

## Tulsa County Zoning Regulations Update

Public Comments  
Updated 01-10-2023

The following table summarizes the substantive comments received on the public review draft of the county’s updated zoning code, as well as the (consultant/staff) technical team’s responses to those comments. Red underlined text indicates a change made in response to comment. Non-substantive comments (e.g., typographic errors) are not listed in the table. **Yellow highlights** in table indicate comments received at or after the December 7 (2022) TMAPC meeting.

No.	SECTION	PUBLIC COMMENT	Response
1	1.020 Statutory Authority	Typo in the statute number. It should be Title 19, Section 863.1 et seq., (NOT Section 868.1)	<u>Agreed. The reference to “868.1” reflected an older version of the statutes and was in error. The draft has been revised to update the reference.</u>
2	1.040 Applicability and Jurisdiction	Does this section say that certain bodies (i.e.: government bodies) would be exempt from adhering to the zoning regulations?  “the extraction of minerals” should be deleted from subsection B. This stems from statutory language of 868.11 and is not in the corresponding language of 863.13	Subsection A states the county's zoning regulations do not apply to lands within cities (incorporated areas)  <u>Agreed. Mineral extraction was exempt from local zoning under an older version of the statutes but is not exempt under current state statutes. The draft has been revised accordingly.</u>
3	1.040 Applicability and Jurisdiction	Will new regulations be retroactively enforced on existing businesses?	Nothing in this code will be retroactively enforced on existing businesses (assuming they were lawfully established).
4	1.040 Applicability and Jurisdiction	Do HOA restrictions take precedent over county zoning regulations?	Yes, HOA restrictions do take precedence if they are more restrictive than these zoning regulations (See 1.080-C).
5	Table 2-2 Residential Building Types (in A Districts)	Why is single-section manufactured housing unit - SPECIAL EXCEPTION and multi-section manufactured housing unit - PERMITTED in AG-R district? I find single-wide a SPECIAL EXCEPTION for AG-R in current county zoning code, but I do not find reference to multi-wide in current county zoning code. Is the difference based on average size of living space of single vs. multi-section, or something else?  The response that there is no change [should be carefully reviewed], specifically related to current	As you note, single-wides (now single-section) are currently a special exception and the county's practice has been to permit double-wides as of right. So, this just clarifies existing practice. Both single- and multi-section are defined in the definitions article under "manufactured housing"  Again, the regulations proposed here reflect current county practice. While the existing zoning code allows manufacturing housing units in AG and AG-R districts only on a temporary basis, the new code removes the requirement for removal of the temporary unit within two years of placement. No change has been made to draft.

