the lot illustrated on the attached relined aerial and defined by the legal descriptions provided by the applicant.

EXHIBITS:
INCOG Case map
INCOG Aerial (small scale)
INCOG Aerial (large scale)
Tulsa Comprehensive Plan Land Use Map
Tulsa Comprehensive Plan Areas of Stability and Growth Map
Applicant Exhibits:
   Aerial Illustrating Proposed IL Areas
   Aerial Illustrating Overall Proposed Uses
   Site Survey

SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS

The optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in an IL district with its supplemental regulations except as further refined below. All uses categories, subcategories or specific uses and residential building types that are not listed in the following permitted uses categories are prohibited:

PERMITTED USE CATEGORY

A) RESIDENTIAL (see allowed residential building types below)
   Household Living
   Single household
   Two households on a single lot
   Three or more households on single lot

B) PUBLIC, CIVIC, AND INSTITUTIONAL
   Safety Service
   Utilities and Public Service Facility (minor)
   Wireless Communication Facility (includes all specific uses)

C) COMMERCIAL
   Animal Service (includes all permitted specific uses)
   Broadcast or Recording Studio
   Commercial Service (includes all permitted specific uses)
   Financial Services (includes all permitted specific uses)
   Funeral or Mortuary Service
Lodging (includes all permitted specific uses except Bed & Breakfast)
Office (includes all specific uses)
Parking, Non-accessory
Restaurant
Retail Sales (includes all permitted specific uses)
Studio, Artist, or Instructional Service
Trade School
Vehicle Sales and Service
  Fueling Station
  Personal vehicle repair and maintenance
  Vehicle part and supply sales

D) WHOLESALE, DISTRIBUTION AND STORAGE
   Warehouse
   Wholesale Sales and Distribution

E) AGRICULTURAL
   Community Garden
   Farm, Market or Community-supported
   Horticulture Nursery

F) OTHER
   Off-Premise Outdoor Advertising Signs

DETAILED STAFF RECOMMENDATION:

IL zoning with an optional development plan is compatible with the Comprehensive Plan;

IL zoning with an optional development plan would be non-injurious to the surrounding proximate properties;

IL zoning with an optional development plan would be consistent with the expected development in the area;

IL zoning will be limited to the portions of the lot illustrated on the attached redlined aerial and defined by the legal descriptions provided by the applicant.

Staff recommends approval of Z-7498 to rezone the defined portions of the property from CS to IL with an optional development plan.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The subject lot is located within an Area of Employment and an Area of Growth.

Land Use Vision:

Land Use Plan map designation: Employment

Employment areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail
clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity.

Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.

*Areas of Stability and Growth designation: Area of Growth*

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

**Transportation Vision:**

*Major Street and Highway Plan:* E Skelly Drive is designated as a Residential Collector

*Trail System Master Plan Considerations:* None

*Small Area Plan:* East Tulsa Phase I

*Special District Considerations:* None

*Historic Preservation Overlay:* None

**DESCRIPTION OF EXISTING CONDITIONS:**

*Staff Summary:* The site is currently occupied by a former hotel structure.

*Environmental Considerations:* A small portion of the SW corner of the site is located within FEMA Zone AE Floodplain. It appears the existing building, which is to be utilized for this proposal is outside of that floodplain.
Streets:

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<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
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<tr>
<td>E Skelly Drive</td>
<td>Residential Collector</td>
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Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

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<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Area of Stability or Growth</th>
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<td>North</td>
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<td>CS/RM-1</td>
<td>Employment/Park and Open Space</td>
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<td>CS/RS-2</td>
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<td>West</td>
<td>RS-3</td>
<td>N/A</td>
<td>N/A</td>
<td>I-44</td>
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</table>

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11817 dated June 26, 1970 established zoning for the subject property.

Subject Property:

**BOA- 17399 June 1996:** The Board of Adjustment approved a variance of the maximum allowed surface area for a sign from 468 SF to 519.88 SF permit a medical marijuana dispensary, on property located at 11620 East Skelly Drive.

**BOA- 16294 April 1993:** The Board of Adjustment approved a variance of the maximum sign height from 50' to 60' to permit the alteration of an existing ground sign, on property located at 11620 East Skelly Drive.

**BOA- 16274 February 1993:** The Board of Adjustment approved a variance of the 10' setback from the freeway to permit the alteration of the existing ground sign, finding that the sign structure has been at the same location for 15 years, and that only the sign face will be changed, with the size and height remaining the same, on property located at 11620 East Skelly Drive.

**BOA- 7393 April 1972:** The Board of Adjustment approved a variance to permit erecting a pole sign 60' high in a CS District, subject to a plot plan, on property located at 11720 East 11th Street.
Surrounding Property:

**BOA- 22703 August 2019**: The Board of Adjustment accepted the applicant's verification of spacing to permit a medical marijuana dispensary, on property located at 11730 East 11th Street South.

**BOA- 21620 September 2013**: The Board of Adjustment approved the request for Special Exception to allow an auto auction use in a CS District, per conceptual site plan, on property located 11910 East 11th Street South.

**BOA- 20852 February 2009**: The Board of Adjustment approved the applicant's verification of spacing between outdoor advertising signs, on property located at 11320 East Skelly Drive.

**BOA- 20280 June 2006**: The Board of Adjustment approved the applicant's verification of spacing requirement of 1200 feet from another outdoor advertising sign, on property located at 11520 East Skelly Drive South.

**BOA- 19181 August 2001**: The Board of Adjustment approved the request for Special Exception to allow an auto repair use in a CS District, with the conditions for days and hours of operation to be Monday through Friday, 8:00 a.m. to 6 p.m., that no cars for repair be stored for more than 48 hours, and meet all screening and landscaping requirements, finding that it will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare, on property located 3165 South Mingo Road.

9/18/2019 1:30 PM
Z-7498
with Optional Development Plan
Z-7498
with Optional
Development Plan

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

Aerial Photo Date: February 2019
Land Use Plan Categories

- Downtown
- Downtown Neighborhood
- Main Street
- Mixed-Use Corridor
- Regional Center
- Town Center
- Neighborhood Center
- Employment
- New Neighborhood
- Existing Neighborhood
- Park and Open Space
- Arkansas River Corridor

SUBJECT TRACT
LAND USE PLAN
EMPLOYMENT

Z-7498
with Optional
Development Plan
Growth and Stability

Area of Growth
Area of Stability

SUBJECT TRACT

Z-7498
with Optional Development Plan
Proposed IL uses Limited to these areas
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<td><strong>Hearing Date:</strong> September 18, 2019</td>
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<th><strong>Case Report Prepared by:</strong></th>
<th><strong>Owner and Applicant Information:</strong></th>
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<tr>
<td>Jay Hoyt</td>
<td>Applicant: Christina Wilson</td>
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<tr>
<td></td>
<td>Property Owner: JEJ PROPERTIES LLC-SERIES 8</td>
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<th><strong>Applicant Proposal:</strong></th>
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<td>Present Use: vacant</td>
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<td>Proposed Use: Industrial Uses</td>
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<td>Concept summary: Rezone from CS to IL to permit light industrial uses on the subject lot.</td>
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<td>Tract Size: 0.27 ± acres</td>
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<td>Location: West of southwest corner of West 21st Street South &amp; South 49th West Avenue</td>
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<tr>
<th><strong>Location Map:</strong> (shown with County Commission Districts)</th>
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<td>![Location Map Image]</td>
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<th><strong>Zoning:</strong></th>
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<td>Existing Zoning: CS</td>
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<td>Proposed Zoning: IL</td>
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<tr>
<th><strong>Comprehensive Plan:</strong></th>
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<tr>
<td>Land Use Map: Neighborhood Center</td>
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<td>Stability and Growth Map: Growth</td>
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<tr>
<th><strong>Staff Recommendation:</strong></th>
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<td>Staff recommends denial.</td>
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<th><strong>Staff Data:</strong></th>
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<td>CZM: 35</td>
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<th><strong>County Commission District:</strong> 2</th>
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<tr>
<td>Commissioner Name: Karen Keith</td>
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</table>

REVISED 9/12/2019
SECTION I: CZ-491

DEVELOPMENT CONCEPT: The applicant is proposing to rezone the subject property from AG to IL in order for light industrial uses to be utilized on the site.

The site is located within the Berryhill Small Area Plan, which designates this lot as Neighborhood Center and an Area of Growth. Industrial development at this location is not compatible with the goals of the Berryhill Small Area Plan. This area is in the vicinity of the Gilcrease Expressway expansion. One of the goals expressly stated in the plan (Goal 3) is to promote commercial growth along major street corridors and interchanges of the Gilcrease Expressway along W 21st St S between S 61st W Ave and S 49th W Ave, which the subject lot lies within. Additionally, Goal 5 limits industrial areas and uses incompatible with the existing and desired future character of the community. This goal calls out areas within Berryhill where industrial uses would be compatible. The subject lot does not lie within those specified areas.

EXHIBITS:
- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)

DETAILED STAFF RECOMMENDATION:

CZ-491 is consistent with the current uses of the surrounding properties, but is not compatible with the Land Use or Goals of the Berryhill Small Area Plan, therefore;

Staff recommends denial of CZ-491 to rezone property from CS to IL.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The site is located within the Neighborhood Center land use designation of the Berryhill Small Area Plan.

Land Use Vision:

Land Use Plan map designation: Neighborhood Center

Neighborhood Centers are small-scale, one to three story mixed-use areas intended to serve nearby neighborhoods with retail, dining, and services. They can include apartments, condominiums, and townhouses, with small lot single family homes at the edges. These are pedestrian-oriented places served by transit, and visitors who drive can park once and walk to number of destinations.

