Introduction and Notice to the Public
The Tulsa Metropolitan Area Planning Commission (TMAPC) provides unbiased advice to the City Council and the County Commissioners on planning, development, and zoning matters. At this meeting, TMAPC, in accordance with and pursuant to applicable policies and procedures, will review, consider, discuss, and may take action on, approve, recommend for approval, amend or modify, recommend for approval with modifications, deny, reject, recommend for denial, or defer action on any item listed on the agenda.

How to Participate
You may attend the hearing to express your opinions or have someone appear on your behalf. If you wish to present documents or exhibits during the hearing, please submit them by 9:00 a.m. the day of the hearing. Please reference the case number and include your name and address. Any exhibits presented will become part of the public record of the case.

- To comment on cases within the City of Tulsa, email planning@cityoftulsa.org.
  Mail: Tulsa Planning Office, 175 E. 2nd St., Suite 480, Tulsa, OK 74103
- To comment on cases outside city limits in Tulsa County, email esubmit@incog.org.
  Mail: INCOG Planning Services, 2 W. 2nd St., Suite 800, Tulsa, OK 74103

All electronic devices must be silenced during the hearing. Note: If you require special accommodations pursuant to the Americans with Disabilities Act, please notify the Tulsa Planning Office at 918-596-7526.

Call to Order

Reports
Chairperson’s Report
Director’s Report

Approval of Minutes

1. Minutes from Meeting 2913, May 1, 2024

Consent Agenda

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

2. Z-5956-SP-2c
   Location: East of the southeast corner of East 61st Street South and Highway 169
   City Council District: 7
   Applicant: Nathalie Cornett
   Action(s) Requested: Minor Amendment to a Corridor Development Plan to permit a dynamic display as a component of a ground sign
Public Hearing – Rezoning

Review and possible recommendation of approval, approval with modifications, denial, or deferral of the following:

3. **CO-18**
   - **Location:** Northwest of the northwest corner of East 51st Street South and South 129th East Ave.
   - **City Council District:** 7
   - **Applicant:** Tulsa City Council
   - **Action(s) Requested:** Major Amendment to adopt a new Corridor (CO) development plan to permit a public safety center. (Continued from March 20, 2024 and April 17, 2024)

4. **Z-7769**
   - **Location:** North of the northeast corner of South 145th East Avenue and East 11th Street South
   - **City Council:** 6
   - **Applicant:** Mark Capron, Wallace Design Collective
   - **Action(s) Requested:** Rezoning from AG to IL with an optional development plan (Related to CPA-110)
   - **(Applicant requests a continuance to June 5, 2024)**

5. **Z-7770**
   - **Location:** East of the southeast corner of South Admiral Place and South 225th East Avenue
   - **City Council:** 6
   - **Applicant:** August Wakat
   - **Action(s) Requested:** Rezoning from AG to IM

Public Hearing – Comprehensive Plan Amendments

Review and possible adoption, adoption with modifications, denial, or deferral of the following:

6. **CPA-110**
   - **Location:** North of the northeast corner of South 145th East Avenue and East 11th Street South
   - **City Council:** 6
   - **Applicant:** Mark Capron, Wallace Design Collective
   - **Action(s) Requested:** Change Land Use designation from Neighborhood to Employment (Related to Z-7769)
   - **(Applicant requests a continuance to June 5, 2024)**

Public Hearing – Zoning Code Amendments

Review and possible recommendation of approval, approval with modifications, denial, or deferral of the following:

7. **ZCA-30** Consider proposed clean-up amendments to the following chapters of the Tulsa Zoning Code
   - (Title 42 Tulsa Revised Ordinances, Zoning and Property Restrictions): 20, 35, 40, 55, 70, 80, 85, 90, and 95.

Other Business

8. **Commissioners’ Comments**

Adjournment
### Owner and Applicant Information
Applicant: Nathalie Cornett  
Property Owner: 3777 A Corporation

### Property Location
East of the southeast corner of East 61st Street South and Highway 169
Tract Size: ±1.3 acres

### Location within the City of Tulsa
(Shown with City Council districts)

### Elected Representatives
City Council: District 7, Lori Decter-Wright  
County Commission: District 1, Stan Sallee

### Public Notice Required
Mailed Notice to 300’ radius – min. 10 days in advance

### Request Summary
Minor amendment to permit a dynamic display as a component of a ground sign.

### Zoning
- **Existing Zoning:** Corridor (CO)/Z-5956-Sp-2  
- **Existing Overlays:** None

### Use
- **Current Use:** Convenience Store

### Comprehensive Plan Considerations

#### Land Use
- **Land Use Plan:** Multiple Use  
- **Small Area Plans:** None  
- **Development Era:** Late Automobile

#### Transportation
- **Major Street & Highway Plan:**
  - East 61st Street South – Secondary Arterial  
  - South 107th East Avenue - Collector
- **planitulsa Street Type:** N/A  
- **Transit:** N/A  
- **Existing Bike/Ped Facilities:** N/A  
- **Planned Bike/Ped Facilities:** N/A

#### Environment
- **Flood Area:** N/A  
- **Tree Canopy Coverage:** 10-20%  
- **Parks & Open Space:** N/A

### Staff Recommendation
Staff recommends approval.
**Detailed Staff Recommendation**

The applicant is requesting approval of a minor amendment to Z-5956-Sp-2 to permit a dynamic display as a component of the previously permitted ground sign in Development Area A. The intended use of the dynamic display is limited to LED gas prices in place of the changeable copy prices present today.

