AGENDA

Special Meeting of the
Tulsa Metropolitan Area Planning Commission

WORK SESSION

175 East 2nd Street, One Technology Center
3rd floor presentation room
March 4, 2020 – 10:30 a.m.

Consider, discuss, and/or take action on:

1. ZCA-18, Neighborhood Character Overlay Concept
2. ZCA-17, Zoning Code amendments
3. CPA-86, GO Plan amendments
4. Revisions to TMAPC Policies & Procedures
5. Preliminary Plats 101 (presentation only)

If you require special accommodation pursuant to the Americans with Disabilities Act, please notify the Tulsa Planning Office at (918) 584-7526.

Email address: esubmit@incog.org
Website: www.tulsaplanning.org
Item
Discuss template being developed for neighborhood use when considering the adoption of special area overlays to preserve character and scale.

Background
Over the past few years residential infill development has increased within existing neighborhoods in the City of Tulsa. The Tulsa Planning Office has been contacted by neighborhood representatives with concerns about the impact of new homes on the established neighborhood character. One solution that has been discussed with neighborhood groups is the possibility of the adoption of a Special Area Overlay as defined by the City of Tulsa Zoning Code in Section 20.010:

“As the name implies, overlay districts ‘over-lay’ applicable base zoning district classifications to alter some or all of the base zoning district regulations that apply to particular sites. Overlay zoning districts work to modify or supplement the regulations imposed by the base zoning district when necessary to address special situations or accomplish specific city goals. Overlay zoning is intended to be used when the base zoning district applied to an area remains generally appropriate, but when an additional, modified or eliminated requirement could help implement the city’s planning goals or address an area-specific planning, design, or land use regulations issue.”

The first step in the adoption of any overlay district is a zoning code text amendment to codify the provisions of the overlay. Following the adoption of the text amendment, map amendments can be sought by property owners or City leadership for designated areas where the overlay provisions are appropriate and applicable.

On October 31, 2019, City Council initiated the development of a template to assist neighborhoods interested in adopting additional overlay restrictions for character and home scale. Provisions to be considered will be based on feedback from local neighborhood representatives, as well as best practices found in other communities who have addressed similar concerns.

Staff Recommendation
Discuss the neighborhood character overlay concept and next steps. No action required.

Attachment
- Initial concepts for inclusion in overlay
- Overlay process
Initial Concepts for Consideration

Height Limitations:

Per the City of Tulsa Zoning Code, the maximum height allowed for construction in all single-family residential districts is currently 35 feet.

<table>
<thead>
<tr>
<th>Regulations</th>
<th>RE</th>
<th>RS-1</th>
<th>RS-2</th>
<th>RS-3</th>
<th>RS-4</th>
<th>RS-5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Max. Building Height (feet)</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35</td>
</tr>
</tbody>
</table>

The average height of homes in many established neighborhoods is well below 35 feet creating the potential for infill construction out of scale with the neighborhood.

To address height, considerations can be made to reducing the overall maximum height. Another proposal, currently used by Austin, Texas, would control the height of construction near the perimeter of a lot while allowing an overall maximum height to be reached in a more constrained area in the center of the lot.

Setback Adjustments:

In areas where setback regulations don’t align with the prevailing character of the neighborhood, adjustments could be made to require new construction to meet the prevailing setback. For example, if the zoning code were to require a 25’ setback, but the prevailing setback on the street is 20’, requiring new construction to build to the prevailing setback to maintain the street edge. Alternatively, if the setback requirement is less than the prevailing character in the neighborhood, require new homes to setback to the prevailing setback to maintain character and existing edge.
Additional Concepts for Consideration:

Given the versatility of the overlay, neighborhoods can make additional considerations for regulations when tailoring standards to their neighborhood including:

- **Enhanced open space requirements**
  - There are currently different rules for open space when constructing on legal non-conforming lots which allows for a reduction in overall open space in most cases.

- **Landscaping requirements**
  - The City of Tulsa does not currently regulate landscaping for single-family homes. Special Area Overlays could include requirements for specific landscape improvements with new construction.

- **Driveway width and garage placement**
  - Older neighborhoods typically have garages placed farther from the street to accommodate a more active streetscape. Current building setbacks do not distinguish between setbacks for the dwelling and setbacks for the garage on typical front yard setbacks.
  - The code has minimum driveway widths in all residential districts. If those minimums are larger than the desired outcome for the neighborhood, the overlay could reduce the width further.
<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 2019</td>
<td>Staff meets with Renaissance Neighborhood HOA to discuss overlay process and possibilities</td>
</tr>
<tr>
<td>November 2019</td>
<td>City Council initiates development of neighborhood character overlay template to be considered for use by neighborhoods</td>
</tr>
<tr>
<td>December 2019</td>
<td>Staff conducts research on similar efforts among peer cities and implementation</td>
</tr>
<tr>
<td>January/February 2020</td>
<td>Staff begins developing template for presentation of concept to Tulsa Metropolitan Area Planning Commission (TMAPC)</td>
</tr>
<tr>
<td>March 4, 2020</td>
<td>TMAPC holds work session where neighborhood character overlay concept is discussed with Commissioners</td>
</tr>
<tr>
<td>March 2020</td>
<td>Staff finalizes template for presentation to City Council</td>
</tr>
<tr>
<td>April 2020</td>
<td>Present final template to TMAPC and City Council</td>
</tr>
<tr>
<td>May 2020</td>
<td>Make template available to neighborhood groups and initiate working group for Renaissance Neighborhood to begin tailoring template</td>
</tr>
<tr>
<td>May 2020</td>
<td>Meet with working group to develop final proposal for Renaissance Neighborhood and define proposed boundary of overlay</td>
</tr>
<tr>
<td>June 2020</td>
<td>Work with City Council and neighborhood to initiate Zoning Code and Zoning Map amendments to adopt Renaissance Overlay for defined boundary</td>
</tr>
<tr>
<td>June 17, 2020</td>
<td>Develop and present staff recommendation to TMAPC for code and map amendments</td>
</tr>
<tr>
<td>Late June 2020</td>
<td>Transmit TMAPC recommendation to City Council</td>
</tr>
<tr>
<td>July 2020</td>
<td>City Council Urban &amp; Economic Development Committee</td>
</tr>
<tr>
<td></td>
<td>City Council 1&lt;sup&gt;st&lt;/sup&gt; reading</td>
</tr>
<tr>
<td></td>
<td>City Council 2&lt;sup&gt;nd&lt;/sup&gt; reading</td>
</tr>
<tr>
<td>August 2020</td>
<td>Mayor signs ordinance and ordinance is published (becomes effective 30 days after publication)</td>
</tr>
<tr>
<td>September 2020</td>
<td>Overlay zoning code text and map amendments become effective</td>
</tr>
</tbody>
</table>
Item
Discuss proposed amendments to the City of Tulsa Zoning Code, many of which are minor in nature and reflect needed changes and clarifications identified in implementation.