Areas of Stability and Growth designation: Growth

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.
Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

Transportation Vision:

Major Street and Highway Plan: W 21st St S is designated as a Secondary Arterial Trail System Master Plan Considerations: None

Small Area Plan: Berryhill

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site contains an existing commercial building.

Environmental Considerations: The site is located within the Tulsa County 500 year Floodplain.

Streets:

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<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
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<td>W 21st St S</td>
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Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

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<th>Location</th>
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<th>Existing Land Use Designation</th>
<th>Area of Stability or Growth</th>
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<td>Commercial/Industrial</td>
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<td>West</td>
<td>RS</td>
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<td>Vacant</td>
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SECTION III: Relevant Zoning History
ZONING ORDINANCE: Resolution number 98254 dated September 15, 1980 established zoning for the subject property.

**Subject Property:**

**CPA-77 January 2019:** All concurred in approval to adopt CPA-77, The Berryhill Land Use Plan, as an amendment to the Tulsa Comprehensive Plan and the Tulsa Metropolitan Area Comprehensive Plan for District 9. The plan area boundary is approximately 4.15 square miles of land area, bounded on the North by the Arkansas River; and on the South along W 51st St. S, excluding some properties within Sapulpa city limits; and bounded on the East along 49th W Ave to include some east abutting properties; and on the West along 65th West Avenue including properties west of 65th W Ave that abut Chandler Park and Sand Springs City limits.

**CBOA- 1319 January 1995:** The County Board of Adjustment approved a special exception to permit automobile sales in a CS zoned district subject to a maximum of six cars displayed on the lot; finding that there are mixed zoning classifications in the area and car sales will be compatible with the surrounding uses, on the property located at 4918 West 21st Street South.

**Surrounding Property:**

**CZ-447 January 2017:** All concurred in approval of a request for rezoning a 4 ± acre tract of land from RS to CG on property located west of the southwest corner of West 21st and South 49th West Avenue.

**CBOA- 2553 November 2015:** The County Board of Adjustment approved the applicant’s request for a variance of the required front setback in the IM District from 50 feet to 20 feet with the hardship being the existing building on the subject property, on property located at 5001 West 21st Street South.

**BOA-6888 February 1971:** The Board of Adjustment approved the applicant’s request for exception to permit using IM property for a petroleum tank farm.

9/18/2019 1:30 PM
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018
Case Report Prepared by:
Jay Hoyt

Owner and Applicant Information:
Applicant: Nathan Cross
Property Owner: TR OFFICE PARK LLC

Location Map:
(Shown with City Council Districts)

Applicant Proposal:
Present Use: Office
Proposed Use: School
Concept summary: Add School as an allowable use
Tract Size: 9.14 ± acres
Location: Northwest of northwest corner of East 41st St. S. & Highway 169
Development Area A

Zoning:
Existing Zoning: OL,PUD-230
Proposed Zoning: OL,PUD-230-A

Comprehensive Plan:
Land Use Map: Employment
Stability and Growth Map: Area of Growth

Staff Recommendation:
Staff recommends approval.

Staff Data:
TRS: 9419
CZM: 49

City Council District: 7
Councilor Name: Lori Decter Wright
County Commission District: 1
Commissioner Name: Stan Sallee
SECTION I: PUD-230-A

DEVELOPMENT CONCEPT: The applicant is proposing to add School as an allowable use within Development Area A of the PUD. The underlying zoning for this area is OL. School uses are permitted in OL zones by Special Exception. A Major Amendment to the PUD is required to add Special Exception uses which are not currently allowed by the PUD, but could be allowed by the underlying zoning with a Special Exception.

EXHIBITS:
- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map

Applicant Exhibits:
- Site Surveys
- Exhibit A – Legal Description
- Exhibit B – Nature of Proposed Amendment

DETAILED STAFF RECOMMENDATION:

The applicants proposal is consistent with the Tulsa Comprehensive Plan, and;

The applicant’s proposal is consistent with the provisions of the PUD chapter of the Tulsa Zoning Code, and;

The PUD development standards are consistent with the anticipated growth and future uses in this area, and;

The School use shall be limited to Development Area A and;

All remaining Development Standards defined by PUD-230 and subsequent amendments shall remain in effect and;

The development standards identified in this PUD are non-injurious to the existing proximate neighborhood, therefore;

Staff recommends Approval of PUD-230-A to rezone property to PUD-230-A to allow a School as an allowed use.

PUD-230-A DEVELOPMENT STANDARDS:

Allowable uses to remain as currently permitted, with the addition of a School, limited to Development Area A, as an allowable use within the PUD. Landscape and signage will comply with current PUD-230 development standards, as well as the current City of Tulsa Zoning Code, adopted in 2016.
SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The subject site is located within the Employment designation and within an Area of Growth.

Land Use Vision:

Land Use Plan map designation: Employment

Employment areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity.

Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.

Areas of Stability and Growth designation: Area of Growth

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

Transportation Vision:

Major Street and Highway Plan: S 103rd E Ave is designated as a Residential Collector

Trail System Master Plan Considerations: The Mingo Trail runs on the opposite side of the channel adjacent to the West side of the existing PUD.
Small Area Plan: None
Special District Considerations: None
Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site contains existing office buildings and associated parking.

Environmental Considerations: None

Streets:

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<tbody>
<tr>
<td>S 103rd E Ave</td>
<td>Residential Collector</td>
<td>60 Feet</td>
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Utilities:
The subject tract has municipal water and sewer available.

Surrounding Properties:

<table>
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<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Area of Stability or Growth</th>
<th>Existing Use</th>
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<tr>
<td>North</td>
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<td>Parks and Open Space</td>
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SECTION III: Relevant Zoning History

History: PUD-230-A

ZONING ORDINANCE: Ordinance number 14746 (PUD) and 14747 (Z-5386), both dated April 29, 1980 established zoning for the subject property.

Subject Property:

BOA-22763 September 2019 Pending: An appeal of administrative decision was filed September 10, 2019 (hearing date of October 22, 2019) to challenge the requirement of a Major Amendment to permit a school use on the property located at 3810 S 13 Ave and 3840 S 103 Ave.

BOA-22743 August 2019 Withdrawn: An appeal of administrative decision was filed August 19, 2019 (hearing date of September 24, 2019) to challenge the requirement of a Major
Amendment to permit a school use on the property located at 3810 S 13 Ave and 3840 S 103 Ave.

**BOA-22726 July 2019 Withdrawn:** A request for Special Exception to permit a School Use in an OL zoned District was filed July 25, 2019 (hearing date of August 27, 2019) to challenge the requirement of a Major Amendment to permit a school use on the property located at 3810 S 13 Ave and 3840 S 103 Ave. This application was withdrawn August 9, 2019.

**PUD-230\Z-5386 April 1980:** All concurred in approval of a Planned Unit Development on a 9.14+ acre tract of land and approval of a request for rezoning from RM-1 to OL with the condition that the permitted uses be those that are permitted as principal and accessory uses within the OL District and in addition include barber and beauty shops, on the property located northwest of the northwest corner of East 41st Street South and Highway 169, the subject property.

**Surrounding Property:**

**BOA-19469 November 2002:** The Board of Adjustment approved a variance of the provisions of Section 602.B.4 to permit four signs located on or oriented to the South 103rd East Avenue frontage and three signs oriented to the Mingo Valley Expressway frontage, on property located on the east side of South 103rd East Avenue and North of East 41st Street.

**BOA-17832 September 1997:** The Board of Adjustment approved a special exception to permit a public school including 2 mobile classroom trailers, on property located 3656 South 103rd East Avenue.

**BOA-9300 March 1977:** The Board of Adjustment approved a special exception to allow the construction of an elementary school as presented, per plot plan, in an RS-3 District, on property located north and west of 41st Street and 101st East Ave.

9/18/2019 1:30 PM
SUBJECT TRACT

Development Area A

PUD-230

E-41st ST S

PUD-230-A

19-14 19

RS-3

E 36 ST S

S 101 E AVE

S 103 E AVE

E 34 ST S

E 34 PL S

E 38 ST S

E 37 ST S

E 37 PL S

E 36 ST S

E 37 CTS S

E 38 ST S

E 39 ST S

E 39 PL S

E 40 ST S

E 41 PL S

E 42 ST S

E 42 ST S

S 98 E AVE

S 99 E AVE

S 100 E AVE

S 104 E AVE

MINGO VALLEY EXPWY

AG

CS

OL

CS

CS

AG

CS

RS-3

RMH

PUD-155

PUD-195

PUD-370

PUD-370-A

0 200 400

Feet
Subject Tract

PUD-230-A

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

Aerial Photo Date: February 2018
EXHIBIT "A"
(Legal Description)

Lot One (1), Block One (1), BISHOP ACRES, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to Recorded Plat No. 3947.
EXHIBIT “B”
(Nature of Proposed Amendment)

PROPOSED AMENDMENT

The applicant is requesting a major amendment to allow the School use in Development Area A of PUD 230.
**Case Report Prepared by:**
Nathan Foster

**Case:** The Reserve at Forest Trails

**Hearing Date:** September 18, 2019

<table>
<thead>
<tr>
<th><strong>Owner and Applicant Information:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Applicant:</strong> Select Design, Ryan McCarty</td>
</tr>
<tr>
<td><strong>Owner:</strong> Brumble Construction Co.</td>
</tr>
</tbody>
</table>

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

**Applicant Proposal:**
Minor Subdivision Plat

3 lots, 1 block, 5.06 ± acres

**Location:** North of the northeast corner of East 111th Street South and South Sheridan Road

**Zoning:** RS-2 (Single-Family Residential)

**Staff Recommendation:**
Staff recommends approval of the minor subdivision plat with conditions

**City Council District:** 8

**Councilor Name:** Phil Lakin

**County Commission District:** 3

**Commissioner Name:** Ron Peters

**EXHIBITS:** Site Map, Aerial, Land Use Map, Growth & Stability Map, Plat Submittal
MINOR SUBDIVISION PLAT

The Reserve at Forest Trails - (CD 8)
North of the northeast corner of East 111th Street South and South Sheridan Road

This plat consists of 3 lots, 1 block on 5.06 ± acres.