**Amendment Proposal:**

**Current PUD Standards:**

One ground sign permitted for Development Area along the East 61st Street frontage not to exceed 25 feet in height and 240 square feet of display surface area.

**Proposed PUD Standards:**

One ground sign permitted for Development Area along the East 61st Street frontage not to exceed 25 feet in height and 240 square feet of display surface area. The ground sign may contain a dynamic display, limited to the LED display of gasoline prices.

The minor amendment does not amend any other sign standards for Z-5956-Sp-2.

Staff has reviewed the request and determined:

1) Z-5956-Sp-2c is consistent with the provisions for administration and procedures of a corridor development plan in Section 25.040-E.

2) Z-5956-Sp-2c does not represent a significant departure from the approved development standards in the corridor development plan and is considered a minor amendment to Z-5956-Sp-2.

3) All remaining development standards defined in Z-5956-SP-2 and subsequent amendments shall remain in effect.

With consideration given to the factors listed herein, staff recommends approval of the application.

**Comprehensive Plan Considerations**

**Land Use Plan**

The subject property where the sign is proposed to be located is designated as multiple use.

Multiple Use areas are mostly commercial or retail uses, which include restaurants, shops, services, and smaller format employment uses. This land use designation is most common in areas of the city from earlier development patterns, with Local Centers being more commonplace in newer parts of the city. For single properties that are commercial but surrounded by Neighborhood, Multiple Use is the preferred designation.

**Surrounding Properties:**

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning/Overlay</th>
<th>Existing Land Use Designation</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RS-3</td>
<td>Park and Open Space</td>
<td>Park/Drainage</td>
</tr>
<tr>
<td>East</td>
<td>RM-1</td>
<td>Neighborhood</td>
<td>Multifamily Residential</td>
</tr>
<tr>
<td>South</td>
<td>CO</td>
<td>Park and Open Space</td>
<td>Vacant/Drainage</td>
</tr>
<tr>
<td>West</td>
<td>CO</td>
<td>Employment</td>
<td>Commercial</td>
</tr>
</tbody>
</table>
Small Area Plans
The subject properties are not within a small area plan.

Development Era
The subject property is in an area developed during the Late Automobile Era (1950s-present), which has grown since the mainstreaming of automobile-centric lifestyles, with a high degree of separation between residential and nonresidential uses, and low levels of street connectivity. In these areas, transportation is nearly exclusively concentrated on the mile-by-mile arterial grid, and major streets are often both transportation corridors and destination corridors, which can lead to traffic congestion. Nonresidential uses are predominantly located at the intersections of major arterial streets. Priorities in these areas include commercial revitalization, placemaking, community gathering opportunities, conservation of natural areas, a high degree of privacy, one-stop shopping, and commuting routes.

Transportation
Major Street & Highway Plan: East 61st Street South is designated as a secondary arterial and South 107th East Avenue is designated as a commercial collector.

Comprehensive Plan Street Designation: N/A

Transit: N/A

Existing Bike/Ped Facilities: N/A

Planned Bike/Ped Facilities: N/A

Arterial Traffic per Lane: N/A

Environmental Considerations
Flood Area: The subject property is not within a flood area.

Tree Canopy Coverage: Tree canopy in the area is 13%. Preserving the limited existing canopy should be encouraged, as well as measures to increase the canopy through landscaping. Street-lining trees in particular should be encouraged to spread the benefit of the tree canopy to the pedestrian realm.

Parks & Open Space: N/A

Exhibits
Case map
Aerial (small scale)
Aerial (large scale)
Tulsa Comprehensive Plan Land Use Map
Applicant Exhibits
Exhibit “A”

The Applicant requests a Minor Amendment to a Corridor Development Plan (Z-5956-SP-2c) pursuant to Section 70.040-I.1.a(7) of the Tulsa Zoning Code (the “Code”) to modify the approved signage to allow the existing ground sign in Development Area A to contain a dynamic display, for property located at 10738 E. 61st Street (the “Property”). The Property is currently a QuikTrip. QuikTrip desires to upgrade its gasoline price sign from changeable copy price tiles to an LED “e-tile” price display. A Conceptual Site Plan showing the LED price tiles is attached hereto. The size and location of the existing sign cabinet will not be altered. Except as set forth herein, all other standards of the Corridor Development Plan shall remain the same.