Background
The City of Tulsa Zoning Code became effective on January 1, 2016. During the development of the zoning code, staff anticipated that cleanup items would be identified as implementation began in 2016. In early 2016, a zoning code implementation team was established and began meeting regularly to discuss situations where inconsistencies existed, clarification was needed, intent was not fully accomplished, and unintended consequences occurred. Since the effective date of the zoning code, staff has brought several rounds of general clean-up amendments through the approval process.

After a brief hiatus, the zoning code implementation team reconvened in November 2019 to address ongoing issues. The zoning code implementation team meets biweekly and consists of members of the Tulsa Planning Office, Development Services Department, and City Legal.

The amendments are a result of the zoning code implementation team’s work. The proposed amendments are located in Chapters 15, 35, 45, 65, 67, 70, and 95 of the zoning code. Many proposed amendments are minor in nature.

The amendments proposed to the City of Tulsa Zoning Code, Title 42 Tulsa Revised Ordinances, are shown in strike through/underline in Attachment I. A description of each proposed change is also included.

Staff Recommendation
Discuss proposed amendments to the City of Tulsa Zoning Code in advance of public hearing.

Attachment
- Summary of changes for zoning code amendments
Summary of Changes for Zoning Code amendments

1. Public, Civic and Institutional Use Category
The proposed changes to the definition of Governmental Services in Section 35.040-G clarifies that this includes social services such as soup kitchens and food pantries.

Chapter 35 Building Types and Use Categories

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Section 35.040 Public, Civic and Institutional Use Category

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35.040-G Governmental and Social Service
Local, state or federal government services or similar functions, and non-profit or charitable services or similar functions, that are not otherwise classified. Typical uses include health departments, courthouses, soup kitchens, and food pantries.
2. Sidewalks
The deletion of Section 70.080-B, Subsection 4. Sidewalks, is proposed to align the Zoning Code with the recently adopted sidewalk requirements in Title 35, Section 602, Tulsa Revised Ordinances, adopted December 4, 2019.

Chapter 70 Review and Approval Procedures

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Section 70.080 Zoning Clearance and Permits

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70.080-B Compliance with Development Regulations

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4. Sidewalks
For properties that are not subject to §70.080-B2, no certificate of occupancy may be issued until the subject lot or parcel for which the permit is sought has been determined to be in compliance with the sidewalk regulations of Section 5-070 of the Tulsa Metropolitan Area Subdivision and Development Regulations.
3. Special Exception for Horticulture Nursery in CG and CH Districts
The proposed change to Section 15.020, Table 15-2, is to permit a Horticulture Nursery as a special exception in Commercial General (CG) and Commercial-High (CH) zoning districts. The proposed change reduces the need for rezoning requests to Industrial zoning districts with optional development plans for the sole purpose of allowing Medical Marijuana Grower Operations. CG and CH allow for a warehouse component (Medical Marijuana growing facilities are required to be indoors). The Board of Adjustment (BOA) can determine on a case by case basis if a medical marijuana growing operation or any other horticultural nursery use would have a negative impact on the surrounding area.

Chapter 15 Office, Commercial and Industrial Districts

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Section 15.020 Use Regulations

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

<table>
<thead>
<tr>
<th>USE CATEGORY</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>
<th>Supplemental Regulations</th>
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<tbody>
<tr>
<td>Horticulture Nursery</td>
<td></td>
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<td></td>
<td></td>
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<td></td>
<td>Section 40.225</td>
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</table>
4. Spacing and Separation Distance
The proposed changes to Sections 70.080 and 70.110 eliminate the Board of Adjustment (BOA) procedures for spacing and separation distance verification and integrate spacing requirements into an administrative process, specifically the City of Tulsa’s zoning clearance and permit review process. These changes will remove the additional time required for applicants to work through the BOA spacing verification process. These changes will make it clear that illegally operating uses will not constrain the location of legally established uses. Some of the uses requiring spacing include bars, package stores, medical marijuana dispensaries, and off-premise outdoor advertising signs. Applicants and protestants may still appeal the decision of the development administrator to the BOA and subsequently District Court.

Chapter 70 Review and Approval Procedures

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Section 70.080 Zoning Clearance and Permits

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70.080-C Application

1. Zoning clearance permit applications must be accompanied by a legal description of the lot and plans in duplicate, drawn to scale, showing at least the following information:
   1.a. The actual shape and dimension of the lot;
   1.b. The location and dimensions of all easements;
   1.c. The location, size and height of any existing buildings or structures to be erected or altered;
   1.d. The existing and intended use of each building or structure and portion of the lot;
   1.e. The number of dwellings and buildings proposed; and
   1.f. Other information required by the development administrator to determine compliance with all applicable provisions this zoning code.

2. If the zoning code requires that the use, structure, or other development feature must be separated or spaced a minimum distance from another use, structure, or development feature, the zoning clearance permit application must also be accompanied by the following information:
   a. An aerial photograph identifying the location of the proposed use, structure or development feature at the center of a circle drawn to scale, the radius of which is the required separation distance from another use, structure or development feature; and
   b. The location of the nearest use, structure, or development feature from which the proposed use, structure or development feature must be separated.

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Section 70.110 Spacing and Separation Distance Verification

70.110-A Purpose
The spacing and separation distance verification procedure of this section is intended to provide a public process for determining compliance with applicable spacing and separation distance requirements.