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		practice. Also, recommend Temporary Units continue to be permitted during construction of a residence without any additional relief.	
6	Table 2-2 Residential Building Types (in A Districts)	Why does a detached house and one single section manufactured housing unit in AG-R require Special Exception approval, but a detached house and one multi-section manufactured housing unit is "Permitted"? Shouldn't they both be "S"?	This is the same regulation that applies under the county's current zoning code.
7	Table 2-2 Residential Building Types (in A Districts)	So, this means you are allowing more use of manufacture homes in the unincorporated areas? Why the change?	This is the same regulation that applies under the county's current zoning code. Manufactured housing units are allowed in the same districts as today.
8	Table 2-3 Agricultural District Lot and Building Regulations	Where is minimum lot width measured? If a minimum frontage on maintained public road is 30 feet, then is the minimum lot width not met?	The measurement of lot width is explained in Sec. 18.050 of the proposed code. It's basically the average distance between the side lots lines along the entire depth of the lot. This is the same as today (not a change).
9	Table 3-2 Residential Building Types (in R Districts)	If a manufactured housing unit, single-section is a Special Exception, then why doesn't that requirement apply to all manufactured housing unit, multi-section?	This is the same regulation that applies under the county's current zoning code. The updated code isn't changing how (manufactured or stick-built) residential dwelling units are allowed.
10	Table 3-3 Residential District Lot and Building Regulations	In Table 2-3, minimum lot area is 2 Acres for AG and 1 acre for AG-R, however, RE in Table 3-3 minimum square feet is 22,500 sq ft which is 0.516 acres. Should RE minimum sq ft be 43,560 sq ft which equals 1 acre?	No, all the minimum lot area regulations referred to are correct. They are the same regulations that apply today.
11	5.0202-D.3.	Recommend permitting off-premises outdoor advertising signs in PUDs generally, especially if they would otherwise be permitted by the underlying zoning.	Outdoor advertising signs (billboards) have always been prohibited in PUDs (see existing 1130.2-B.2) and that remains true under the proposed code. No change has been made to draft.
12	5.030 FD Floodway District	The language from the old code was inserted directly into the new code. Recommend defining "temporary amusement enterprises" which is a permitted SE use. It appears in both codes but is not a defined use.	As, noted, the existing Floodway District regulations have been carried over verbatim from the current code. A future text and map amendment is anticipated to eliminate this district since the regulations are no longer needed because generally applicable flood prevention regulations now apply countywide. In the very unlikely event that a "temporary amusement enterprise" is proposed on FD-zoned lands before the district is eliminated, the board of adjustment will have an opportunity to interpret what constitutes an appropriate temporary amusement

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			enterprise as part of the special exception process. No change has been made to draft.
13	5.030 PK, Parking District	I think eliminating parking regulations is a bad idea.	Elimination of parking regulations is NOT proposed. The draft zoning merely proposes the elimination of the “PK” zoning district, which has never been used. Parking requirements are in Chapter 10 of the updated zoning code.
14	Chapter 6 Allowed Uses and 6.020-D	<p>Recommend keeping Use Units. The new code is structured like the 2016 City of Tulsa Zoning Code with generalized use categories. The category system leads to more ambiguity, less certainty for users, and greater need for Code interpretations by County Inspections.</p> <p>Under the current code, the board of adjustment is authorized to determines [sic] how to classify unclassified/undefined uses. Under the current code, the county inspector is authorized to make this determination. Recommend keeping board of adjustment as interpreting body.</p> <p>Generalized use classifications present a higher likelihood of interpretations by inspectors, particularly when that authority has been diverted to inspectors rather than the Board of Adjustment as later noted in the County revisions. For both the Tulsa County and City of Tulsa Zoning Code, we would ask that allowed uses be defined specifically or revert back to use units as previously included in the Code.</p> <p>In determining the suitability of a category for an unclassified use, we would ask that the Board of Adjustment The overarching concern is the presumed accuracy of a county inspector in their interpretation of the Code. We appreciate the intent to allow flexibility or decision-making on an ad-hoc basis, however; this presents significant risk for the marketplace without any posted guidance.</p>	<p>Replacement of the antiquated use-unit system was one of the reasons to initiate the county zoning code update project. Moreover, reverting back to the UU system at this time would be a major undertaking and result in significant delays in the project timeline. No change has been made to draft.</p> <p>Authorizing staff classification/use category determination will result in a more streamlined process for applicants. (since there will be no need to await a board of adjustment meeting date for such determination). Those aggrieved by the county inspector’s determination have the right to appeal the decision to the board of adjustment, in which case the board of adjustment will be the “interpreting body.” No change has been made to draft.</p>