Signage: One ground sign will permitted along the East 61st Street frontage not to exceed 25 feet in height and 240 feet of display surface area. The ground sign may contain a dynamic display, limited to the LED display of gasoline prices.

Minimum Sign Setbacks:

From the driving surface of E. 61st Street: 20 FT
From the driving surface of S. 107th E. Ave.: 20 FT
Site Plan

QuikTrip
10738 E
61st St
Tulsa, OK
74133

Property Owner
QuikTrip
4705 S. 129th E. Ave - Tulsa, OK
74134-7008
P.O. Box 3475 - Tulsa, OK 74101-3475
p: 918.615.7700

Scope of Work - Price LED Replacement
- Replacing existing white numbers with LED numbers
- Re-utilizing existing power and data
- Changing the numbers only to LED's. Pricing cabinet to remain as is
- NO NEW POWER or DATA
- The size of the numbers will be like for like to what is existing, being installed in the same location and using the same power that backlit the previous numbers
1. Remove existing numbers and prep for disposal
2. Install LED number signage
3. Ensure power and data are working properly

Existing Sign
Existing sign sq ft: 53.1

Proposed LED Sign (Not exact)
Proposed sign sq ft: 53.1
Scope of Work - Pricer LED Replacement
- Replacing existing white numbers with LED numbers
- Re-utilizing existing power and data
- Changing the numbers only to LED's. Pricing cabinet to remain as is
- NO NEW POWER or DATA
- The size of the numbers will be like for like to what is existing, being installed in the same location and using the same power that backlit the previous numbers
1. Remove existing numbers and prep for disposal
2. Install LED number signage
3. Ensure power and data are working properly

<table>
<thead>
<tr>
<th></th>
<th>Option 1 - Existing Manual Tapes</th>
<th>2</th>
<th>Option 1 - Proposed LED Replacement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td></td>
<td>6</td>
<td></td>
</tr>
</tbody>
</table>

10738 E 61st St Tulsa, OK 74133

Project Data
Project Name: QuikTrip Signage Upgrade
Project Address: 10738 E 61st St Tulsa, OK 74133
Facility Owner:
Property Owner: QuikTrip
Owners Address:

Project Directory
Contractor Contact:
PM - Matt Hohn (909)-717-2302
Director of Construction - Jay Kassity
(949)-463-4463

Vicinity Map
### Owner and Applicant Information
- **Applicant:** City of Tulsa
- **Property Owner:** JDM II SF National, LLC

### Property Location
Northwest of the northwest corner of East 51st Street
South and South 129th East Avenue
Tract Size: ±44.2 acres

### Location within the City of Tulsa
*(shown with City Council districts)*

![Map of Tulsa City Council districts]

### Elected Representatives
- **City Council:** District 7, Lori Decter-Wright
- **County Commission:** District 1, Stan Sallee

### Public Notice Required
- **Newspaper Notice:** – min. 20 days in advance
- **Mailed Notice to 300’ radius:** – min. 20 days in advance
- **Posted Sign:** – min. 20 days in advance

### Request Summary
Adopt new corridor (CO) development plan for subject property to permit redevelopment as a public safety center.

### Zoning
- **Existing Zoning:** CO
- **Existing Overlays:** None
- **Proposed Zoning:** CO-18

### Use
- **Current Use:** Vacant
- **Proposed Use:** City of Tulsa Public Safety Center

### Comprehensive Plan Considerations

#### Land Use
- **Land Use Plan:** Employment
- **Small Area Plans:** None
- **Development Era:** Late Automobile

#### Transportation
- **Major Street & Highway Plan:**
  - East State Farm Boulevard – Collector Street
- **planitulsa Street Type:** N/A
- **Transit:** N/A
- **Existing Bike/Ped Facilities:** N/A
- **Planned Bike/Ped Facilities:** N/A

#### Environment
- **Flood Area:** N/A
- **Tree Canopy Coverage:** 10-20%
- **Parks & Open Space:** N/A

### Staff Recommendation
Staff recommends approval.
**Detailed Staff Recommendation**

The City of Tulsa has proposed the subject property as the location for the new public safety center. The property is already zoned CO (Corridor) with previous development plans approved for the former State Farm headquarters building. The City is proposing use of the existing building as home for several public safety components with potential for future expansions on the subject property.

This item was continued from the March 20th and the April 17th TMAPC agenda to allow City of Tulsa staff and neighboring property owners to meet and discuss the proposed development plan. The redlines throughout the staff report reflect the agreed upon changes following discussions with the neighbors. Meetings were held with the surrounding property owners on April 11, 2024, and April 24, 2024. A final meeting is scheduled on May 9, 2024 to ensure all concerns are addressed in advance of the TMAPC meeting.