70.110-B Applicability
1. The spacing and separation distance verification procedure of this section applies whenever this zoning code requires that a use, structure or other development feature be separated or spaced a minimum distance from another use, structure or development feature. The procedure does not apply to a determination of compliance with building setback requirements that apply on individual lots.
2. If a use, structure or development feature requiring spacing or separation is subject to public notice and review under other procedures of this chapter (e.g., special exception or variance), separate verification under the procedures of this section is not required.

70.110-C Mailed Notice of Board of Adjustment Hearing
Notice of the board of adjustment hearing at which the matter will be considered must be mailed to the owner of the subject property and all owners of property within 300 feet of the subject property at least 10 days before the scheduled public hearing.

70.110-D Action
The board of adjustment must consider the development administrator may rely upon the evidence and testimony provided at the public hearing and make a determination of whether the applicant with an application for a zoning clearance permit to verify that the proposed use, structure or other development feature complies with the applicable spacing and separation distance requirements of this zoning code. Only other uses, structures, or development features that have been legally established by the issuance of a certificate of occupancy, an active building permit, active sign permit or active zoning clearance permit will be considered in determining compliance with the applicable spacing and separation distance requirements. It is the responsibility of the applicant to provide all information requested by the development administrator to aid in the determination. For purposes of determining whether spacing and separation distance requirements are met, a zoning-clearance-only permit for the use, structure or development feature from which the subject use, structure or development feature must be separated is valid for 180 days after it is issued.

70.110-E Appeal of Decision
Appeals of spacing and distance verification decisions of the board of adjustment development administrator may be appealed to the District Court in accordance with §75.010-K §70.140.
5. Landscape Chapter fine-tuning
The proposed changes to Sections 65.060 and 65.080 clarify that street frontage buffers include highway right-of-way and remove references to a plant list.

Chapter 65 Landscaping and Screening

Section 65.060 Vehicular Use Area Buffers

65.060-C Requirements
1. Street Frontage Buffers
   a. When a vehicular use area is located adjacent to a street or highway right-of-way, street frontage buffers must be provided in accordance with this subsection to physically and visually buffer the vehicular use area from the right-of-way.

Section 65.080 Landscape and Screening Material
65.080-A General

2. Tree and Plant Lists
   The planning director must annually prepare a list of recommended and prohibited tree and plant species for use in administering and enforcing the regulations of this chapter.

65.080-B Trees
1. Types
   Unless otherwise expressly approved by the land use administrator, trees used to satisfy the tree planting requirements of this chapter must be selected from the recommended tree and plant list (see also 65.080-A2).
6. AG-R in Landscaping, Screening, and Lighting

The proposed changes to Sections 65.060, 65.070, 67.030 and 67.040 ensure that the previously updated Chapter 65, Landscape and Screening, and Chapter 67, Outdoor Lighting, are consistent with recently adopted AG-R zoning district regulations effective December 9, 2020.

Chapter 65 Landscaping and Screening

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Section 65.060 Vehicular Use Area Buffers

65.060-A Purpose

The vehicular use area buffer regulations of this section are intended to help mitigate the visual and operational impacts of parking lots and other vehicular use areas when such areas are adjacent to streets, highways, or residential zoning districts, or agricultural-residential zoning districts.

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65.060-C Requirements

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2. R or AG-R District Buffers

a. When a vehicular use area is located on a lot abutting an R- or AG-R-zoned lot, an R or AG-R district buffer must be provided in the form of an F1 screen, in accordance with 65.070-C2.

b. R or AG-R district buffers are required only when the vehicular use area is located within 100 feet of an abutting R- or AG-R-zoned lot and there are no buildings between the vehicular use area and the abutting R- or AG-R-zoned lot.

c. Groundcover plants must be provided in all R or AG-R district buffer areas that are not covered by fences or walls.

d. The vehicle overhang allowance described in Sec. 65.050-D4 applies to parking spaces abutting R or AG-R district buffers.
Section 65.070 Screening

65.070-8 Features Required to be Screened

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

Figure 65-6: Screening of Ground-mounted Equipment
b. Roof-mounted Equipment
Mechanical equipment placed on roofs must be screened in one of the following ways, if the equipment is within 50 feet of an R or AG-R zoning district:
(1) A parapet along facades facing the R or AG-R district that is as least as tall as the tallest part of the equipment;
(2) A screening fence or wall around the equipment that is as least as tall as the tallest part of the equipment required to be screened; or
(3) An equipment setback from roof edges facing the R or AG-R district by at least 3 feet for each one foot of equipment height.

65.070-C Types of Screens

5. Screening or Setbacks Triggered by Proximity to Nonresidential Areas/Features
When 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; or a nonresidential development area. This exemption from screening does not apply to junk or salvage yards.

Chapter 67 Outdoor Lighting

Section 67.030 General Standards

67.030-C Spillover Light
Light trespass along the lot line of the subject property may not exceed 0.5 foot-candles when abutting an agricultural, agricultural-residential or residential zoning district and may not exceed 3.0 foot-candles when abutting any other zoning district or public right-of-way. Maximum
illumination levels are measured 3 feet above grade or from the top of any opaque screening fence or wall along the property line.

Section 67.040 Lighting Plans

67.040-B Option 1: Fixture Height Standard Lighting Plan

2. Maximum Fixture Heights
Allowable heights of light fixtures must be measured from the light-emitting surface to finished grade at the base of the pole. Maximum allowed light fixture heights are based on the (ground-level) horizontal distance between the light fixture and any agricultural, agricultural-residential or residential zoning district or public right-of-way, as established in Table 67-1:

<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>
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</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>
7. Campaign Sign Definition
The proposed change to Section 95.220, Terms Beginning with “S”, clarifies a “content-neutral”
definition of a campaign sign.