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		or Planning Commission be the venue for interpretation.	
15	Table 6-1 Use Table	Short-term rentals (STRs) should be "S" not "P" in all R zoning districts	Permitting STRs as of right is thought to be a reasonable approach. (Note: they are permitted by right in CoT R districts)
16	Table 6-1 Use Table	Building or tower-mounted antennas should be an "S" not a "P"	Permitting building and tower-mounted antennas by-right outside of R districts is consistent with the current zoning code. Note: there are also federal regulations governing the types of telecommunications equipment that must be allowed by right (administrative approval).
17	Table 6-1 Use Table	Why isn't Grooming in AG an "S"?	Because it's not allowed today. Note: any use not currently shown as a "P" or "S" can be approved by the Board of Adjustment as a use variance.
18	Table 6-1 Use Table (Marijuana-Related Uses)	<ol style="list-style-type: none"> <li>1. Recommend permitting grower operations by SE in CH and maybe CG as well.</li> <li>2. Recommend permitting low-impact processing by right in AG, CG, CH; permitting by SE in CS. This really is not an industrial use.</li> <li>3. Recommend permitting moderate-impact processing by right in AG, IL and by SE in CH, maybe CG as well – perhaps depending on size of operation.</li> <li>4. Recommend permitting high-impact processing by right in IM and by SE in AG, IL – perhaps depending on size of operation.</li> <li>5. Allow low-impact processing by right in CS, CG &amp; CH.</li> <li>6. Allow medium-impact [sic] by right in CG &amp; CH.</li> </ol>	The technical group and citizen work group devoted considerable time to consideration of marijuana-related regulations. No change has been made to draft.
19	7.060 Marijuana-Related Uses	Is this trying to prevent grow operations or are we having to comply with state law.	No, not trying to prohibit. The draft code permits grow operations and other marijuana-related uses, subject to a few reasonable conditions.
20	7.140-E Sexually oriented material may not be displayed to be visible from outside the building in which the use is conducted.	This is way too vague	"Sexually oriented materials" are defined in Sec. 6.050-N2. Not sure of what's meant by the reference to vagueness.
21	7.150 Short-Term Rentals	These regulations will have unintended consequences that I do not think you have through thru very well.	We welcome additional questions and clarifications about the alleged "unintended consequences."

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22	7.190-A Purpose (Wireless Communications)	This Purpose statement represents a wholesale gutting of the existing Code. Allowing EMTs to watch moves in 4K on their phones does not improve health and safety. The proposed statement strips any protections for those who will be forced to live near a tower.	The telecommunication tower regulations of this draft are the same as apply today. Moreover, the county is barred by federal law from denying the ability to site telecommunication equipment based on electromagnetics or similar safety concerns.
23	8.010-E Compliance with Lot and Building Regulations	Storage containers, if we mean the steel shipping boxes carried on ships, trains, and semi-tractor-trailers, are not taxed as buildings because they are, by definition, portable.	Thank you for clarifying. No change has been made to draft.
24	Table 8-1 Accessory Building Coverage, Height, and Setback Regulations	Shouldn't the maximum height for an accessory building on a lot over one acre be 35 feet, like the limit on the house height?	Additional building height seems reasonable in more rural (larger lot) settings. The regulations in the draft have been revised from today's code in light of the fact that the BoA routinely waives or varies existing requirements that apply to accessory buildings.
25	8.040-C.2 Number of accessory dwelling units allowed	I have 11 acres on the Tulsa/Okmulgee County line. I already have one barn (30x30) and I would like another. On the size of my property, a one building limitation is ridiculous and it's overreaching, and I don't think that you should be able to tell me how many buildings that I can have on my own property.	This provision applies to accessory DWELLING UNITS, not barns or other accessory buildings. The updated code does not limit the ability to place multiple barns or accessory buildings on farm properties.
26	Table 8-2 Animal Unit Equivalencies	Who came up with these equivalencies? 3 horses per acre in AG-R is way too many unless you want them living on a dry lot/dirt. In some cases, even 1 horse per acre is too many if much of the acreage is taken up by the house, roadways, accessory buildings, barns, etc.  Horse density is way too high.	Animal unit equivalencies come from Dept of Agriculture. The county's existing regulations do not currently address the keeping of horses outside of the AG district, although there are many instances of horses being kept on such properties today.
27	8.130-B.1.b Chickens and Domestic Fowl	"...if all animals are owned by the subject property owner" should be stricken from subsection.	<u>Yes, this language was in error and should not have been included. The draft has been revised to remove this language.</u>
28	8.130-B Chickens and Domestic Fowl	Why not allow free-range chickens in AG-R or R? Should allow them to free range and put them up at night.	The code does NOT prohibit outdoor/free-range chickens if they are kept in a fenced area.