A new development plan for the property was needed to clearly define permitted uses and establish appropriate development standards for potential future uses.

The previously approved development plans defined the subject property as part of several development areas with different development standards for each. The proposed development plan will adopt a single set of development standards for the entire site and clarify the applicable zoning regulations for the property.

The new development plan aligns with the recommendations of the employment designation of the Tulsa Comprehensive Plan.

With consideration given to the factors listed herein, staff recommends approval of the application subject to the development standards outlined below.

**CO-18 Development Standards**

CO-18 shall allow only the uses identified below, along with the customary accessory uses, and subject to the supplemental regulations of the Tulsa Zoning Code. Uses identified below are permitted by right.

Uses that cannot be reasonably interpreted to fall within a permitted use, as stated in Section 35.020-E of the Tulsa Zoning Code are prohibited.

**Permitted Use Categories, Subcategories, and Specific Uses:**

**RESIDENTIAL Use Category**
- Household Living Subcategory (if in allowed building types identified below):
  - Three or more households on single lot
  - Apartment/Condo
  - Mixed-Use Building
  - Vertical Mixed-Use Building

**PUBLIC, CIVIC, AND INSTITUTIONAL Use Category**
- Airport
- Cemetery
- College or University
- Day Care (All specific uses)
- Detention and Correctional Facility
- Fraternal Organization
- Governmental Service or Similar Functions
- Hospital
Library or Cultural Exhibit
Natural Resource Preservation
Parks and Recreation
Postal Services
Religious Assembly
Safety Service, except in cases of emergency, for public safety, or urgent investigative circumstances.
School
Utilities and Public Service Facility (All specific uses)
Wireless Communication Facility (All specific uses)

COMMERCIAL Use Category
Animal Service (All specific uses)
Broadcast or Recording Studio
Commercial Service (All specific uses)
Financial Services, excluding Personal Credit Establishment
Funeral or Mortuary Service
Lodging
Hotel/motel
Office (All specific uses)
Parking, Non-accessory
Restaurants and Bars (All specific uses)
Retail Sales (All specific uses)
Studio, Artist or Instructional Service
Trade School
Vehicle Sales and Service (All specific uses), limited to specific uses below.
Commercial Vehicle Repair and Maintenance, limited to an on-site fleet vehicle fueling facility
Personal Vehicle Repair and Maintenance
Vehicle Body and Paint Finishing Shop

WHOLESALE, DISTRIBUTION & STORAGE Use Category
Equipment and Materials Storage, Outdoor
Trucking and Transportation Terminal
Warehouse

INDUSTRIAL
Low-impact Manufacturing and Industry

RECYCLING
Consumer Material Drop-off Station

AGRICULTURAL
Community Garden
Farm, Market-, or Community-supported

Lot and Building Regulations:
Property located within CO-18 will be subject to the lot and building regulations for the CH district, as defined in the Tulsa Zoning Code.

Parking:
Parking requirements within CO-18 will be the minimum parking ratios for specific use categories in the CH District as outlined in Chapter 55 of the Tulsa Zoning Code. All parking constructed on site shall conform to the design standards outlined in Chapter 55 of the Tulsa Zoning Code.
Landscaping and Screening:
Landscaping and screening for the project shall conform to the requirements identified in Chapter 65 of the Tulsa Zoning Code and the supplemental regulations for specific use categories.

In addition to the requirements of Chapter 65, above-ground fuel tanks associated with on-site fleet fueling facilities are required to be screened from view from street rights-of-way and adjacent properties. Screening must comply with F1 screening standards defined in Chapter 65.

Signs:
Signage for the project shall conform to the sign regulations identified in Chapter 60 of the Tulsa Zoning Code. For the purposes of administering sign regulations, CO-18 shall follow the requirements of the CH zoning district.

Lighting:
Lighting for the project shall conform to the lighting requirements identified in Chapter 67 of the Tulsa Zoning Code.

Comprehensive Plan Considerations
Land Use Plan
The subject property is designated as employment. Employment is intended to accommodate offices, warehousing and storage, manufacturing and assembly, and industrial processes. The Industrial Site Suitability map corresponds to the Employment land use designation and indicates where uses that are potentially incompatible with sensitive land uses are best suited to locate. This directs industrial uses to particular areas of the city while discouraging industrial in close proximity to Neighborhood areas.

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning/Overlay</th>
<th>Existing Land Use Designation</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>CO</td>
<td>Employment</td>
<td>Industrial/Commercial</td>
</tr>
<tr>
<td>East</td>
<td>CO</td>
<td>Employment</td>
<td>Medical Offices</td>
</tr>
<tr>
<td>South</td>
<td>CO</td>
<td>N/A</td>
<td>Broken Arrow Expressway</td>
</tr>
<tr>
<td>West</td>
<td>CO</td>
<td>Employment</td>
<td>Vacant</td>
</tr>
</tbody>
</table>

Small Area Plans
The subject property is not located within the boundary of any adopted small area plans.