Chapter 95 Definitions

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Section 95.220 Terms Beginning with “S”

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Sign, Campaign
A temporary sign displayed on a lot during an active local, state or federal campaign for public
office or ballot issue or referenda, generally intended to promote the ultimate exercise of voting
by the general public.
8. Barbed-wire and Razor-wire Fencing Clarification
The proposed changes to Section 45.080 clarify the zoning districts in which barbed-wire and razor-wire fencing is allowed. Barbed-wire and razor-wire fencing is permitted as of right in agricultural and industrial districts, except as limited by Title 24, but can be allowed by special exception in any other zoning district, subject to the limitations of Title 24. This change in wording does not constitute substantive change, rather just makes the existing regulation more understandable.

Chapter 45 Accessory Uses and Structures

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Section 45.080 Fences and Walls

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45.080-C
Barbed-wire and razor-wire fencing is prohibited in all districts except agricultural and industrial districts permitted as of right in AG, IL, IM, and IH districts and prohibited in all other districts unless also approved in accordance with the special exception procedures of Section 70.120 (See Title 24, Sec. 103 of the Tulsa Revised Ordinances).
Item:
Discuss proposed amendments to the GO Plan (Regional Bicycle/Pedestrian Master Plan) as an amendment to the Tulsa Comprehensive Plan.

Background:
The GO Plan is a guide to determine street design, but engineering constraints and planning judgements will be considered as street projects are designed and implemented, with connectivity of the overall network of bicycle and pedestrian facilities as the primary goal. During implementation, GO Plan recommendations will be cross-referenced with the latest version of the Highway Capacity Manual Multimodal Level of Service (MMLOS), Major Street and Highway Plan, Downtown Walkability Analysis, the Comprehensive Plan and other City of Tulsa planning documents to ensure the best levels of service are achieved for all users in the design process, and in choosing appropriate bicycle and pedestrian improvements.

The GO Plan was adopted by the TMAPC on August 16, 2017 and approved by City Council on August 30, 2017. Since adoption, several proposed amendments have been identified. The initial group of amendments, CPA-74, were adopted by the Tulsa Metropolitan Area Planning Commission with a resolution on August 15, 2018 and approved by City Council on September 12, 2018 (TMAPC Resolution No. 2776:985). The plan document can be found at http://tulsaplanning.org/resources/plans/.

There is a total of twenty City of Tulsa changes that are recommended for the 2019 cycle. These amendments were recommended by members of the Tulsa Planning Office, the Bicycle Pedestrian Advisory Committee, the City of Tulsa Engineering Services, the City of Tulsa Streets and Stormwater Division, and members of INCOG’s Transportation Department. These requests came from recommendations found in the 11th & Lewis Streetscape Plans, the 36th Street North Small Area Plan, the Crutchfield Small Area Plan, the Unity Heritage Neighborhoods Plan, the Downtown Area Master Plan, and the current GO Plan. The amendment requests and their impacts are as follows:

*For locations, refer to GO Plan Recommended Amendments Maps – 2019.

- **Locations 1-4:** Provide connections between the Osage Prairie Trail and the proposed signed route on Hartford Ave. as well as connections to Walt Whitman Elementary School; recommendation from 36th St. North Small Area Plan.
- **Location 5:** Establish a connection from the BMX park and signed route on Archer with the proposed bike lanes on N. Peoria Ave.
- **Location 6:** Complement the streetscape project happening on 36th St. North; connect 36th St. North to the Osage Prairie Trail, the Mohawk Business Park,
and the surrounding area as outlined in the Comanche Park Envision planning process; utilize the NACTO planning grant aimed at creating safer streets for children.

- **Location 7:** Establish a connection between the Osage Prairie Trail and Booker T. Washington High School.
- **Locations 9-13:** Implement the Crutchfield Small Area Plan which calls for safe, multi-modal connections from the neighborhood to surrounding neighborhoods as well as to downtown Tulsa.
- **Location 14-15:** Make a connection between downtown Tulsa and the Midland Valley Trail as well as to the North Maple Ridge neighborhood.
- **Location 16:** This will be a part of the 11th Street & Lewis Ave. Streetscape Project. The wider sidewalks cause the road to narrow here, which means the bike lane ends and sharrows begin.
- **Location 18:** This amendment will create a connection from the proposed bike lanes at Mohawk Blvd. & N. Lewis Ave. as well as a connection from the Mohawk Business Park to the Kendall-Whittier District.
- **Location 19:** There is currently a bike lane proposed from Pine Street up to 46th St. North. This would extend that connection up to Owasso/Mohawk Trail/66th St. North.
- **Location 20:** This would connect the proposed bike lanes on Pine Street with the Tulsa Zoo.
- **Location 21:** The purpose would be to connect the existing bike lanes at the Sunset Plaza Apartments with the proposed bike lanes and sharrows at Pine Street.
- **Location 22:** Connect the existing bike lanes on North Harvard Ave. with the proposed bike lanes on Mohawk Blvd.

**Staff Recommendation**
Discuss proposed GO Plan amendments in advance of public hearing.

**Attachment(s)**
- 2019 GO Plan Recommended Amendments List
- GO Plan Recommended Amendments Maps - 2019
## 2019 Go Plan Recommended Amendments List

<table>
<thead>
<tr>
<th>Location #</th>
<th>Project Number</th>
<th>Jurisdiction</th>
<th>Street Name</th>
<th>Recommended Facility</th>
<th>From Street</th>
<th>To Street</th>
<th>Length in Miles</th>
<th>Case #s</th>
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<td>E 39th St N</td>
<td>Signed Route</td>
<td>N Hartford Ave</td>
<td>N Lansing Ave</td>
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<td>Signed Route</td>
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<td>4</td>
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<td>N/A</td>
<td>Multi-Use Path</td>
<td>N Lansing Pl</td>
<td>Osage Prairie Trai</td>
<td>0.04</td>
<td>LK1</td>
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<td>Signed Route</td>
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<td>6</td>
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<td>Bike Lane</td>
<td>MLK</td>
<td>N Peoria Ave</td>
<td>1.00</td>
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<td>Multi-Use Path</td>
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<td>Signed Route</td>
<td>N Peoria Ave</td>
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<td>E Latimer St</td>
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<td>Signed Route</td>
<td>E Latimer Pl</td>
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<tr>
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<td>19</td>
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<td>N Mingo Rd</td>
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<td>21</td>
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Go Plan Recommended Amendments Maps - 2019

Amendments 2019
Recommended Facility
- Bike Lane
- Multi-Use Path
- Sharrow
- Sidewalk
- Signed Route
- Delete Segment
- Major Arterials
- Streets

Jurisdiction Segments:
City of Tulsa: 1-16, 18-22
Bixby: 23, 134, 135
Note: #14 is part City of Tulsa & ODOT

Date Saved: 1/28/2020 5:44 PM
Path: G:\Transportation\Bicycle Pedestrian\GO Plan\Amendments\2019\Map_GoPlan_2019Amendments.aprx
Item
Review and discuss revised "Policies and Procedures of the Tulsa Metropolitan Area Planning Commission."