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29	Table 8-3: Bird Unit Equivalencies	Equivalent bird units is crazy. If you own 10 acres of AG-R or R, you can have 320 chickens! If you have 320 chickens, then you are producing chickens and/or eggs as a business not for personal use.	The code could impose an absolute cap on number of chickens, but such a cap is not thought to be necessary. It is important to note that running such a “business” is not allowed in AG-R and R districts, so there are other factors that would prevent such a large chicken-keeping operation. Also, there a very few 10-acre or larger parcels in existence in AG-R or R districts.
30	8.130-Bb. “The keeping of roosters and on-site slaughter is prohibited”	This rule is more restrictive than City of Tulsa, which allows 1 rooster. Please reconsider and allow at least one rooster. We need the ability to reproduce our chickens, if necessary. <b>The fact that Tulsa County is trying to become more restrictive than cities and other counties needs to be addressed.</b>	The keeping of roosters <i>is</i> allowed on AG-zoned lands, which represents the vast majority of unincorporated Tulsa County (est. 95%+). The rooster prohibition applies only in AG-R and R districts. The keeping of roosters (as well pigs and goats) in R-zoned areas is a common source of complaints fielded by the county inspection office. It is rare for zoning codes to allow roosters (or poultry slaughtering) <i>in residential districts</i> . No change has been made to draft.
31	8.160 Recreational Vehicle Living	So, the person has to get permission from the county to live in their RV for an extended period of time? So, Tulsa County wants to increase homelessness?	Living in RVs is currently prohibited in the county, so this is, in fact, a more lenient approach.
32	9.040-A Permitted Temporary Uses	Three years ago, we were instructed by inspections to go before the BOA for the approval for our seasonal pumpkin patches. Am I understanding that the new zoning regulations would not require that same process, rather the county inspector will either approve or deny our pumpkin patch? This section also does not mention if this is a yearly approval, or every 5-year approval process like our current scenario with the BOA? Also doesn’t mention the need for an application or costs. Can you please clarify and provide the details to this section as it relates to our pumpkin patch and the exact protocol that will be in place? I have peeked at City of Tulsa Zoning Code to see how it specifically addresses pumpkin patch sales, and I did not see that specific wording mentioned like it is in the proposed Tulsa County Hearing Draft. With Pumpkin Town Farms being in city limits, I am	The current county zoning code classifies most common temporary uses as “area-wide special exception uses” (UU2). The new code authorizes the county inspections office to approve common temporary uses administratively or refer such use requests to the BoA, so this is a proposed streamlining measure. Fees and application submittal requirements are not changing and are not codified in the new code (or in the existing code). <u>Since there seems to be concern that administrative (staff) approval could be burdensome or arbitrary, new provisions have been added authorizing applicants to seek approval from the board of adjustment if desired.</u> This will ensure that applicants have the same rights under the new code as exist under today’s code should they wish to forgo the proposed administrative approval option provided under the new code.