Development Era
The subject property is in an area developed during the Late Automobile Era (1950s-present), which has grown since the mainstreaming of automobile-centric lifestyles, with a high degree of separation between residential and nonresidential uses, and low levels of street connectivity. In these areas, transportation is nearly exclusively concentrated on the mile-by-mile arterial grid, and major streets are often both transportation corridors and destination corridors, which can lead to traffic congestion. Nonresidential uses are predominantly located at the intersections of major arterial streets. Priorities in these areas include commercial revitalization, placemaking, community gathering opportunities, conservation of natural areas, a high degree of privacy, one-stop shopping, and commuting routes.

Transportation
Major Street & Highway Plan: State Farm Boulevard is designated as a collector street which requires 80 feet of dedicated right-of-way for commercial/industrial areas.

Comprehensive Plan Street Designation: N/A
Transit: N/A

Existing Bike/Ped Facilities: N/A

Planned Bike/Ped Facilities: N/A

Environmental Considerations
Flood Area: The subject property contains a very small portion of City of Tulsa Regulatory Floodplain at the northeast corner.

Tree Canopy Coverage: Tree canopy in the area is 10-20%. Preserving the limited existing canopy should be encouraged, as well as measures to increase the canopy through landscaping. Street-lining trees in particular should be encouraged to spread the benefit of the tree canopy to the pedestrian realm.

Zoning History
Ordinance 11825, dated June 26, 1970, established zoning for the subject property.

Exhibits
Case map
Aerial (small scale)
Aerial (large scale)
Tulsa Comprehensive Plan Land Use Map
Kim,

Applicant is requesting a continuance to June 5, 2024 on these items.

Nathan Foster | Principal Planner  
Tulsa Planning Office  
Department of City Experience  
175 E. 2nd Street, Suite 480  
Tulsa, OK 74103-3216  
T: 918-596-7609  
E: nathanfoster@cityoftulsa.org  
www.tulsaplanning.org

Nathan,

In order to conduct meetings and discussions related to this case we request a continuance to the June 5, 2024 TMAPC meeting.

Regards,

Mark

mark b. capron, pla, apa  
land development planner ii  
landscape architect  
structural • civil • landscape • survey  
123 north martin luther king jr boulevard  
tulsa, oklahoma 74103  
918.584.5858 o • 918.806.7314 d  
all • den • kc • nsh • nwa • okc • tul
This email and any files transmitted with it may contain confidential or privileged information. If you have received this email message in error, please notify the sender by email and delete this email from your system. The unauthorized use or dissemination of confidential or privileged information contained in this email is prohibited.

CAUTION: This email originated from outside of the organization. Do not reply, forward, click links, or open attachments unless you recognize the sender and know the content is safe. Please report using the Phish Alert button in the Outlook Desktop Client if this message contains potentially unsafe content.
Z-7770 Staff Report

Hearing Date: May 15, 2024
Prepared by: Nathan Foster
nathanfoster@cityoftulsa.org
918-596-7609

Owner and Applicant Information
Applicant: August Wakat
Property Owner: August Wakat

Property Location
East of the southeast corner of East Admiral Place and South 225th East Avenue
Tract Size: ±5.86 acres

Location within the City of Tulsa
(shown with City Council districts)

Elected Representatives
City Council: District 6, Christian Bengel
County Commission: District 1, Stan Sallee

Public Notice Required
Newspaper Notice – min. 20 days in advance
Mailed Notice to 300’ radius – min. 20 days in advance
Posted Sign – min. 20 days in advance

Staff Recommendation
Staff recommends denial.

Request Summary
Rezone subject property from AG to IM to permit additional industrial uses.

Zoning
Existing Zoning: Agriculture (AG)
Existing Overlays: None
Proposed Zoning: Industrial – Moderate (IM)

Use
Current Use: Salvage Yard
Proposed Use: Salvage Yard/Industrial

Comprehensive Plan Considerations
Land Use
Land Use Plan: Regional Center
Small Area Plans: None
Development Era: Future Growth

Transportation
Major Street & Highway Plan:
East Admiral Place – Secondary Arterial
planitulsa Street Type: N/A
Transit: N/A
Existing Bike/Ped Facilities: None
Planned Bike/Ped Facilities: None

Environment
Flood Area: N/A
Tree Canopy Coverage: 10-20%
Parks & Open Space: N/A
Detailed Staff Recommendation

The applicant is proposing to rezone the subject property from AG to IM to permit additional industrial uses on the site. The property currently contains a salvage yard that was established prior to annexation into the City of Tulsa in 2001. The salvage yard had been determined to be a legal non-conforming use that can continue without zoning changes if the use is not expanded. The AG zoning would not permit any new industrial use of the property.