The Technical Advisory Committee (TAC) met on September 5, 2019 and provided the following conditions:

2. Addressing: Approved as submitted.
3. Transportation & Traffic: Sidewalks required along South Sheridan Road. Add appropriate language to deed of dedication.
4. Sewer/Water: Add perimeter easement to eastern boundary line.
5. Engineering Graphics: Update location map with revisions provided by Engineering Services. Provide a date of preparation on the face of the plat.
7. Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others: All release letters have been received. Oil & Gas certificate was submitted.

Waivers of Subdivision Regulations:

1. None Requested

Staff recommends APPROVAL of the minor subdivision plat subject to the conditions provided by TAC and the requirements of the Subdivisions Regulations.

All conditions of Development Services and the City of Tulsa Legal Department must be met and a final plat release must be provided prior to the endorsement and filing of the plat.
Note: Graphic overlays may not precisely align with physical features on the ground.
Note: Graphic overlays may not precisely align with physical features on the ground.
The Reserve at Forest Trails

A RE-PLAT OF RESERVE 'A' OF FOREST TRAILS, A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA BEING A PART OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION TWENTY-SIX (26), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN.

Subdivision Statistics

- Subdivision contains three (3) lots in one (1) block.
- Gross Subdivision Area: 223,823.86 SF / 16.07 Acres

Basis of Bearings

- Oklahoma State Plan, Oklahoma North Zone 2001, U.S. Survey Feet, north using the West Line of the Southwest Quarter of Section 26, T18S R13E, NW1/4, S18, E13, TULSA COUNTY, STATE OF OKLAHOMA as north origin west.

Monumentation

- All corners shown herein were set using 3/8" x 1/16" steel pins with a green plastic cap stamped "WATTS CARRIER".

Benchmark


Address

- Address shown on this plat is accurate at the time this plat was filed. Address is subject to change and should not be relied upon in place of the legal description.

ACCESS EASEMENT

Line Table

<table>
<thead>
<tr>
<th>Line</th>
<th>Width (FT)</th>
<th>Distance (FT)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>15</td>
<td>200</td>
</tr>
<tr>
<td>2</td>
<td>15</td>
<td>200</td>
</tr>
<tr>
<td>3</td>
<td>15</td>
<td>200</td>
</tr>
</tbody>
</table>

ACCESS EASEMENT

Curve Table

<table>
<thead>
<tr>
<th>Curve</th>
<th>Radius (FT)</th>
<th>Offset (FT)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>500</td>
<td>10</td>
</tr>
<tr>
<td>2</td>
<td>400</td>
<td>20</td>
</tr>
<tr>
<td>3</td>
<td>300</td>
<td>30</td>
</tr>
</tbody>
</table>

ENDORSEMENT OF APPROVAL

SHOULD BE REEDED IN PLACE OF THE LEGAL DESCRIPTION.
Item
Consider amendments to the Tulsa Zoning Code, Title 42 Revised Ordinances, regarding the addition of an Agricultural-Residential (AG-R) zoning designation and regulations for Accessory Dwelling Units (ADUs).

Background
In April 2014, the City Council approved the West Highlands/Tulsa Hills Small Area Plan. During this planning process, there was concern voiced by the residents regarding the effects of continual infill development consistent with the RS-3 zoning in the area west of Union Avenue. RS-3 zoning was broadly applied to this area by the City of Tulsa in 1970. During the small area planning process, a number of residents were of the opinion that a larger lot zoning district would be more appropriate to reflect the current development pattern and desired lifestyle.

As development has progressed in the planning area, staff was asked by City Council and Planning Commission to evaluate recommendations in the Small Area Plan that would address issues voiced by the community. Simultaneously, staff evaluated other recommendations that could be implemented through zoning changes. Due to recent development pressure in the area bordered by: West 71st Street South; West 91st Street South; South 33rd West Avenue; and South Union Avenue, staff evaluated the below recommendations contained in the Small Area Plan for possible implementation.

Recommendation 4.6: Revise zoning code to include a “rural residential” district which allows a limited number of livestock and horses as a use by right and has larger minimum lot sizes. This can be done by either amending an existing district or creating a new one.

Recommendation 2.7: Support a change to the zoning code that enables a property owner to construct and rent an accessory dwelling unit (commonly known as “mother-in-law flat”) on their residential-zoned property. Support Board of Adjustment applications asking for such uses in this area.

On April 3, 2019, at a TMAPC work session, staff discussed the options for a new citywide Agricultural-Residential zoning designation and Accessory Dwelling Units zoning changes. A public meeting with community members in the West Highlands/Tulsa Hills planning area was held on April 23, 2019 to solicit feedback and discuss the initial proposal. A second TMAPC work session was held on August 7, 2019 to discuss proposed zoning code amendments.

On September 4, 2019, at the TMAPC public hearing staff proposed amendments as a mechanism to implement the above recommendations throughout the City of Tulsa. The proposal would establish a new citywide “Agricultural-Residential” (AG-R) zoning designation and allow the opportunity for accessory dwelling units (ADUs) on residentially zoned lots through the special exception process.

This item was continued to the September 18, 2019 TMAPC public hearing in order to update the zoning code amendments to allow ADUs by right in any zoning category that allows a duplex by right, based on commissioner discussion. All other regulations are the same, and ADUs are only allowed on a lot with a detached house. There were no changes regarding the proposed AG-R zoning designation regulations.

Staff Recommendation
Approval of the proposed amendments to Tulsa Zoning Code as shown in Attachments I and II.

Attachment(s)
Attachment I – Proposed Agricultural-Residential (AG-R) zoning district amendments
Attachment II – Proposed Accessory Dwelling Units (ADUs) amendments
Chapter 15 | Office, Commercial and Industrial Districts

Section 15.030 Lot and Building Regulations

Table 15-3: O, C and I District Lot and Building Regulations

<table>
<thead>
<tr>
<th>Regulations</th>
<th>OL</th>
<th>OM</th>
<th>OMH</th>
<th>OH</th>
<th>CS</th>
<th>CG</th>
<th>CH</th>
<th>CBD</th>
<th>IL</th>
<th>IM</th>
<th>IH</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Area (sq. ft.)</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>10,000</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Minimum Street Frontage (feet)</td>
<td>50</td>
<td>50</td>
<td>50</td>
<td>--</td>
<td>50</td>
<td>50</td>
<td>--</td>
<td>--</td>
<td>50</td>
<td>50</td>
<td>50</td>
</tr>
<tr>
<td>Maximum Floor Area Ratio (FAR)</td>
<td>0.40</td>
<td>0.50</td>
<td>2.00</td>
<td>8.00</td>
<td>0.50</td>
<td>0.75</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Building Setbacks (feet)</td>
<td>Street [4]</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td>--</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>From O district</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Max. Building Coverage (% of lot)</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Maximum Building Height (feet)</td>
<td>35</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
</tbody>
</table>

15.030-B Table Notes

[6] Minimum building setback abutting freeway right-of-way that is zoned AG, AG-R, R or O is 10 feet.

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 or AG-R district.

Chapter 25 | Special Districts

Section 25.020 AG, Agricultural District and AG-R, Agricultural-Residential District ............ 25-1

Section 25.020 AG, Agricultural District and AG-R, Agricultural-Residential District

25.020- A Purposes
1. The AG, Agricultural district is primarily intended to accommodate agricultural, mining or mineral processing uses in rural areas. The district also allows very low-density residential and other uses and serves as a holding zone pending an orderly transition to more urban development that can be efficiently served by public facilities and services.

2. The AG-R, Agricultural-Residential district is primarily intended for areas of the city that are generally located on the outer edge of urbanized development. The district is designed to acknowledge the desire for lower-density residential development with larger lot sizes. While land use regulations and lot and building standards are primarily geared towards residential uses, some agricultural uses could also be permitted.

**25.020-B Use Regulations**

1. Uses are allowed in AG and AG-R districts in accordance with Table 25-1. These uses are described in Chapter 35. Uses identified with a “P” are permitted as-of-right. Uses identified with an “S” may be allowed only if reviewed and approved in accordance with the special exception procedures of Section 70.120. All allowed uses are subject to compliance with all other applicable regulations of this zoning code.

2. Uses identified with an “-” are expressly prohibited. Uses that are not listed in the table and that cannot be reasonably interpreted (as stated in Section 35.020-E) to fall within any defined use category are also prohibited.