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		curious to know how City of Tulsa handles their approval. Thank you for addressing these points as lined out in my 5th concern. Correct, no BOA approval for such use.	
33	9.040-B Temporary Mobile Storage Units	Proposed regulations governing size of containers; time limits on use and number of containers allowed don't work and will cause multiple challenges for local businesses and property owners.	<u>The draft regulations have been revised to remove the temporary mobile storage unit regulations of Sec.9.040-B and 9.040-C. In lieu of those regulations, the updated draft will expressly state (in Sec. 8.050) that storage containers are permitted as accessory buildings, subject to compliance with applicable accessory building regulations. These revisions are intended to ensure that the updated code follows current county practice.</u>
34	9.040-B Temporary Mobile Storage Units	If I understand, the section 9.040 referencing storage containers has been deleted. Also, if I understand, the storage containers are now considered accessory storage as subject to those regulations in Sec. 8.050. We have never had a complaint in 12+ years, from the Wekiwa Hills neighborhood behind us at our Sand Springs site, yet in this section, if we were switched to conforming status, we would be subject to putting up a fence behind our lot? Another restrictive and costly expense for small business. Also, to follow up from a comment I made during the public review comment period....there are close to 8 wood portable buildings next to our Sand Springs lot, and yet there are no restrictions in place for those portable buildings, just still a stipulation of erecting a fence to block containers from the view of an R district as stated in Sec. 8.050.	Visual screening of accessory storage areas and buildings from R districts is required only if when such areas or buildings are located in Industrial zoning districts, which is an existing code requirement. <u>The new code text in Sec. 8.050 has been revised to clarify this point.</u> And yes, the previous Sec. 9.040 RE temporary containers has been deleted. <u>The clarifying statement that "Storage containers are considered accessory buildings and are subject to the same regulations as all other accessory buildings" has been moved to Sec 8.010-E.</u>
35	9.050-B Fireworks Retail Sales (Temporary Use)  [Note: this provisions has been moved to 9.040-B]	The regulations in this section should apply only to temporary stands and tent locations. Indoor buildings should be exempt. Permits should be for 5 years rather than 3. Year-round sales are allowed by state and should be permitted in the zoning code.	The regulations in this section apply only to <u>fireworks retailers</u> and are consistent with state law and existing county zoning practice. By OK law, year-round sales of fireworks are allowed only for licensed manufacturers, distributors or wholesalers. Those uses are not eligible for temporary use approval, but instead require the appropriate zoning for "high-impact manufacturing and industry" or "wholesale sales and distribution" uses, respectively. See Table 6-1, Sec. 6.060-D, and Sec. 6.070-C.

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36	9.050-B Fireworks Retail Sales (Temporary Use)  [Note: this provisions has been moved to 9.040-B]	Can you confirm that our two indoor buildings are not subjected to Sec. 9.050-A and 9.050-B, the wording still says “ALL” fireworks retail sales or “ANY” structure. We have been told verbally this doesn’t pertain to our indoor facilities, just applies to temporary structures, but again want to make sure I understand correctly. It would be ideal in our case to add the wording “unless otherwise permitted by the State of Oklahoma”	These provisions have been revised to say that the <u>temporary fireworks retail sales regulations apply to all fireworks retail sales uses conducted by a licensed fireworks retailer outside of a completed enclosed building. These regulations do not apply to fireworks retail sales conducted by licensed fireworks manufacturers, licensed fireworks distributors, or licensed firework wholesalers when conducted in a completely enclosed building.</u>
37	11.030-E Temporary Signs	Opposed to proposed restrictions on temporary signs and banners. Should not require permits. Regulations will be difficult to enforce.	<u>The draft regulations have been simplified and relaxed. These revised “temporary and ancillary” sign regulations no longer impose time-limits on such signs and expressly state that permits are not required.</u>
38	Table 14-1 (RE Public Notice Requirements)  And Sec. 14-090-E	Table 14-1 requires an applicant to provide written notice of site plan and administrative adjustments. Recommend applicants are not responsible for notice of any kind.	<u>Agreed. Sec. 14.090-E has been revised to remove requirement for applicants to provide notice of administrative adjustment filing. Note: No notice is required for site plans. The inclusion of footnote “[2]” in the Site Plan row of Table 14-1 is a typo. The footnote has been removed.</u>
39	14-010-E Neighbor Communications	Why is this required?	This provision merely states current practice. It is intended merely as an early “heads-up” for applicants who may not be aware of the expectations of review/decision-making bodies. Boards and commissions request neighborhood communications for the reasons stated in Sec. 14-010-E.1 (a-c).
40	14.020-A Zoning Regulation Text Amendments	Should the code allow for correction of non-substantive text errors without a public hearing? Note: this was not a public comment.	<u>The draft regulations have been revised to authorize the correction of non-substantive typographical and formatting errors without following the formal text amendment process.</u>
41	14.020-A Zoning Regulation Text Amendments	Based on [proposed] wording, it appears the Land Use Administrator is authorized to initiate any type of text amendment, not just formatting/typographical errors. Recommending deleting “or the land use administrator” from the end of the first sentence. The 2nd sentence provides the necessary language.	Your reading of this provision is correct. Under the proposed code, the land use administrator <i>is</i> authorized to <u>propose</u> substantive zoning text amendments and to <u>correct</u> scrivener’s errors. This does not represent a change of current practice. No change has been made to draft.
42	14.040-I Amendments to Approved Development Plans	Need to add the following to the list of changes that may be processed as minor amendments to an approved PUD: <ul style="list-style-type: none"> <li>• The addition of an approved use may be permitted, provided the underlying zoning on</li> </ul>	The draft regulations have been revised to include this expanded list of changes that may be processed as minor amendments to an approved PUD development plan.