A request for rezoning of this property was made on November 18, 2020. At the time, the applicant requested IH zoning. TMAPC recommended denial of the IH zoning, but approval of IL. The City Council denied the request for rezoning with a 9-0-0 vote on January 27, 2021.

The property was designated as “Employment” by the Tulsa Comprehensive Plan in 2010. The employment land use was in place during the review of the previous application in 2020. In June of 2023 the City of Tulsa adopted a new comprehensive plan that changed the land use designation on this property to “Regional Center” in anticipation of new development along the turnpike and Highway 412 corridors in the future. The regional center designation does not align with industrial zoning. Some examples of regional centers in the City of Tulsa would be major hospitals, universities, shopping malls, and commercial districts. Uses proposed in regional centers should serve as destinations with a regional draw from surrounding areas.

The Development Review Guide, adopted as part of the 2023 comprehensive plan update, includes an industrial site suitability assessment. The guide lists four criteria for determining suitability for industrial purposes: incentives, infrastructure investment required, proximity to existing major infrastructure, and residential proximity. The subject property is in the “least suitable” designation which does not support proposed changes to industrial zoning.

The legal non-conforming salvage operation can continue on the site without any zoning changes. The expansion of industrial uses in this area is not supported by the City’s comprehensive plan and would not be an appropriate change based on the anticipated future land use.

With consideration given to the factors listed herein, staff recommends denial of the application.

Comprehensive Plan Considerations

Land Use Plan
The subject property is designated as regional center. Regional Centers are defined by existing regional trip generators, in contrast to Local Centers. These centers should be the most connected land use pockets outside of downtown for public transit access and high-capacity arterial streets. New regional trip generators should be permitted in the area with special consideration given to transportation access and circulation. Regional trip generators include universities, malls, large medical campuses, casinos, big-box shopping centers, and very large churches.

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning/Overlay</th>
<th>Existing Land Use Designation</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>N/A (Rogers County)</td>
<td>N/A (Rogers County)</td>
<td>Vacant</td>
</tr>
<tr>
<td>East</td>
<td>AG</td>
<td>Regional Center</td>
<td>Vacant</td>
</tr>
<tr>
<td>South</td>
<td>AG</td>
<td>Regional Center</td>
<td>Vacant</td>
</tr>
<tr>
<td>West</td>
<td>AG</td>
<td>Regional Center</td>
<td>Vacant</td>
</tr>
</tbody>
</table>

Small Area Plans
The subject property is not located within the boundary of any adopted small area plans.
Development Era
The subject property is in a “future growth” area. These areas of the city have yet to be developed beyond agricultural uses, and they present opportunities to ensure the pattern of development is efficient and fiscally responsible. These areas typically do not have subdivision streets or connectivity beyond the mile-by-mile grid, have poor public service distribution (fire, police, transit, etc.) and lack utility infrastructure (water, sewer, broadband, etc.) Some areas also include exposed bedrock and/or extreme slopes. Priorities in these areas include ensuring the ability to provide adequate public services, the implementation of planned streets in the Major Street and Highway Plan, land use planning to establish frameworks for decision making, and conservation of natural areas.

Transportation
Major Street & Highway Plan: East Admiral Place is designated as a secondary arterial adjacent to the subject property.

Comprehensive Plan Street Designation: N/A

Transit: None

Existing Bike/Ped Facilities: None

Planned Bike/Ped Facilities: None

Environmental Considerations
Flood Area: The subject property does not contain any floodplain boundaries.

Tree Canopy Coverage: Tree canopy in the area is 14%. Preserving the limited existing canopy should be encouraged, as well as measures to increase the canopy through landscaping. Street-lining trees in particular should be encouraged to spread the benefit of the tree canopy to the pedestrian realm.

Parks & Open Space: N/A

Zoning History
Ordinance 20244, dated November 20, 2001, established zoning for the subject property.

Exhibits
Case map
Aerial (small scale)
Aerial (large scale)
Tulsa Comprehensive Plan Land Use Map
May 3, 2024

Violation Warning

Denial of rights Under Color of Law

18 u.s.c. 242; 18 u.s.c. 245; 42 u.s.c.

Oklahoma Immediate Notice to Quit

IN ACCORDANCE WITH 41 Okla. St. Ann. 132

City of Tulsa

175 E. 2nd St. Ste. 15129

Tulsa, Ok 74103

918-596-9456

Office of Mayor

GT Bynum

Office of City Counsel

District 6

Christian Bengal

Good day,

My name is August Wakat, I am giving the City of Tulsa notice that my constitutional rights are being violated. I am enforcing the Supremacy Clause of the United States of America. I have paid the City of Tulsa 1510.00 for a zoning change request (Case# Z-7770). In the zoning request application, I have requested from TMAPC the Jurisdiction/Annexation Application in regard to ordinance# 20244 for case # Z-7770 set for hearing on May 15, 2024. I am also enclosing an immediate notice to quit. Reasons, City of Tulsa unable to meet the ordinance’s/ laws set for city and state by the United States of America. In violation of Due process, no taxation without representation. I am enclosing a police report filed with Wagoner County, Oklahoma regarding the said issues above. Also enclosed is the Certificate for service sent to TMAPC, Sean Wallis for notice of said police report in regards to said violations. Thank you for any help you can provide Mr. Bynum and Mr. Bengal.