*Table 25-1: AG and AG-R District Use Regulations*

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>AG</th>
<th>AG-R</th>
<th>Supplemental Use Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subcategory (Section 35.020)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Specific use</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RESIDENTIAL</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Household Living (if in allowed Building type indicated in 25.1-5)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Group Living</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community group home</td>
<td>S</td>
<td>S</td>
<td>Section 40.160</td>
</tr>
<tr>
<td>Convent/monastery/novitiate</td>
<td>S</td>
<td>S</td>
<td>Section 40.100</td>
</tr>
<tr>
<td>PUBLIC, CIVIC AND INSTITUTIONAL</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Airport</td>
<td>S</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Cemetery</td>
<td>S</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>College</td>
<td>S</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Detention and Correctional Facility</td>
<td>S</td>
<td>S</td>
<td>Section 40.130</td>
</tr>
<tr>
<td>Fraternal Organization</td>
<td>S</td>
<td>S</td>
<td>Section 40.140</td>
</tr>
<tr>
<td>Governmental Service</td>
<td>S</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Hospital</td>
<td>S</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Library or Cultural Exhibit</td>
<td>S</td>
<td>S</td>
<td>Section 40.200</td>
</tr>
<tr>
<td>Natural Resource Preservation</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Parks and Recreation</td>
<td>S</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Postal Service</td>
<td>S</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>USE CATEGORY</td>
<td>AG</td>
<td>AG-R</td>
<td>Supplemental Use Regulations</td>
</tr>
<tr>
<td>--------------</td>
<td>----</td>
<td>------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>Subcategory (Section 35.020)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Specific use</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Religious Assembly</td>
<td>S</td>
<td>S</td>
<td>Section 40.320</td>
</tr>
<tr>
<td>School</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Established on or before Jan. 1, 1998</td>
<td>P</td>
<td>P</td>
<td>Section 40.350</td>
</tr>
<tr>
<td>Others</td>
<td>S</td>
<td>S</td>
<td>Section 40.350</td>
</tr>
<tr>
<td>Utilities and Public Service Facility</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minor</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Major</td>
<td>S</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Wireless Communication Facility</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Freestanding tower</td>
<td>S</td>
<td>S</td>
<td>Section 40.420</td>
</tr>
<tr>
<td>Building or tower-mounted antenna</td>
<td>P</td>
<td>P</td>
<td>Section 40.420</td>
</tr>
<tr>
<td>COMMERCIAL</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assembly and Entertainment</td>
<td></td>
<td></td>
<td>Section 40.040</td>
</tr>
<tr>
<td>Indoor gun club</td>
<td>S</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Outdoor gun club</td>
<td>S</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stable or riding academy</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other indoor assembly and entertainment</td>
<td>S</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other outdoor assembly and entertainment</td>
<td>S</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Day Care</td>
<td>S</td>
<td>S</td>
<td>Section 40.120</td>
</tr>
<tr>
<td>Funeral and Mortuary Service</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Crematory</td>
<td>S</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lodging</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bed &amp; breakfast</td>
<td>S</td>
<td>S</td>
<td>Section 40.060</td>
</tr>
<tr>
<td>Rural retreat</td>
<td>S</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Marina</td>
<td>S</td>
<td></td>
<td></td>
</tr>
<tr>
<td>INDUSTRIAL</td>
<td></td>
<td></td>
<td>Section 40.160</td>
</tr>
<tr>
<td>Mining or Mineral Processing</td>
<td>S</td>
<td></td>
<td>Section 40.230</td>
</tr>
<tr>
<td>AGRICULTURAL</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community Garden</td>
<td>P</td>
<td>P</td>
<td>Section 40.090</td>
</tr>
<tr>
<td>Farm, Market- or Community-supported [3]</td>
<td>P</td>
<td>S</td>
<td>Section 40.090</td>
</tr>
<tr>
<td>Horticulture Nursery</td>
<td>P</td>
<td></td>
<td>Section 40.225</td>
</tr>
<tr>
<td>OTHER</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oil or Gas Well</td>
<td>S</td>
<td>S</td>
<td>Section 40.270</td>
</tr>
</tbody>
</table>

**25.020-C Table Notes**

[1] Accessory dwelling units may be allowed by special exception in AG and AG-R districts on a lot occupied by a detached house. For supplemental regulations, see Section 45.031.

[2] See Title 2, Chapter 2 of the Tulsa Revised Ordinances

[3] A Farm, Market or Community supported, may only be allowed in a AG-R district where the land area of a single parcel is greater than 2 acres.

**25.020-C-D Residential Building Types**
Residential uses allowed in AG and AG-R districts must be located in residential buildings. Descriptions of the residential building types and references to applicable regulations are found in Section 35.010. The following residential building types are allowed in AG and AG-R districts.

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

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>AG</th>
<th>AG-R</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subcategory (Section 35.020)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Specific use</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building Type</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Households Living</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single household</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Detached house</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Manufactured housing unit</td>
<td>S</td>
<td>S</td>
</tr>
<tr>
<td>P= Permitted; S=Special Exception Approval Required; – = Prohibited</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

25.020-D Lot and Building Regulations

The lot and building regulations of Table 25-2 apply to all principal uses and structures in AG and AG-R districts, except as otherwise expressly stated in this zoning code. General exceptions to lot and building regulations and rules for measuring compliance can be found in Chapter 90. Additional regulations governing accessory uses and structures can be found in Chapter 45.

Table 25-2: AG and AG-R District Lot and Building Regulations

<table>
<thead>
<tr>
<th>Regulations</th>
<th>AG</th>
<th>AG-R</th>
</tr>
</thead>
<tbody>
<tr>
<td>Min. Lot Area</td>
<td>2 acres</td>
<td>1 acre</td>
</tr>
<tr>
<td>Min. Lot Area per Unit</td>
<td>2 acres</td>
<td>1 acre</td>
</tr>
<tr>
<td>Minimum Lot Width (feet)</td>
<td>200</td>
<td>150</td>
</tr>
<tr>
<td>Min. Lot Frontage (feet)</td>
<td>30</td>
<td>30</td>
</tr>
<tr>
<td>Min. Building Setbacks (feet)</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>Street</td>
<td>10/5</td>
<td>15</td>
</tr>
<tr>
<td>Rear</td>
<td>40</td>
<td>25</td>
</tr>
<tr>
<td>Max. Building Height (feet)</td>
<td>–</td>
<td>35</td>
</tr>
</tbody>
</table>

Section 25.030 PK, Parking District

25.030-C Lot and Building Regulations

Table 25-3: PK District Lot and Building Regulations

<table>
<thead>
<tr>
<th>Regulations</th>
<th>PK</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Frontage (feet)</td>
<td>20</td>
</tr>
<tr>
<td>Min. Building Setbacks (feet)</td>
<td>10 [1]</td>
</tr>
<tr>
<td>Street</td>
<td>10 [2]</td>
</tr>
<tr>
<td>From abutting RE, RS, RD, AG-R</td>
<td>10 [2]</td>
</tr>
<tr>
<td>Regulations</td>
<td>PK</td>
</tr>
<tr>
<td>-------------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Max. Lot Coverage by Buildings and Parking Area (%)</td>
<td>90</td>
</tr>
<tr>
<td>Maximum Building Height (feet)</td>
<td>35[3]</td>
</tr>
</tbody>
</table>

2. Table Notes

***

[2] When a PK district abuts an R or AG-R district, a masonry screening wall must be provided along the common lot line in accordance with the F1 screening fence or wall standards of (Section 65.060-C2).

***

Section 25.050 SR, Scientific Research District

***

25.050-C Lot and Building Regulations

*Table 25-6: SR District Lot and Building Regulations*

<table>
<thead>
<tr>
<th>Regulations</th>
<th>SR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Area (sq. ft.)</td>
<td>–</td>
</tr>
<tr>
<td>Minimum Street Frontage (feet)</td>
<td>200</td>
</tr>
<tr>
<td>Maximum Floor Area Ratio (FAR)</td>
<td>0.50</td>
</tr>
<tr>
<td>Minimum Lot Area per Unit (sq. ft.)</td>
<td>–</td>
</tr>
<tr>
<td>Minimum Building Setbacks (feet)</td>
<td></td>
</tr>
<tr>
<td>Street From AG, AG-R or R district</td>
<td>50[1][2]</td>
</tr>
<tr>
<td>From O district</td>
<td>50[1][2]</td>
</tr>
</tbody>
</table>

***

[2] Minimum building setback abutting freeway right-of-way that is zoned AG, AG-R, R or O is 10 feet.

***

Section 25.060 IMX, Institutional Mixed-Use

***

25.060-E Height Regulations

No maximum height limits apply in the IMX district except in the following cases:

***

2. When an IMX district abuts an R or AG-R district with an intervening right-of-way that is not an alley, a maximum height limit of 48 feet applies within 100 feet of the right-of-way centerline.
3. When an IMX district abuts an R, AG-R district or an HP district with an intervening alley, a maximum height limit of 24 feet applies within 40 feet of the alley centerline and a maximum height limit of 48 feet applies at a distance between 40 feet and 90 feet of the alley centerline.

4. When an IMX district abuts an R, AG-R district or an HP district without an intervening right-of-way, a maximum height limit of 24 feet applies within 50 feet of the lot boundary and a maximum height limit of 48 feet applies at a distance between 50 and 100 feet of the lot boundary.