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		<p>the particular site within the PUD would otherwise permit such use as by right or special exception and the proposed use would not result in any increase of incompatibility with the present and future use of nearby properties.</p> <ul style="list-style-type: none"> <li>• Increases in the number of dwelling units, provided the approved number of dwelling units is permitted by the underlying zoning and the density of a development area is not increased more than 15%.</li> <li>• Increases in permitted nonresidential floor area, provided the increased floor area is permitted by the underlying zoning and floor area of a development area is not increased more than 15%.</li> <li>• Changes in points of access, provided the traffic design and capacity are not substantially altered.</li> <li>• Changes in structure heights, building setbacks, yards, driveway coverage measured by width, square footage or percentage of the yard, open spaces, building coverage and lot widths or frontages, provided the approved PUD development plan, the approved PUD standards and the character of the development are not substantially altered.</li> <li>• Home occupations that comply with the regulations of Section 8.120.</li> </ul>	
43	14.050-A & D	<p>Site Plan approval is required before issuance of ANY permits for development or construction; whereas 14.050-D requires approval only prior to building permit issuance. Which is correct - would an earth change permit not be permitted prior to Site Plan approval?</p>	<p>The site plan provisions of this section are a part of the development plan process and apply <u>only</u> to PUDs and projects for which property owners elect to submit a development plan with a rezoning request. <u><a href="#">Sec. 14.050-A has been revised to clarify this point and to ensure consistency with Sec. 14.050-D.</a></u></p>