Enclosed:

1. Police report
2. Cert of Service
3. Violation Warning
4. Wagoner Co. Letter 06-22-22
5. COT Zoning Sect III 11-22-22

Again Thanks,

August Wakat
April 30, 2024

State of Oklahoma
County of Wagoner
Wagoner County Police Dept
307 E. Cherokee St.
Wagoner, Ok 74467
918-485-3124

County of Tulsa Police Dept. (Copy) 9590 9402 8586 3244 8747 88
City of Tulsa Police Dept.(copy) 9590 9402 8586 3244 8747 71
FBI Certified Mail Receipt USPS# 9590 9402 7283 1284 7755 44
OSBI Certified Mail Receipt USPS# 9590 9402 7283 1284 7755 47

Police Report

I am enclosing documents regarding a TMAPC, INCOG, City of Tulsa zoning meeting. I do believe my property is under duress. I would like to file charges against these entities. I believe I am being extorted for my property and various other crimes used against me. The zoning meeting is on May 15, 2024. These same documents have been turned in to Dillon and Austin Chapman. Both work for TMAPC.

Thank you,
August Wakat
23780 E Admiral Pl.
Catoosa, Ok 74015
918-313-8705

Name and address of Citizen
August Watsat
23980 E. Admiral Pl
Catoosa, OK 74015

Name and address of Notice Recipient
City of Tulsa
115 E. 2nd St., Ste. 15129
Tulsa, OK 74103

I believe my property is under duress. I believe I am being extorted by City of Tulsa by using city ordinances against my property. City of Tulsa does not have jurisdiction.

I certify that the foregoing information stated here is true and correct.

Citizen's signature

Date 05/03/27

Legal Notice and Warning

Federal law provides that it is a crime to violate the Constitutional Rights of a citizen under the Color of Law. You can be arrested for this crime and you can also be held personally liable for civil damages.

Attempting to coerce or deceive a citizen to surrender his Constitutional Rights is a Federal Crime. Federal Courts have found that your ignorance of the law is no excuse.

18 USC §242 provides that whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States... shall be fined under this title or imprisoned not more than one year, or both, and if death results, or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.

18 USC §245 provided that Whoever, whether or not acting under color of law, intimidates or interferes with any person from participating in or enjoying any benefit, service, privilege, program, facility, or activity provided or administered by the United States; or applying for or enjoying employment, or any perquisite thereof, by any agency of the United States; shall be fined under this title, or imprisoned not more than one year, or both, and if death results or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be subject to imprisonment for any term of years or for life or may be sentenced to death.

42 USC §1983 provides that every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.

Warning. You may be in violation of Federal Law and persisting with your demand may lead to your arrest and/or civil damages. Also understand that the law provides that you can be held personally responsible and liable, as well as your company or agency.

You are advised to cease and desist with your demand and to seek personal legal counsel if you do not understand the law.

Notice of Service:

I, August Watsat, certify that I personally delivered this notice to above named recipient and address on 175 E, 2nd St., Ste. 15129 at (am/pm).

Public Domain—Privacy Form COL(02)
CERTIFICATE OF SERVICE

I certify that on the 21st day of May, 2024 I served this notice to Sean Wallis by:

☐ Delivering it personally to the person in possession.
☐ - Delivering it on the premises to a member of his/her family who is over the age of twelve (12) and residing with the tenant.
☐ - Posting a copy at a conspicuous place on the dwelling unit, and mailing a copy to the person in possession through certified mail.
☐ - Certified mail, with a return receipt request, addressed to the person in possession.

Signature

August Walker

Police Report - April 30 2024
Notice to Quit - April 18 2024
TMAPC Case # 2-7770
June 22, 2022

To Whom It May Concern:

Mr. August Wakat requested paperwork pertaining to the annexation of his property located at 23780 East Admiral Place, Catoosa, Oklahoma, on June 22, 2022; however, our office was not able to locate such documentation.

Please contact our office at the above telephone number or email address with any questions or concerns.

Respectfully,

Wagoner County
Planning & Zoning Department

[Signature]

KACIE SANDERS
NOTARY PUBLIC
STATE OF OKLAHOMA

Commission # 22007780 Expires 06/07/26

Exhibit 14
Streets:

<table>
<thead>
<tr>
<th>Existing Access</th>
<th>MSEF Plans</th>
<th>MSEF RW</th>
<th>Existing Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>East Admiral Pl.</td>
<td>Secondary Area</td>
<td>100 feet</td>
<td>NA</td>
</tr>
<tr>
<td></td>
<td>5.13</td>
<td>37.8</td>
<td>NA</td>
</tr>
</tbody>
</table>

Utilities:
The subject tract has municipal water service available.