Background
The TMAPC Policies and Procedures document has been revised multiple times over the years. In 2015, the TMAPC adopted a significantly overhauled version of their policies and procedures and in 2016, the TMAPC made additional revisions to reflect changes resulting from adoption of the new City of Tulsa Zoning Code. Since that time, the Subdivision and Development Regulations have been adopted and other organizational changes have taken place to necessitate additional amendments. These changes, in addition to cleanup items and the need to reflect existing practices are the basis for the proposed revisions.

Staff Recommendation
Discuss proposed revisions to "Policies and Procedures of the Tulsa Metropolitan Area Planning Commission" prior consideration of approval at a future TMAPC meeting.

Attachment(s)
Draft revisions to "Policies and Procedures of the Tulsa Metropolitan Area Planning Commission"
POLICIES AND PROCEDURES
OF THE
TULSA METROPOLITAN AREA PLANNING COMMISSION

ARTICLE 1
MEMBERSHIP AND OFFICERS

1.1 Name. The name of this Commission is the Metropolitan Area Planning Commission of Tulsa County, Oklahoma, commonly referred to as the Tulsa Metropolitan Area Planning Commission (the "Commission" or "TMAPC").

1.2 Number of Commissioners. In accordance with the provisions of Okla. Stat. tit. 19, §863.5, the TMAPC shall consist of eleven (11) members (individually a "Commissioner"), selected as follows: Six (6) are appointed by the Mayor of the City of Tulsa and approved by the City Council, and three (3) are appointed by the Board of County Commissioners of Tulsa County. The Mayor (or a person designated by the Mayor as an alternate) and the Chairman of the Board of County Commissioners (or a person designated by the Chairman of the Board as an alternate) shall be ex officio members of the Commission and shall be entitled to vote on all matters.

1.3 Term / Vacancies / Compensation. Appointed Commissioners shall serve for terms of three (3) years, and shall continue to serve until their successors are appointed by the Mayor for City appointees or by the County Commission for County appointees. Vacancies occurring, otherwise than through the expiration of a term, shall be filled only for the unexpired term in the same manner as set out in Section 1.2 above. All appointed Commissioners shall serve without compensation and shall hold no other municipal or County office.

1.4 Removal. Once qualified, a Commissioner can thereafter be removed during such Commissioner’s term of office only for cause and after a public hearing held before the governing body by which such Commissioner was appointed.

1.5 Absentees. In order to properly conduct business, Commissioners must attend as many meetings as practical. If a Commissioner fails to attend ten (10) regularly scheduled meetings (excluding work sessions) during a twelve (12) month period, the Commission may contact the appointing body to request that the Commissioner be removed and replaced.

1.6 Officers.

(a) Annually, at the first regular meeting in January, the Commission shall elect from its appointed members a Chair, a First Vice-Chair, a Second Vice Chair and a Secretary. No Commission member shall hold the same office for more than two (2) consecutive full one-year terms. Any vacancy in office shall be filled by the Chair for the unexpired term only.

(b) The duties of the Chair shall include:

(1) Presiding over meetings when present, unless the Chair designates another member to preside;
(2) Appointing Commissioners to serve on other governmental agency boards and committees;

(3) Establishing ad hoc committees as the Chair deems necessary and appointing members and chairs to those committees;

(4) Signing official documents of the Commission; and

(5) Representing the Commission before other governmental bodies, unless the Chair designates another Commissioner or a member of the TMAPC staff.

(c) The First Vice-Chair shall assume all of the duties of the Chair during the Chair's absence.

(d) The Second Vice-Chair shall assume all of the duties of the Chair during the Chair's and the First Vice Chair's absence.

(e) The Secretary shall assume all duties of the Chair in the event the Chair, First Vice-Chair and Second Vice-Chair are absent. In addition, the Secretary shall:

(1) Read the opening statement and rules of conduct prior to the public hearing portion of the agenda;

(2) Collect and stamp exhibits of each meeting for the official record; and

(3) Attest the Chair's signature on all documents.

In the event the Secretary is not present, the Chair or acting Chair may appoint another Commissioner to assume the Secretary's duties.

(f) Each of the officers named above shall be entitled to participate in discussion and vote on any question before the Commission, whether occupying the position of the Chair or not.

ARTICLE 2
MEETING PROCEDURES

2.1 Meeting Schedule and Agenda.

(a) The Commission shall meet regularly in accordance with its approved calendar, generally on the first and third Wednesday of each month in the Tulsa City Council Chambers or in another designated location.

(b) Special meetings may be called at the request of the Chair. Such meetings shall be held in the regular meeting place of the Commission or in another designated location.
(c) Items to be placed on the TMAPC agenda shall meet the cut-off dates as specified on the official TMAPC schedule. Unless authorized by the Chair or the Director of the Tulsa Planning Office, new items shall not be added to the final agenda after the agenda packet is mailed to the Commission.

2.2 Notification. The Commission shall consider only public hearing items that have been properly advertised, as required by law, and only those items in which all fees have been paid, including fees for legal advertising.

2.3 General Procedures.

(a) If a meeting procedure is not addressed by these Policies and Procedures, the Chairman shall decide the procedure based on the tradition of the Commission. The Commission may by majority vote establish a procedure differing from the procedure recommended by the Chair. The Chair and the Commission may refer to any book or treatise on rules of order or parliamentary procedure for guidance.