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44	14.060-D Platting Requirement	Do we really need the platting requirement to apply to all these Special Exceptions? We removed Bed and Breakfast from the City Code and in the city it only applies to Outdoor Assembly and Entertainment. I would also be inclined to pick exactly what Group living and "Public, Civic and Institutional Uses" would trigger it.	The list of uses subject to platting under this section is actually much reduced from the current code. <u>The draft regulations have been revised to remove bed &amp; breakfasts uses.</u>
45	14.070-F	Rather than have an official record of interpretations available only for inspection (assuming hard copy form), would it be more practical to have that document either (i) posted online as a reference in conjunction with the Code or, (ii) as an appendix to the Code itself?	The presumption that the official record of interpretations is or will be available only in paper (hardcopy) form is incorrect. As formal interpretations are issued, they will be made available on the Tulsa Planning Office website, as is the case today.  <a href="http://tulsaplanning.org/resources/plans/zoning-code-interpretations/">http://tulsaplanning.org/resources/plans/zoning-code-interpretations/</a>
46	14-100-B Authorized Variances	Should prohibit variances that "waive, modify or amend any definition or use classification."	Respectfully disagree. Adding that prohibition would constitute a major change from current county practice.
47	15.010-K Appeals to District Court	Is there statutory authority for requiring that the BoA provide notice to surrounding property owners when appeals are taken to District Court and that appellants pay notification costs? Note: this was not a public comment.	<u>The draft regulations have been revised to remove requirements calling (1) for notice to be provided to surrounding property owners and (2) for appellants to pay the costs of such notification.</u> Note: this change is intended to make the provisions consistent with Oklahoma Statutes.
48	15.0202 Code of Ethics	I stated in the public hearing, a lot of power is given solely to the land use administrator and/or county inspector, The Code of Ethics section in 15.020 should also include the names of those two positions. If there is a violation or concern that the land use administrator and/or county inspector is not able to handle an interest fairly, they should abstain from the matter. If this concern cannot be addressed specifically in section 15.020, it would be in the best interest of Tulsa County to address the significant amount of power given to these two positions.	Sec. 15.0202 (Code of Ethics) now applies to elected and appointed officials (TMAPC and BoA). <u>This section has been revised to include any "administrative officials" with decision-making authority, which for purposes of the new code would include the land use administrator and county inspector.</u>
49	Figure 16-1 Detached House on Nonconforming Lot in R District	There appears to be a typo – the figure states a minimum of 50% of the lot must remain as open space. However, Section 16.020-B does not have that requirement and says nonconforming R lots do	<u>Thank you. The figure was in error and has been removed.</u>

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		not need to comply with open space requirements at all.	
50	16.040-B.2 Nonconforming Uses	...since December 2020, the inspections office has required our Sand Springs facility to switch our occupancy type every time we transition from our indoor inflatable birthdays to fireworks sales. With these new zoning changes, if I understand this section correctly, it will switch our Sand Springs site from nonconforming to conforming when we conduct our next occupancy change. ...this wording is not exactly the same as compared to the present zoning document, yet no words are highlighted in red. As a solution, that would not adversely affect our nonconforming status, I would propose the opportunity for a section on dual-occupancy status...[which] would allow for us to continue operating indoor parties off season, while continuing with seasonal fireworks sales in June/July and December, thus not subjecting our 12-year-old building to conforming status.	<p>The new code’s prohibition on re-establishment a nonconforming use (N/C) once such use is replaced by a conforming use mirrors the existing code (at Sec. 1420-C), which states “A nonconforming use of a building, or building and land in combination, if superseded by a permitted use, shall not thereafter be resumed.” The new code’s language was not shown as a change because its substantive effect is the exactly the same as the existing code.</p> <p>The issue raised in this comment (temporary replacement of nonconforming use) is not caused or exacerbated by the new code. Nonetheless, <u>the text of Sec. 16.040-B.2 has been further revised to allow re-establishment of a nonconforming use after such use is temporarily replaced by an approved temporary use. Moreover, provisions have been added in 16.040.3 expressly authorizing the BoA to approve a special exception for re-establishment of a nonconforming use after being replaced by a conforming use.</u> These changes result in the new code being far more flexible than the current code.</p>
51	16.040-F Nonconforming Use of Unimproved Land	This specifically eliminates the required termination schedule currently included in 1410, citing that “the time frames for termination have long passed.” Recommend keeping in the termination schedule. The new code makes the assumption that there is no more nonconforming use of unimproved land and thus, all timeframes have expired.	The amortization schedule established in the current code states that nonconforming uses of unimproved land that were in existence before September 15, 1980 cease by September 15, 1985, a date that <i>has</i> long since passed. Reinstating an amortization (required termination) clause for lawfully established uses is not recommended. No change has been made to draft.
52	Chapter 17 Enforcement	Is there is a way to fine property owners that violate some kind of a maintenance clause.	Property maintenance codes are not typically part of zoning regulations.
53	Chapter 17 Enforcement	Will it just be the “squeaky wheels” that the enforcement and penalties are placed on, or are inspectors going house to house and business to business to make sure no stone is un-turned and everyone is following the same requirements and rules?	“Enforcement” efforts are currently complaint-based and will be in future, as is true in most jurisdictions.