25.060-H Landscaping and Screening

1. L1 Landscape Transition Yards
   a. When Required
      L1 landscape transition yards with a minimum depth of 10 feet are required in all of the following cases:

      (1) When development occurs on a lot abutting an R district, AG-R district, or HP district, or a lot occupied by a detached house, duplex or townhouse without an intervening right-of-way;

25.060-J Mechanical Equipment

4. Chiller plants and similar utility structures must be screened from public rights-of-way and abutting R- or AG-R- zoned lots, HP districts, and or lots occupied by a detached houses, duplexes or townhouses. Required screening must consist of a masonry wall that is at least 6 feet in height. Trees must also be provided as required in L1 landscape transition yards (see

Chapter 40 | Supplemental Use and Building Regulations

Section 40.020 Animal Services
Whenever an animal services use is located on a lot abutting an R- or AG-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.
Section 40.030 Apartments/Condos
Whenever an apartment/condo building containing more than 5 dwelling units is located on a lot abutting an RE_1 or RS_ or AG-R district, 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.

Section 40.040 Assembly and Entertainment
Whenever an assembly and entertainment use is located on a lot abutting an R_ or AG-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.

Section 40.080 Commercial Services
Whenever a commercial services use is located on a lot abutting an R_ or AG-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.

Section 40.090 Community Garden and Farm, Market or Community Supported
The supplemental use regulations of this section apply to all community garden uses, and to all farms, market or community supported, as may be allowed in a residentially zoned district.

40.090-J Within an AG-R or residential zoning district, operating hours for community garden or farm, market or community supported, activities are restricted to between 5:00 a.m. and 11:00 p.m. daily.

Section 40.100 Community Group Homes
The supplemental use regulations of this section apply to all community group homes.

40.100-E When a community group home is located on a lot abutting an RE_ or RS_ or AG-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.

Figure 40-4: Screening of Community Group Home Abutting RE_ or RS_ or AG-R Districts
Section 40.110 Cottage Homes

***

40.110-G Vehicular Access and Parking

***

2. Required parking may be provided on each cottage house lot or in a shared parking area located within commonly owned space or in a combination of the two. Common parking areas containing 4 or more spaces must be screened from view of abutting R- or AG-R- zoned lots in accordance with the F1 screening fence or wall standards of §65.060-C2.. Parking may not be located in street yards or in the required courtyard or common open space area.

***

Section 40.120 Day Cares
Day camps require a minimum lot area of one acre in AG, AG-R, RE and RS zoning districts. See also the (accessory use) family childcare home regulations of Section 45.070.

***

Section 40.160 Group Living Uses
Whenever any group living use is located on a lot abutting an RE, RS, or AG-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..

Section 40.170 Hotel or Motel
Whenever a hotel or motel use is located on a lot abutting an R- or AG-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..

Section 40.180 Industrial Uses

40.180-A Whenever any industrial use, other than a junk or salvage yard, is located on a lot abutting an R- or AG-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-C.2. Junk and salvage yards are subject to the regulations of Section 40.190.

40.180-B Industrial uses located within 300 feet of an abutting R- or AG-R- zoned lot must be conducted within a completely enclosed building, except for storage, loading and off-loading areas.

Section 40.190 Junk or Salvage Yards

* * *

40.190-A Junk or salvage yards must be screened from view of abutting streets and all AG, AG-R, R, PK, O, C, CBD, SR, IL and CO zoning districts by the erection and maintenance of a screening wall or fence that is:

* * *

40.190-C The piling of junk or salvage materials may not exceed the height of the required screening wall or fence within 150 feet of the boundary required to be screened, except that storage racks designed for the stacking of automotive front-ends, hoods, doors, quarter panels, and similar parts that exceed the height of the screening wall or fence, must be set back at least 25 feet from abutting R- or AG-R- zoned lots and street rights-of-way, plus 2 additional feet of setback for every foot of rack height above 15 feet.

* * *

Section 40.200 Library or Cultural Exhibit

Museums, planetariums, aquariums and other cultural exhibit uses require a minimum lot area of one acre in AG, AG-R, RE and or RS zoning districts.

Section 40.210 Manufactured Housing Units

The supplemental regulations of this section apply only to manufactured housing units approved as special exception uses in R or AG-R zoning districts.

* * *

Section 40.260 Offices

* * *

40.260-D Whenever an office use is located on a lot abutting an R- or AG-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.

* * *

Section 40.310 Recycling Uses

40.310-A Whenever any recycling use is located on a lot abutting an R- or AG-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.
40.310-B Recycling uses located within 300 feet of an abutting R- or AG-R- zoned lot must be conducted within a completely enclosed building, except for storage, loading and off-loading areas.

***

Section 40.330 Restaurants

***

40.330-A Restaurants must occupy completely enclosed buildings, except outdoor customer seating/dining, including rooftop seating, is permitted subject to the following regulations:

***

2. Outdoor customer seating/dining areas may not occupy required parking spaces or drive aisles or be located within 50 feet of R- or AG-R- zoned lots;

3. When a restaurant is located on a lot abutting an R- or AG-R- zoned lot, noise emanating from any onsite equipment or activity, including outdoor customer seating/dining areas may not exceed 65 db(A), as measured along the common lot line at the top of the required screening wall or fence.

40.330-B Whenever a restaurant is located on a lot abutting an R- or AG-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.C.

Figure 40-10: Screening of Restaurant Abutting R or AG-R Districts

Section 40.340 Retail Sales

40.340-A Whenever a retail sales use is located on a lot abutting an R- or AG-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.C.

***

Section 40.360 Self-Service Storage Facilities

40.360-A General
2. A screening fence or masonry wall is required along all lot lines that abut R- or AG-R- zoned lots. Required screening fences and walls must be at least 8 feet in height. If buildings are masonry, the building wall can serve as the screening wall, provided that any open spaces between perimeter buildings are screened with a masonry screening wall at least 8 feet in height. The screening fence/wall requirements of this section do not apply to climate-controlled self-storage buildings in which self-storage spaces are accessed only from within the building.

Figure 40-12: Screening of Drive-up Style Self-Storage Facilities from Abutting R or AG-R Districts

***

40.360-B RM and O Districts

***

3. Access doors to drive-up style storage units may not be visible at ground-level from abutting O-1 or R- or AG-R- zoned lots or from abutting street rights-of-way.

***

5. In RM-1 and OL districts storage may only occur within completely enclosed buildings. All storage in RM-2, RM-3, OM, OMH or OH districts must also occur in completely enclosed buildings, except that outdoor (open-air) storage is allowed on the interior of the lot if the storage is not visible at ground level from abutting R or O- or AG-R districts or from any street rights-of-way.

40.360-C CS District
In the CS district, no outdoor (open-air) storage of any kind is allowed that is visible at ground level from abutting R or O- or AG-R districts or from any street rights-of-way.

Section 40.370 Sexually Oriented Business Establishments
The supplemental use regulations of this section apply to all sexually oriented business establishments.

40.370-A Sexually oriented business establishments are allowed only in those districts and under those approval procedures expressly stated in this zoning code. In addition, no person may exercise supervisory control, manage, operate, cause the establishment
or permit the establishment of any sexually oriented business establishment within 1,000 feet (the “minimum separation distance”) of any of the following:

***

5. Residential zoning or a habitable dwelling unit in an AG or AG-R zoning district. The minimum separation distance must be measured in a straight line from the nearest point of the wall of the portion of the building occupied by a sexually oriented business establishment, to the nearest point on an R district boundary line (not including R-zoned expressway right-of-way) or to the nearest point of the exterior wall of a habitable dwelling located in an AG or AG-R zoning district.

***

40.370-D When a sexually oriented business establishment is located on a lot abutting an R- or AG-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 §65.060-C2.

Figure 40-13: Screening of Sexually Oriented Business Establishments

Section 40.380 Studios, Artist or Instructional Services
Whenever an artist studio or an instructional services studio is located on a lot abutting an R- or AG-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.

***

Section 40.400 Vehicle Sales and Service

40.400-A Whenever a vehicle sales and service use is located on a lot abutting an R- or AG-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- or AG-R-zoned lot, off-street parking and vehicle display areas must comply with the parking area design standards of Section 55.090.

Section 40.410 Wholesale, Distribution & Storage Uses
Whenever any wholesale, distribution & storage use is located on a lot abutting an R- or AG-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.

Section 40.420 Wireless Communication Facilities

40.420-E General Requirements

All towers and antennas are subject to the general requirements of this subsection unless otherwise expressly stated.

***

6. The following setback requirements apply to all towers unless otherwise expressly approved by the board of adjustment as part of the special exception approval:

a. Towers must be set back a distance equal to at least 110% of the height of the tower from any adjoining lot line of an R-, O-, or AG-, or AG-R-zoned lot, excluding R-zoned expressway rights-of-way.

b. Accessory buildings are subject to applicable zoning district building setback requirements.

*Figure 40-14: Tower Setback from R, O-, AG, or AG-R districts*

---

Chapter 45 | Accessory Uses and Structures

***

Section 45.020 Accessory Antennas

45.020-A AG, AG-R, R and PK Districts

1. In AG, AG-R, R and PK districts, accessory antennas and their support structures are allowed to be mounted on a principal building or accessory building, provided that:

***
2. In AG, AG-R, R and PK districts, structures other than principal or accessory buildings that are used to support accessory antennas (including guy lines) must comply with all of the following regulations.

***

45.020-B Other Districts

In all districts other than AG, AG-R, R or PK districts, antenna support structures that are accessory to principal uses must be set back from any R or AG-R district a distance equal to at least 110% of the height of the antenna, measured from the average ground elevation at the base of the structure to the highest point of the antenna. The setback distance must be measured from the nearest point of the antenna supporting structure (excluding any guy lines) to the nearest point on the residential zoning district boundary line, excluding R-zoned freeways.