(b) A member of TMAPC staff shall serve as TMAPC Recording Secretary. The TMAPC Recording Secretary shall keep complete minutes of all public hearings of the Commission and shall receive all District Court appeals from any Commission action.

(c) When the public wishes to communicate with members of the Commission, the most appropriate way is through letter or e-mail correspondence to the TMAPC Recording Secretary, who will deliver it to the Commissioners. If an individual wishes to speak personally with the Commissioners, the individual must call the TMAPC Recording Secretary and leave a message to that effect. TMAPC staff will not release addresses or telephone numbers of Commissioners without the approval of the particular Commissioner. Ex parte communication is discouraged. (See Section 5.3 hereof)

(d) The Commission may grant a continuance of a scheduled public hearing or other business item at the request of the applicant, TMAPC staff, or another interested party. Except for requests by TMAPC staff, a request for a continuance should be made in writing and must contain the reasons for the request. In considering the request, the Commission may consider the timeliness of the request, the reasons given for the request, and the inconvenience created.

2.4 Public Hearing Procedures.

(a) TMAPC staff recommendation on advertised matters shall be written and made part of the file (public record) five (5) days in advance of the advertised public hearing date.

(b) Commissioners shall address only the presiding Chair for recognition and shall confine their remarks to the question under debate.

(c) Any member of the public may address the Commission at a regular or special meeting after signing in for a specific item. When recognized by the Chair, a member of the public should state his or her name and address. Speakers will be given five (5) minutes to speak on an item; however, the Chair may further limit that time based on the number of speakers for an item or impose an aggregate time for all speakers.
(d) The Chair may rule a comment out of order if it is redundant, irrelevant, indecorous or untimely.

(e) The order of business for a public hearing shall be determined by the Chair; however, the following is provided as a guide:

1. The Chair announces the application.

2. The Chair asks TMAPC staff for a summary of the case and the physical facts of the area involved. TMAPC staff presents its recommendation, together with the reasons for the recommendation, and whether the request is in conformance with the Comprehensive Plan.

3. The Chair calls on the applicant for a presentation, not to exceed fifteen (15) minutes. If the applicant presents a significantly changed application from that submitted for TMAPC staff review (as determined by TMAPC staff and the Commission at the time of the presentation), such action is considered grounds for continuance.

4. The Chair calls on interested parties or protestants. Those wishing to speak must use the sign-in sheet. Each speaker is allowed five (5) minutes to speak on an item; provided, however, the Chair may further limit that time based on the number of speakers for an item or impose an aggregate time for all speakers.

5. The applicant is given the opportunity to rebut, and is allowed no more than ten (10) minutes to speak. If the applicant, in the Chair’s opinion, should present new facts or information, the Chair may allow the protestants time to rebut same.

6. The Chair announces the public hearing is closed on the case and opens the review session, during which the Commissioners will discuss the case among themselves and make a recommendation.

7. During the review session, which shall be open and public, no new evidence shall be admitted unless specifically requested by a member of the Commission and permitted by the Chair.

8. The vote shall be taken and the Chair shall announce the vote.

(f) Before a motion is made, there shall be an opportunity for discussion of the case by the Commissioners and for each Commissioner to make comments. After a motion is made, there shall be further opportunity for discussion by the Commissioners, and the maker of the motion may refine the terms of the motion pursuant to such discussion. When the motion is formalized, the Chair shall restate the motion, state the name of the maker of the motion and the member seconding the motion, and call for a vote. If a Commissioner desires to amend the motion following the Chair’s restatement of the motion but prior to the Chair’s call for a vote, the Commissioner suggesting the amendment may ask unanimous consent to modify the motion. If any Commissioner objects to the modification of the motion, the Commissioner proposing the amendment shall move that the motion be amended. The motion to amend must be seconded, is debatable, and must be adopted by a majority vote of the members present.
(g) The Commission shall not consider a new zoning application on the same property with the same request for a period of six (6) months after action on the application has been taken by the Commission.

(h) The transmittal of applications for a zoning map amendment to the City Council or County Commission in those instances where the applicant, TMAPC staff and Commission are all in agreement and there are no interested parties will occur following the Commission hearing without minutes. All other applications will be transmitted when the meeting minutes are drafted.

(i) A motion to reconsider an item on which a vote has been taken may be made only by a Commissioner who voted with the prevailing side and can only be heard during the same meeting where the vote was taken or the next succeeding meeting. If a motion to reconsider is adopted, the Commissioners shall consider the need for additional notice to interested persons before a vote is taken on the item being reconsidered.

2.5 Quorum and Votes Required.

(a) Six (6) Commissioners shall constitute a quorum for the conduct of any Commission business, except at work sessions where four (4) Commissioners shall constitute a quorum.

(b) A modification of the Tulsa Metropolitan Area Subdivision and Development Regulations shall require six (6) affirmative votes of two thirds (2/3) of the Commissioners present and voting. See Section 1-100 of the Subdivision Regulations.

(c) An amendment to the Tulsa Comprehensive Plan, including the Tulsa City/County Major Street and Highway Plan, shall require six (6) affirmative votes by the Commission. See Okla. Stat. tit. 19, § 863.7.

(d) Except as set forth above or as otherwise required by applicable law, any matter (zoning related or otherwise) coming before the Commission shall be decided by a majority vote of the Commissioners present.

(e) In the event the final vote on any zoning matter before the Commission results in a tie, such tie vote shall result in the matter being transmitted to the City Council or County Commission as a tie vote, without recommendation.

2.6 Work Sessions.

(a) The Commission shall meet as a committee of the whole in a special meeting at the call of the Chair when applicable work items or educational opportunities arise. The Chair or the Chair’s designee shall preside.

(b) The purpose of the work session shall be to discuss work items and Commission issues, to share other information and determine whether work items are ready to be considered at regular TMAPC meetings. Work sessions may also be used to provide educational opportunities.
and to allow Commissioners a forum to discuss various planning matters outside of their normal work items.

(c) The Commission shall take no final action on work items while in work sessions.

(d) Public comments are not allowed at work sessions unless approved by the Chair prior to the meeting. The appropriate process is for a member of the public to contact TMAPC staff (Land Development Services Manager Director of the Tulsa Planning Office) who will communicate the request to the Chair.