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54	17.040-A Fines	Please advise how 17.040-A will be enforced? Is this something that needs to be added to the zoning code, so that citizens understand that specific process and how to engage it?	Under the updated code, monetary fines are one of several penalties or enforcement actions that may be imposed if property owners do not elect to comply with applicable regulations. The goal of zoning enforcement is to secure compliance, rather than to impose penalties on property owners. The process for seeking to obtain voluntary compliances, and if necessary, enforcement action will be same as today.
55	18.060 Frontage or Street Frontage	Please add the following clarifying provision to this section: Property that abuts the stub end of a stub street is not considered to have "frontage" on that stub street. Stub streets are intended only for continuation of a public street and are not permitted to have driveway connections. [From County Engineer's office]	Added the following to end of 18.060: <u>Property that abuts the stub end of a stub street is not considered to have "frontage" on that stub street. Stub streets are intended only for continuation of a public street and are not permitted to have driveway connections.</u>
56	Chapter 19 ("Household" definition)	You need to allow homes with more than 8 individuals we do not have enough special needs homes in OK.	The code <u>does</u> allow larger group homes by special exception. See Table 6-1.
57	General Comment and 1.050-A	As I have read through this document, I find myself browsing back up to 1.050-A, re-reading one of the purposes of the proposed changes. I have asked many questions, which with each question I have gone back to your purpose which states "public health, safety and general welfare". I would encourage the committee reviewing this document to ask themselves....do these zoning regulations truly resolve our purpose or are we overreaching our boundaries as a presiding agency. Also ask the question, what will the impact look like for the residents and businesses of Tulsa County? Are these regulations truly a matter of life safety.....temporary sign permits, container regulations, fireworks restrictions for ALL structures including the County's two indoor fireworks retail locations, chickens, roosters, limitations on number buildings in unincorporated areas with acres and acres of land, and so many more concerns that were echoed by the comments on this community	No comment/response

No.	SECTION	PUBLIC COMMENT	Response
		<p>review document. Are these regulations helping or hurting businesses? Personally, as a business owner and life-long resident of unincorporated Tulsa County, I see more cost, more regulations, more restrictions. If we are going to keep this about public health and safety then let's do just that, reinvent this document for the original purpose that you intended it for. Thank you for your time and consideration! This document is more than just words on paper, the decisions you are making will adversely affect every resident and business in unincorporated Tulsa County. How about we take a different approach....where in this document does it reference partnering with residents and business, to help our community flourish together while keeping safety our number one priority and the prosperity of our constituents the number 2 priority. Let's work to promote and help Tulsa County flourish not by setting stringent restrictions</p>	
58	General Comment on Updated Regulations	<p>The folks who live in the unincorporated areas of Tulsa County are there by choice. If they wanted to be governed by the City of Tulsa, they would have lived inside the city limits. My home community of Berryhill was destroyed by the turnpike. Many lives were affected by decisions of others and without consideration for the people who live there. And now you want to tell them what they can and cannot do on their own property. This is overreach and no changes should be made without community input. As a property owner I am opposed to these changes.</p>	No comment/response
59	General Comment on Updated Regulations	<p>Why isn't there more time for the public to know about this and have say? People in the country of Tulsa County have no desire to have the same codes as the city. Many don't even know about this to voice their concerns.</p>	No comment/response

No.	SECTION	PUBLIC COMMENT	Response
60	General Comment on Updated Regulations	This information wasn't made known to the public in a very widespread way. There should have been more time for residents to know about this. This is a big impact for people living in the country of Tulsa County.	No comment/response