***

Section 45.050 Dumpsters and Recyclable Material Bins

***

45.050-C Regulations

***

2. Dumpsters and recyclable material bins must be located on a dustless, all-weather surface and must be screened from view of all rights-of-way and R- or AG-R-zoned property in accordance with Section 65.060-B2, provided that no trees are required as part of the required screening. No signs are allowed on the exterior of the required screening fence or wall.

Section 45.140 Parking and Storage of Inoperable or Unlicensed Motor Vehicles

In R or AG-R districts, parking or storage of inoperable or unlicensed motor vehicles is prohibited within street yards.

Section 45.150 Parking and Storage of Recreational Vehicles

45.150-A Other than for purposes of loading and unloading, which must take place within a 48-hour period, recreational vehicles located in an AG, AG-R, R or MX district may be parked or stored only in the following locations:

***

45.150-B The parking and storage of recreational vehicles in an R or AG-R district is permitted in accordance with §45.150-A, provided that:

1. The vehicle is not used for dwelling purposes
2. The vehicle is not permanently connected to sewer lines, water lines, or electricity; and
3. The vehicle is not used for storage of goods, materials, or equipment other than those items considered to be a part of the recreational vehicle or essential for its use as a recreational vehicle.

***

Chapter 55 | Parking

***

Section 55.080 Location of Off-Street Parking

***

55.080-C Parking Setbacks

***

1. Unenclosed off-street parking areas must be set back from abutting streets as indicated in Table 55-4:

<table>
<thead>
<tr>
<th>Residential Zoning Districts</th>
<th>Minimum Street Setback (feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory to a household living use</td>
<td>3</td>
</tr>
<tr>
<td>Accessory to another use</td>
<td>15</td>
</tr>
<tr>
<td>Other Zoning Districts within 50 feet of a residential district</td>
<td>15</td>
</tr>
</tbody>
</table>

2. Unenclosed off-street parking areas (including drive aisles) that are accessory to apartment/condo buildings or group living uses must be set back at least 25 feet from any abutting RE, RS, or AG-R zoning district.

3. All unenclosed, non-accessory off street parking areas must be screened from abutting R- or AG-R-zoned lots by an F1 screening fence or wall, in accordance with §65.060-C2.

4. All unenclosed, accessory off street parking areas containing 6 or more spaces must be screened from abutting RE-zoned lots and, RS, or AG-R-zoned lots by an F1 screening fence or wall, in accordance with §65.060-C2, provided that accessory parking areas located more than 50 feet from abutting RE-1 RS- or AG-R-zoned lots are not required to provide such screening.

***

Section 55.100 Stacking Spaces for Drive-through Facilities

***
55.100-C Location and Design

***

2. All areas associated with drive-through facilities, including drive-through signs, stacking lanes, trash receptacles, loudspeakers and service windows must be located to the rear or on the non-street-facing side of the property. Drive-through lanes must be set back at least 10 feet from abutting R- or AG-R-zoned lots, and 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.

***

Section 55.120 Loading

Unenclosed off-street loading areas may not be located within 50 feet of any abutting R- or AG-R-zoned properties unless the loading areas is screened on all sides abutting the R- or AG-R-zoned property in accordance with the F1 screening fence or wall standards of §65.060-C2.

***

Chapter 60 | Signs

***

Section 60.050 Signs in R- and AG- and AG-R Zoning Districts ..............................................( Page #)

***

60.030-B Drive-through Signs

***

3. Residential Separation

Drive-through signs must be set back at least 50 feet from AG-R or residential zoning districts.

***

60.030-E Temporary Signs

1. Real Estate Signs

One real estate sign is allowed per street frontage, subject to the standards in Table 60-1:

<table>
<thead>
<tr>
<th>Table 60-1: Real Estate Signs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regulation</td>
</tr>
<tr>
<td>Maximum Sign Area (sq. ft.)</td>
</tr>
<tr>
<td>Minor street Frontage</td>
</tr>
</tbody>
</table>
Section 60.040 Sign Regulations of General Applicability

60.040-B Required Setbacks, Spacing and Separations

3. Signs that are visible from an R or AG-R district (other than street, highway or freeway right-of-way) or from a designated residential development area must be separated from the R or AG-R district or residential development area by a minimum distance of 50 feet.

4. Signs with an area of more than 300 square feet that are visible from an R or AG-R district (other than street, highway or freeway right-of-way) or from a designated residential development area must be separated from the R or AG-R district or residential development area by a minimum distance of 200 feet.

Section 60.050 Signs in R1, AG, and AG-R Zoning Districts

60.050-A Applicability

The regulations of this section apply to signs in R1, AG, and AG-R districts. See also the general regulations of Chapter 56.

60.050-B Signs Allowed

The following signs are allowed in R1, AG, AG-R districts in addition to any signs allowed pursuant to Section 60.040. On-premise roof signs, on-premise projecting signs and all off-premise outdoor advertising signs are prohibited in R1, AG, AG-R districts.

2. Nonresidential Uses

The following regulations apply to all principal nonresidential uses in R1, AG, AG-R districts.

a. Wall Signs

Nonresidential uses in R1, AG, AG-R districts are allowed a maximum of one wall sign per public building entrance. No individual wall sign may exceed 32 square feet in area. In buildings with multiple public building entrances, the sign area of all wall signs may not exceed 32 square feet in the aggregate.

b. Freestanding Signs
Nonresidential uses in R, districts and AG, and AG-R districts are allowed a maximum of one freestanding sign per street frontage. Allowed freestanding signs are subject to a maximum height limit of 20 feet and may not exceed 32 square feet in area or 0.20 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may the sign exceed 150 square feet in area. The maximum sign area calculation must be based on the street frontage to which the sign is oriented.

c. Dynamic Displays

Dynamic displays are prohibited in R, districts and AG, and AG-R districts except that on a lot occupied by an allowed public, civic or institutional use, the board of adjustment is authorized to approve a special exception for the allowed wall sign or the allowed freestanding sign to include a dynamic display.

***

(3) Dynamic displays in R, districts and AG, and AG-R districts may operate only between the hours of 7:00 a.m. and 9:00 p.m. unless otherwise expressly approved through the special exception process.

***

60.080-F Off-premise Outdoor Advertising Signs

***

5. Required Setbacks, Spacing and Separations

***

c. Off-premise outdoor advertising signs that are visible from an R or AG-R district (other than street, highway or freeway right-of-way) or from a designated residential development area must be separated from the R or AG-R district or residential development area by a minimum distance of 150 feet if the sign does not exceed 300 square feet in area and by a distance of at least 200 feet if the sign is greater than 300 square feet in area.

***

Section 60.090 Signs in Special Districts

60.090-A AG and AG-R District

See Section 60.050.

***

Section 60.100 Dynamic Displays

***
60.100-F Dynamic displays may not be located within 200 feet of any of the following:
(1) an R or AG-R district (other than street, highway or freeway right-of-way); (2) a residential development area. This separation distance does not apply if the dynamic display is not visible from the referenced district, area or lot, and the requirements may be modified in R and AG, and AG-R districts if approved through the special exception process. Required separation distances must be measured horizontally in a straight line from the nearest point on a sign structure to the nearest point of an R or AG-R district or residential development area boundary.

Chapter 65 | Landscaping, Screening & Lighting

Section 65.060 Screening

65.060-C Type of Screens

3. Materials and Design

f. If painted, be earth-tone in color when abutting an R or AG-R district boundary; and

6. Screening or Setbacks Triggered by Proximity to Nonresidential Areas/Features

When the erection of a screening wall or fence or setback is required by this zoning code because a use abuts one or more R or AG-R districts, such wall, fence, or setback is not required if the actual use of the abutting R or AG-R district is a freeway, expressway, turnpike, nonresidential use previously approved by the board of adjustment; or a nonresidential development area. This exemption from screening does not apply to junk or salvage yard uses.

Table 65-1: Maximum Light Fixture Heights

<table>
<thead>
<tr>
<th>Distance from AG District, AG-R District, R District or Public Right-of-Way (feet)</th>
<th>Maximum Fixture Height (feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 – 50</td>
<td>16</td>
</tr>
<tr>
<td>50.01 – 250</td>
<td>20</td>
</tr>
<tr>
<td>More than 250</td>
<td>35</td>
</tr>
</tbody>
</table>
Attachment II
Proposed Accessory Dwelling Unit (ADU) amendments

Chapter 5 | Residential Districts

Section 5.020 Use Regulations

5.020-F Accessory Uses

Accessory uses, such as home occupations, are not regulated by Table 5-2. Customary accessory uses are allowed in conjunction with principal uses permitted by right or by special exception, subject to compliance with all applicable accessory use regulations of Chapter 45.

Table 5-2: R District Use Regulations

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>RE</th>
<th>RS-</th>
<th>RD</th>
<th>RT</th>
<th>RM-</th>
<th>RMH</th>
<th>Supplemental Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>RESIDENTIAL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Household Living (if in allowed building type identified in Table 5-2.5)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single household</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Two households on single lot</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>P</td>
</tr>
<tr>
<td>Three or more households on single lot</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>S</td>
<td>S</td>
<td>P</td>
</tr>
<tr>
<td>AGRICULTURAL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Farm, Market-, or Community-supported</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
</tr>
</tbody>
</table>

Table 5-2 Notes

[1] Accessory dwelling units may be allowed by special exception in RE and RS Districts on a lot occupied by a detached house. For supplemental regulations, see Section 45.031.

[2] Accessory dwelling units are allowed by right in RD, RT, RM, and RMH Districts on a lot occupied by a detached house. For supplemental regulations, see Section 45.031.