ARTICLE 3
DEVELOPMENT REVIEW POLICIES

3.1 Applications.

(a) Sufficient supporting information shall be filed with an application in order for the TMAPC staff and Commission to evaluate the proposal. If TMAPC staff concludes that sufficient supporting information has not been provided, TMAPC staff shall consider the application as incomplete and shall not place the item on the agenda.

(b) In order to help alleviate potential conflicts and assure that interested parties have adequate information, the Commission encourages applicants in zoning cases to meet with owners of property in the area prior to public hearings. Failure of the applicant to meet with the neighbors may result in a continuance by the Commission.

(c) In cases where the mandatory or optional development plan (of a Planned Unit Development (PUD), Corridor (CO), or other development plan) that is recommended by the Commission differs from the plan that was submitted by the applicant, a revised plan reflecting the Commission’s recommendation shall be prepared and submitted to the TMAPC staff for transmittal to the City Council or County Commission with the minutes of the meeting.

(d) Applicants proposing developments using a combination of private street(s) and a variance of the required thirty feet (30’) of frontage on a public street shall be required to develop their project as a PUD or Corridor Development, excepting a proposed townhouse development.

3.2 Zoning Initiated by TMAPC. As a general rule, the TMAPC will not initiate applications for zoning changes without the consent of the owner or his agent, unless such application is requested by the proper legislative body City Council or County Commission.

3.3 Subdivisions and Lot-Splits.

(a) As a general rule, the platting requirement for Wireless Communication Facilities shall be waived by the Commission.

(b) No lot-split applications which require modification of a provision of the Subdivision Regulations shall be processed on the consent agenda of the TMAPC. Such lot-splits
shall require a ten (10) day written notice to abutting property owners (including lot owners separated only by a residential street).

3.3 Consent Agenda. The Director of the Tulsa Planning Office may designate certain matters that are routine or minor in nature for placement on the consent agenda, including but not limited to development plan minor amendments, plans for change of access, and covenants implementing approved development plans.

ARTICLE 4
CITY OF TULSA COMPREHENSIVE PLAN

The TMAPC derives its authority to adopt and amend a comprehensive plan under the provisions of OKLA. STAT. tit. 19, § 863.7. The Comprehensive Plan of the Tulsa Metropolitan Area was originally adopted on June 29, 1960, and was subsequently amended on numerous occasions. The current Comprehensive Plan for the City of Tulsa was adopted by the TMAPC on July 6, 2010 and approved by the Tulsa City Council on July 22, 2010 and retains various small area and functional plans. The 2010 Comprehensive Plan has been and will likely continue to be amended from time to time.

4.1 Regularly Scheduled Updates and Maintenance. The Comprehensive Plan states that the Land Use Plan and Stability and Growth Map “should be updated at five year intervals with projections toward the future. Housekeeping updates and maintenance to reflect development approvals should be made annually.” (p. LU-77) TMAPC staff will establish a system to track all housekeeping amendments needed to reflect development approvals and present a Comprehensive Plan amendment to the TMAPC annually, generally in July. These annual amendments will include updates to the Land Use Plan and, if necessary, changes to the Areas of Stability and Growth Map. It is expected that the Tulsa Planning Office will prepare an update to the Comprehensive Plan in five (5) year intervals based on new data and updated projections and recommending adjustments to the Plan.

4.2 Small Area Plan Adoption process. The Comprehensive Plan outlines a process for adoption of small area plans in the Appendix, pp. 9 & 10. It generally states that when the small area plan has been drafted, following the multi-agency review and public participation process, the draft plan document will be presented to the TMAPC at a work session. At the work session, the TMAPC will review the small area plan for content and consistency with the Comprehensive Plan. Also, the TMAPC will announce if and when the document is ready for public hearing. Notice must be published at least fifteen (15) days prior to the public hearing. The TMAPC will conduct the public hearing, consider the plan based on the findings of fact and public testimony presented, and consider adoption of the small area plan as an amendment to the Comprehensive Plan. The same process and procedures shall be followed for adoption of Sector Plans (formerly known as Urban Renewal Plans).

4.3 Privately Initiated Comprehensive Plan amendments.

(a) Amendments of the Comprehensive Plan Generated by Proposed Zoning Changes. During the initial review of an zoning application to the TMAPC for approval of Zoning, PUD, Corridor Development Plan or PUD Amendment, TMAPC staff shall determine if the proposal is consistent with the Comprehensive Plan map designation. If TMAPC staff determines that the proposal is inconsistent with the Comprehensive Plan map designation, and further determines that the deviation from the purpose and intent of the Comprehensive Plan is minor in nature, the zoning application for approval of Zoning, PUD, Corridor Development Plan or PUD Amendment

Draft 3/4/2020 7
shall be set for hearing by the TMAPC and, if approved, the Comprehensive Plan shall be amended to reflect the approved land use as a part of the annual housekeeping amendments. If TMAPC staff determines that the proposal is inconsistent with the Comprehensive Plan map designation, and further determines that the proposal represents a significant deviation from the purpose and intent of the Comprehensive Plan, an application to amend the Comprehensive Plan shall be required to run concurrently with the zoning application for approval of Zoning, PUD, Corridor Development Plan or PUD Amendment. In such instance, TMAPC staff shall inform the applicant, within fifteen (15) days of receipt of the zoning application for approval of Zoning, PUD, Corridor Development Plan or PUD Amendment, that an application to amend the Comprehensive Plan is required and shall provide an application form for completion by the applicant. The requirement for a concurrent application for Comprehensive Plan amendment may necessitate an extended timeframe of review.

(b) Other Amendments to the Comprehensive Plan. Other amendments to the Comprehensive Plan may be initiated by the TMAPC upon request of TMAPC staff or an applicant. Should any person or entity request a text amendment of the Comprehensive Plan or a small area plan or a map amendment that pertains to property that is not under their ownership, the party requesting the amendment shall submit a Comprehensive Plan amendment application on the form provided by the TMAPC staff. The TMAPC staff shall review and present the application to the TMAPC within thirty (30) days of receipt of the application, and the TMAPC shall determine whether to initiate the requested amendment. Should the TMAPC initiate the requested amendment, the TMAPC staff shall, in coordination with City of Tulsa Planning staff, prepare a timeline for TMAPC staff review and recommendation regarding the proposal and shall submit the timeline to the TMAPC at its next scheduled meeting.