[3] A Farm, Market or Community supported, may only be allowed in a residential district where the land area of a single parcel is greater than 2 acres.

Chapter 25 | Special Districts

Section 25.020 AG, Agricultural District and AG-R, Agricultural-Residential District
Section 25.020-B Use Regulations

Table 25-1: AG and AG-R District Use Regulations

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>Supplemental Use Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subcategory (Section 35.020)</td>
<td>Specific use</td>
</tr>
<tr>
<td><strong>RESIDENTIAL</strong></td>
<td><strong>AG</strong></td>
</tr>
<tr>
<td>Household Living (if in allowed Building type indicated in 25.1-5)</td>
<td></td>
</tr>
<tr>
<td>Single household</td>
<td>1</td>
</tr>
</tbody>
</table>

[1] Accessory dwelling units may be allowed by special exception in AG and AG-R districts on a lot occupied by a detached house. For supplemental regulations, see Section 45.031.

Chapter 35 | Building Types and Use Categories

35.010 Building Types

35.010-A Detached House

A detached house is a principal residential building, other than a manufactured housing unit or mobile home, that contains only one dwelling unit and that is located on a single lot that is not occupied by other dwelling units **principal residential buildings**. Detached houses are not attached to and do not abut other dwelling units **principal residential buildings**. Detached houses include conventional ("stick-built") construction and construction involving modular or system-built components as long as such construction complies with city building codes. [An Accessory Dwelling Unit, as defined by Section 45.031-A, is not considered a detached house].

Chapter 45 | Supplemental Use and Building Regulations
45.030 Accessory Buildings and Carports in R Districts

45.030-A 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, including accessory dwelling units, 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. {41}[1]

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

In RS-2, RS-3, RS-4, RS-5 or RM, zoned lots used for detached houses or duplexes, the total aggregate floor area of all detached accessory buildings, including accessory dwelling units, 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. {41}[1]

[41] For detached accessory buildings, including accessory dwelling units, located within rear setbacks see §90.090-C2.

***

Section 45.031 ADU, Accessory Dwelling Units in R, AG, and AG-R Districts

Section 45.031-B Definition

A dwelling unit that is located in an accessory building on the same lot as a detached house to which it is accessory and subordinate.

Examples of ADUs include carriage houses, garage apartments, and mother-in-law flats.

Section 45.031-B Purpose

1. The purpose of allowing accessory dwelling units within R, AG, and AG-R districts is to:
   a. accommodate new housing units while preserving the character of existing neighborhoods;
   b. allow efficient use of the city's existing housing stock and infrastructure;
   c. provide housing options and choices that respond to varying income levels, changing household sizes and lifestyle needs; and
   d. provide a means for residents—particularly seniors, single parents, and empty-nesters—to remain in their homes and neighborhoods, and obtain extra income, security, companionship and assistance.

2. The ADU supplemental regulations are also intended to help ensure that that new buildings and modifications to existing buildings are designed with sensitivity to their
context in terms of building placement, proportions, building materials, and similar
design features.

Section 45.031-C Applicability

These regulations apply to all accessory dwelling units, as defined by Section 45.031-A.

Section 45.031-D Regulations

1. Where Allowed

Accessory dwelling units are allowed by special exception in all R, AG, and AG-R
districts on lots occupied by a detached house.

2. Number

No more than one accessory dwelling unit is allowed per lot.

3. Methods of Creation

An accessory dwelling unit may be created only through the following methods:

a. Constructing an accessory dwelling unit on a lot with a new or existing
detached house; or

b. Converting or increasing existing floor area within an accessory building on a
lot with an existing detached house.

4. Density (Minimum Lot Area and Lot Area per Unit)

No additional lot area or lot area per unit is required for the accessory dwelling
unit.

5. Open space (Minimum open space per unit)

No additional open space is required for the accessory dwelling unit.

6. Accessory Dwelling Unit Size

a. RE and RS-1 Districts

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

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

In RS-2, RS-3, RS-4, RS-5 or RM zoned lots used for detached houses, the
total aggregate floor area of all detached accessory buildings, including
accessory dwelling units, 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, including accessory dwelling units,
located within rear setbacks, see Section 90.090-C2.

7. Building and Fire Codes

All accessory dwelling units are subject to applicable building and fire codes.
8. Additional Regulations for Accessory Dwelling Units

a. Entrances
   Building entrances to accessory dwelling units may not face the nearest side or rear property line unless there is an alley abutting that property line.

b. Setbacks
   An accessory dwelling unit must be located at least 10 feet behind the detached house. This required 10-foot separation distance must be open from the ground to the sky except that it may include walkways, patios, decks and similar structures that do not exceed 30 inches in height above finished grade.

c. Exterior Finish Materials
   The exterior finish material of any new accessory dwelling unit must be the same or visually match in type, size and placement, the exterior finish material of the detached house.

d. Roof Pitch
   The roof pitch of any new accessory dwelling unit must be the same as the predominant roof pitch of the principal building.

Chapter 90  Measurements

Section 90.090 Setbacks

90.090-C Permitted Setback Obstructions in R Zoning Districts

2. Detached Accessory Buildings, including Accessory Dwelling Units, in RE, RS, RD Districts and RM Zoned Lots Used for Detached Houses or Duplexes.

a. Detached accessory buildings, including accessory dwelling units, may be located in rear setbacks provided that:

   (1) The building does not exceed one story or 18 feet in height and is not more than 10 feet in height to the top of the top plate; and

Figure 90-9: Maximum Height of Accessory Buildings, including Accessory Dwelling Units, in Rear Setbacks (RE, RS and RD Districts or RM Zoned Lots Used for Detached Houses or Duplexes)

10.24
(2) Building coverage in the rear setback does not exceed the maximum limits established in Table 90-2:

Table 90-2: Accessory Building, Including Accessory Dwelling Units, Coverage Limits in Rear Setback

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Maximum Coverage of Rear Setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>RS-1 and RE Districts</td>
<td>20%</td>
</tr>
<tr>
<td>RS-2 Districts</td>
<td>25%</td>
</tr>
<tr>
<td>RS-3, RS-4, RS-5, and RD Districts</td>
<td>30%</td>
</tr>
<tr>
<td>RM zoned Lots Used for Detached Houses or Duplexes</td>
<td>30%</td>
</tr>
</tbody>
</table>

b. Detached accessory buildings, including accessory dwelling units, in the rear 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, including accessory dwelling units, must comply with the same setback requirements that apply to principal buildings.

Figure 90-10: Required Setbacks for Accessory Buildings, Including Accessory Dwelling Units, in Rear Setbacks (RE, RS and RD Districts and RM Zoned Lots Used for Detached Houses and Duplexes)

Chapter 95 | Definitions

Accessory Dwelling Unit: See Section 45.031-A

***
Item
Discuss proposed amendments to the City of Tulsa Zoning Code regarding dumpsters and recyclable material bins/donation bins.

Background
The City of Tulsa Zoning Code became effective on January 1, 2016. Included in the Zoning Code were new regulations regarding dumpsters and recyclable material bins that were not in the previous code. A key component of the regulations was a retroactive screening requirement for all dumpsters and recyclable material bins, stating a compliance date of November 1, 2017. A proactive effort to enforce this provision took place earlier in 2019 and several businesses received notice that their dumpsters were not in compliance. These businesses contacted elected officials at City Hall about the issues resulting from these regulations. A few key issues identified were: they identified included:

- In existing development, there may not be enough space to place the dumpster/screening out of view from streets and abutting properties.
- Recyclable Material Bins will not be visible if required to be screened, which will impact donations.
- Dumpsters in alley rights-of-way should be exempt from screening requirements.

In order to address these and other related issues, the zoning code implementation team convened to address the identified issues. The zoning code implementation team is comprised of members of Tulsa Planning Office, Development Services Department and City Legal.

The amendments proposed to the City of Tulsa Zoning Code, Title 42 Tulsa Revised Ordinances, are shown in strike through/underline in Attachment II.

Staff Recommendation
Discuss proposed amendments to the City of Tulsa Zoning Code regarding dumpster and recyclable material bins/donation bins in advance of public hearing.

Attachment(s)
Attachment I - Summary of Changes for Dumpster & Recyclable Material Bins/Donation Bins zoning code amendments
Attachment III -Existing City of Tulsa Zoning Code (as of 09.12.2019)
## Attachment 1

**Dumpster & Recyclable Material Bins/Donation Bins Zoning Code Amendments Draft**  
**Summary of Changes**

<table>
<thead>
<tr>
<th>EXISTING</th>
<th>PROPOSED</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Dumpsters</strong></td>
<td><strong>Dumpsters</strong></td>
</tr>
<tr>
<td>- Dumpsters and recyclable material bins grouped together with the same regulations</td>
<td>- Dumpsters and recyclable material bins separated</td>
</tr>
<tr>
<td>- Limited restrictions on placement of dumpsters and recyclable material bins</td>
<td>- Dumpsters and recyclable material bins are not allowed in a required landscape area, street setback, or side setback</td>
</tr>
<tr>
<td>- No standards for excess trash and debris</td>
<td>- Surrounding sites must be maintained free of litter, debris and other materials</td>
</tr>
<tr>
<td><strong>Recyclable Material Bins</strong></td>
<td><strong>Recyclable Material Bins</strong></td>
</tr>
<tr>
<td>- Donation bins not specifically mentioned under the definition of recyclable material bins</td>
<td>- “Recyclable Material Bin” changed to “Recyclable Material Bin/Donation Bin”</td>
</tr>
<tr>
<td>- Screening fence required for recyclable material bins</td>
<td>- All goods must be screened from view within the bins</td>
</tr>
<tr>
<td>- No standards for maintenance or upkeep</td>
<td>- Bins must be maintained in good condition with no structural damage, holes, visible rust, graffiti</td>
</tr>
<tr>
<td>- No contact information requirements</td>
<td>- Name, phone number, and website of operator and all other entities benefiting from donations must be displayed on bin in bold ( \frac{1}{2} )” x ( \frac{1}{2} )” letters</td>
</tr>
<tr>
<td>- Primary use Consumer Material Dropoff Stations staffed by personnel when accepting recyclables</td>
<td>- Consumer Material Dropoff Stations are staffed by personnel on site a minimum of 20 hours per week</td>
</tr>
</tbody>
</table>
Section 35.080 Recycling Use Category
35.080-B Consumer Material Drop-off Station
An establishment that (1) accepts consumer recyclable commodities directly from the consuming party; (2) is staffed by personnel during times when recyclables are accepted from consumers on site for a minimum of 20 hours per week; and (3) stores materials temporarily before transferring them to recyclable material processing facilities. Establishments that process recyclable materials are classified as “consumer material processing” establishments. (Note: accessory use dumpsters and recyclable material bins/donation bins are regulated as accessory uses, subject to the regulations of Sections 45.050 and 45.051.)