4.4 Relationship of various initiatives to the Comprehensive Plan. It is the purpose and intent that the Comprehensive Plan be a guide for many initiatives, however, few necessitate being adopted as a comprehensive plan amendment. The table below provides guidance on how various initiatives should be reviewed and/or included in the Comprehensive Plan.

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<thead>
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<th>Items</th>
<th>Adopt as an Amendment</th>
<th>Issue Conformance statement</th>
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<tbody>
<tr>
<td>Small area plans, &amp; neighborhood plans</td>
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<tr>
<td>&amp; neighborhood plans &amp; sector plans</td>
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<td>Plan and Land Use Map</td>
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<td>Goals, objectives, policies, recommendations</td>
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<td>Major Street and Highway Plan</td>
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<td>GO Plan</td>
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<td>Other types of plans, studies &amp; initiatives</td>
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<td>Capital Improvement Plans</td>
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<td>Sector Plans (former Urban Renewal Plans)</td>
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<td>Project Plans</td>
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<td>Tax Increment Financing (TIF)</td>
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</table>

Draft 3/4/2020
4.5 Amendments to Other Types of Plans, Studies and Initiatives. Other types of plans, studies and initiatives may necessitate a Comprehensive Plan conformance review, both at the time of their origin, as well as for future amendments. If a plan, study or initiative has been issued a statement of conformance with the Comprehensive Plan and/or adopted by the Commission, TMAPC staff will administratively review proposed amendments and review against applicable plan policies. TMAPC staff will issue an updated statement providing specific justification to support the proposed amendments if they are in fact in conformance with the Comprehensive Plan. If TMAPC staff finds proposed changes to be inconsistent with the Comprehensive Plan, a TMAPC staff report and draft statement of conformance will be developed and provided to the Commission for action.

4.65 Comprehensive Plan and amendment notification process. OKLA. STAT. tit. 19, §863.26 requires that notice is provided for all Comprehensive Plan public hearings by one publication in a newspaper of general circulation at least fifteen (15) days prior to the date of the hearing. The Commission has established additional notification procedures to inform nearby property owners of public hearings to consider adoption of Comprehensive Plans or amendments.

<table>
<thead>
<tr>
<th>Comprehensive Plan or amendment</th>
<th>Newspaper notice</th>
<th>300’ radius mailing</th>
<th>Sign posted on the property</th>
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<td>Not concurrent with a zoning case</td>
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</table>

*Signs only posted when required by concurrent zoning application

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ARTICLE 5
CODE OF ETHICS

5.1 Definitions.

(a) "Private benefit" means a direct or indirect benefit not shared by the general public that could be reasonably expected to impair a Commissioner's objectivity or independent judgment.

(b) "Organizational interest" exists when a Commissioner is an officer, director or board member of a company, business, or organization that takes an official position before the Commission.

(c) "Ex parte communication" means a private communication with a Commissioner from a party with an interest, financial or otherwise, in a particular matter before the Commission.

5.2 Conflict of Interest.

(a) A conflict of interest exists whenever a Commissioner:

(1) may receive a private benefit; or

(2) has an organizational interest regarding a matter before the Commission; or

(3) has any economic interest, directly or indirectly, in a matter before the Commission or in action to be taken by the Commission.

The possibility, not the actuality, of a conflict of interest governs. The question is, "Would a reasonable person believe me to be unbiased and impartial?"

(b) A Commissioner experiencing a conflict of interest shall declare such Commissioner's interest publicly, abstain from voting on the matter, and shall refrain from any deliberations on the matter. When possible, the Commissioner should leave the public hearing room.

(c) A Commissioner experiencing a conflict of interest shall not discuss the matter in any venue with any fellow Commissioner, TMAPC staff or other officials involved in decision making on the matter for the purpose of influencing a decision thereon.

5.3 Ex Parte Communication.

(a) Although not forbidden, ex parte communication has the potential to influence a Commissioner's decision on matters before the Commission. The Commissioner who receives ex parte communication must disclose such ex parte communication prior to or at the commencement of public discussion of the subject matter.
(b) The Commissioner shall also evaluate whether, as a result of this communication, such Commissioner can remain unbiased and impartial and should either abstain or participate accordingly. As with a potential conflict of interest, the appearance, not the actuality, of bias should govern.

5.4 Release of Information.

(a) No Commissioner or TMAPC staff member shall use or transmit to others for private benefit any information derived from Commission activities unless and until such information is made available to the public at large.

(b) No Commissioner or any person appearing before the Commission shall knowingly misrepresent facts or distort or omit information for the purpose of achieving a desired outcome.

5.5 Appearance of Commissioners at City Council.

(a) Only a Commissioner designated by the Chair shall be the official spokesperson for the Commission. The official spokesperson for the Commission shall, to the best of his or her ability, present an unbiased record of the proceedings and the decision of the Commission. The official spokesperson shall not present new facts or arguments that were not made available at the hearing before the Commission.

(b) Nothing herein would deprive a Commissioner of the right to speak at a public hearing in the Commissioner’s individual capacity subject to the following. If a Commissioner chooses to speak at a public hearing, and he or she has not been designated as the spokesperson by the Chair, that Commissioner must state that:

(1) Though they are a Commissioner, they are before the City Council as an individual, and not on behalf of the Commission; and

(2) They have no authority to make representations regarding the Commission’s public meetings, thought processes, or decision-making.

If a Commissioner other than the one designated by the Chair intends to speak at a public hearing on a matter upon which the Commission has previously voted, he or she must notify all members of the Commission of that intention at least twenty (24) hours prior to the public hearing.

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Date Adopted: ___, 2020

_____________________________________
Chairman

ATTEST:

_____________________________________
Secretary

[Signature Page to Policies and Procedures of TMAPC]