Section 45.050 Dumpsters and Recyclable-Material Bins
45.050-A Applicability
1. The regulations of this section apply to all dumpsters and recyclable material bins established or placed on or after the effective date specified in Section 1.030.
2. Dumpsters and recyclable material bins established or placed before the effective date specified in Section 1.030 must be removed or brought into compliance with the regulations of this section no later than November 1, 2017.

45.050-B Where-Allowed
Dumpsters and recyclable material bins are allowed as an accessory use.

45.050-CA Regulations
Dumpsters and recyclable material bins established or placed on or after the effective date specified in Section 1.030 are subject to the following regulations:
1. Dumpsters and recyclable material bins may only be placed with the written permission of the owner of the subject property.
2. Dumpsters and recyclable material bins must be located on a dustless, all-weather surface and must be screened from view of all rights-of-way and R-zoned property in accordance with §65.060-B2, provided that no trees are required as part of the required screening. No signs are allowed on the exterior of the required screening fence or wall.
3. Dumpsters and recyclable material bins may not:
   a. Obstruct motorized or non-motorized traffic;
   b. Reduce any sidewalk or walkway designed for the passage of pedestrians to less than 5 feet in width;
   c. Be located within 10 feet of a fire hydrant or fire suppression connection; or
   d. Be located in a required parking space or required landscape area; or
   e. Be located in a street setback or side setback.
4. The site surrounding the dumpster must be maintained free of litter, debris, and other materials.
5. Dumpsters must be screened from view of all street rights-of-way and R-zoned property by a principal structure or an F1 screening fence or wall in accordance with §65.060-B2, provided that no trees are required as part of the required screening. Screening of
dumpsters located in alley rights-of-way is not required. No signs are allowed on the exterior of a required screening fence or wall.

6. Where the use of a dumpster is proposed, the location and intended screening demonstrating compliance with the standards of this section must be included with the submittal of a site plan for a zoning clearance, building or certificate of occupancy permit.

Section 45.051 Recyclable Material Bins/Donation Bins

45.051-A Regulations
Recyclable material bins/donation bins established or placed on or after December 1, 2019 are subject to the following regulations, and recyclable material bins/donation bins established before December 1, 2019 must be removed or brought into compliance with the following regulations no later than July 1, 2020:

1. Recyclable material bins/donation bins may only be placed with the written permission of the owner of the subject property.
2. Recyclable material bins/donation bins must be located on a dustless, all-weather surface.
3. Recyclable material bins/donation bins may not:
   a. Obstruct motorized or non-motorized traffic;
   b. Reduce any sidewalk or walkway designed for the passage of pedestrians to less than 5 feet in width;
   c. Be located within 10 feet of a fire hydrant or fire suppression connection;
   d. Be located in a required parking space or required landscape area; or
   e. Be located in a street setback or side setback.
   f. Exceed 7 feet in height, 6 feet in width, and 6 feet in depth.
4. All goods must be screened from view within the recyclable material bin or donation bin.
5. The site surrounding the bin must be maintained free of litter, debris, and other materials.
6. Recyclable material bins/donation bins must be maintained in good condition with no structural damage, holes, visible rust, or graffiti.
7. The exterior of a recyclable material bin or donation bin must clearly display the name, phone number, and website (if any) of the person or entity operating the bin and of any charitable or for-profit entity that benefits from the collected items. The information must be printed in bold letters, each at least one-half inch tall and one-half inch wide. See also Oklahoma Statutes, Title 78, Section 56.

Section 65.060-B Features to be Screened

2. Dumpsters and Recyclable Material Bins
All dumpsters and recyclable material bins must be screened from view of the street and all abutting properties. Screening of dumpsters located in alley rights-of-way is not required. Required screening must consist of dumpsters may be screened from view by a principal structure or by an F1 screening fence or wall in accordance with §65.060-C2. When an F1 screening fence or wall encloses a dumpster on four sides, one side of the storage area must be furnished with an opaque, lockable gate kept closed at all times except during waste deposit or collection. The gate must be located and constructed to allow for unobstructed access to each dumpster during collection.
Chapter 95. Definitions

Donation Bins
See “Recyclable Material Bins/Donation Bins”.

Dumpster
A container with a capacity of more than 1.5 cubic yards or a height of more than 4.5 feet that is designed for receiving, transporting, and depositing waste materials produced by uses that are on the subject site. Dumpsters are typically designed to be hoisted and emptied into a garbage truck. (See Section 45.050 for applicable regulations)

Recyclable Material Bins/Donation Bins
A container or drop box with a capacity of more than 1.5 cubic yards or a height of more than 4.5 feet that is provided for receiving and temporary storing of recyclable materials or salvageable personal property such as paper, cans, metal, glass, and plastics as well as clothing, shoes, books, and toys. Recyclable material bins/donation bins may receive items to be reused or resold for the purpose of charitable solicitation. Recyclable material bins/donation bins include both containers used by uses located on the subject site and those used by consumers who bring their recyclables from other (off-site) locations. (See Section 45.0501 for applicable regulations)

Site Plan
A detailed plan or set of plans depicting the arrangement of buildings, parking, landscaping, lighting, walls, grading, elevations, building materials, signs, dumpsters, and other information necessary to determine compliance with applicable regulations (see also Section 70.050).
Section 35.080 Recycling Use Category
35.080-B Consumer Material Drop-off Station
An establishment that (1) accepts consumer recyclable commodities directly from the consuming party; (2) is staffed by personnel during times when recyclables are accepted from consumers; and (3) stores materials temporarily before transferring them to recyclable material processing facilities. Establishments that process recyclable material are classified as “consumer material processing” establishments. (Note: dumpsters and recyclable material bins are regulated as accessory uses, subject to the regulations of Section 45.050.)

Section 45.050 Dumpsters and Recyclable Material Bins
45.050-A Applicability
1. The regulations of this section apply to all dumpsters and recyclable material bins established or placed on or after the effective date specified in Section 1.030.
2. Dumpsters and recyclable material bins established or placed before the effective date specified in Section 1.030 must be removed or brought into compliance with the regulations of this section no later than November 1, 2017.

45.050-B Where Allowed
Dumpsters and recyclable material bins are allowed as an accessory use.

45.050-C Regulations
Dumpsters and recyclable material bins are subject to the following regulations:
1. Dumpsters and recyclable material bins may only be placed with the written permission of the owner of the subject property.
2. Dumpsters and recyclable material bins must be located on a dustless, all-weather surface and must be screened from view of all rights-of-way and R-zoned property in accordance with §65.060-B2, provided that no trees are required as part of the required screening. No signs are allowed on the exterior of the required screening fence or wall.
3. Dumpsters and recyclable material bins may not:
   a. Obstruct motorized or non-motorized traffic;
   b. Reduce any sidewalk or walkway designed for the passage of pedestrians to less than 5 feet in width;
   c. Be located within 10 feet of a fire hydrant or fire suppression connection; or
   d. Be located in a required parking space.

Section 65.060-B Features to be Screened
2. Dumpsters and Recyclable Material Bins
All dumpsters and recyclable material bins must be screened from view of the street and all abutting properties. Required screening must consist of an F1 screening fence or wall in
accordance with §65.060-C2. One side of the storage area must be furnished with an opaque, lockable gate.

Chapter 95. Definitions

Dumpster
A container with a capacity of more than 1.5 cubic yards or a height of more than 4.5 feet that is designed for receiving, transporting, and depositing waste materials produced by uses that are on the subject site. Dumpsters are typically designed to be hoisted and emptied into a garbage truck. (See Section 45.050 for applicable regulations)

Recyclable Material Bins
A container or drop box with a capacity of more than 1.5 cubic yards or a height of more than 4.5 feet that is provided for receiving and temporary storing of recyclable paper, cans, glass and plastics as well as clothing, shoes, books, and toys. Recyclable material bins include both containers used by uses located on the subject site and those used by consumers who bring their recyclables from other (off-site) locations. (See Section 45.050 for applicable regulations)

Site Plan
A detailed plan or set of plans depicting the arrangement of buildings, parking, landscaping, lighting, walls, grading, elevations, building materials, signs and other information necessary to determine compliance with applicable regulations (see also Section 70.050).