Surrounding Properties:

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Area of Stability or Growth</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>Vacant</td>
</tr>
<tr>
<td>East</td>
<td>AG</td>
<td>Employment</td>
<td>Growth</td>
<td>Vacant</td>
</tr>
<tr>
<td>South</td>
<td>AG</td>
<td>Employment</td>
<td>Growth</td>
<td>Vacant</td>
</tr>
<tr>
<td>West</td>
<td>AG</td>
<td>Employment</td>
<td>Growth</td>
<td>Vacant</td>
</tr>
</tbody>
</table>

SECTION II: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 20244 dated November 20, 2009 established zoning for the subject property.

No records could be found for the subject property or properties within 500 ft of the subject property other than the ordinance above which annexed this property (as well as many others into the City of Tulsa's corporate limits from Wagoner County).

Wagoner County was subsequently contacted to see if they had any records related to properties within 500 ft of the annexation into the City of Tulsa. They stated that they had no records. They stated that they had no records. The applicant has provided no further information or plans in regards to the property or development.
Poeboys Salvage Inc.
23780 East Admiral Pl.
Catoosa, Ok 74015
918-425-4477

04/24/2024

Lamar Advertising
7777 East 38th St.
Tulsa, Ok 74145
918-665-1755

Zoning Notice of Violation

To whom this may concern,

This notice is regarding the City of Tulsa ordinance violations involving the Lamar Advertising billboard sign. On or about March 2023, J.D. Wolfe hand delivered notice of said violations to the office of Lamar Advertising at 7777 E. 38th St. Tulsa, Ok 74015.

To my understanding, Lamar Advertising did not take any actions disputing the alleged violations issued by the City of Tulsa for the billboard located at 23780 East Admiral Pl., Catoosa, OK 74015. Therefore, Lamar Advertising waived the right to object to the Board of Adjustments alleged violations against Lamar Advertising for the billboard placed at 23780 East Admiral Pl., Catoosa, OK 74015.

I have not been provided a clearance permit from the City of Tulsa for the findings against said violations involving the Lamar Advertising billboard. The contractual agreement between Henry and Linda Winn and Lamar Advertising is now void due to the judgment issued by the Board of Adjustments, City of Tulsa (Austin Bond) on or about April 25, 2023.

Lamar Advertising, you are hereby notified of Zoning (title 42) violations at: 04-10-15 a tract of land being a portion of the W of 10.14 acres of land.

Code Section:
70.080-A
80.040-F
Property owners or their authorized agent must obtain a zoning clearance permit from the development administrator before constructing, moving, or structurally altering any building or structure or establishing or changing the use of any building or not.

Lamar Advertising must obtain an approved zoning clearance permit for all newer uses established on or after November 13, 2001.

If Lamar Advertising is unable to correct any of these violations, please contact the code enforcement below.

Failure to make the correction may result in the issuance of a criminal citation and/or civil remedial penalties not to exceed $1200.00 per day. Failure to comply may also result in revoking or withholding permits, certificates or other forms of authorization issued by the City of Tulsa. Your property is an important investment for you and the community. I urge you to make the necessary corrections to eliminate all violations so that no further enforcement will be necessary.

To comply, you must correct all violations prior to the compliance deadline (10) ten days, you must receive written notice from the City of Tulsa that the violations are corrected, see attached. The notice from the City of Tulsa zoning violations issued by Michael Rider.

Please understand that it is ultimately the responsibility of the owner to ensure these violations are corrected. Any civil agreements or rental agreements do not alleviate the owner of this responsibility.

Thank you,

[Signature]
August J. Wakat

Enclosures.
Certificate of Service

I certify that on the 16th day of April, 2024 I served this notice to:

Hannah by person in possession.

Signature

City of Tulsa

Zoning Violation

Notice to Quit

Signature
OKLAHOMA IMMEDIATE NOTICE TO QUIT

IN ACCORDANCE WITH 41 Okla. St. Ann 132

In the District of Wagoner County, Oklahoma;

To: Lamar Advertising (TENANT IN POSSESSION)

You will take notice that you are justly in violation of your lease agreement due to the following:

City of Tulsa deemed billboard sign in violation of 70.080A, 80.040F ordinance code.

10 Day Notice to Quit

Under Oklahoma law, you are required to vacate the premises IMMEDIATELY due to the above stated violation. If you do not leave the property, the landlord will file forceible entry and detainer action.

This document has been dated ______ day of __________, 2024

Landlord Signature

Landlord Print Name

5.17
Kim,

Applicant is requesting a continuance to June 5, 2024 on these items.

Nathan Foster | Principal Planner  
Tulsa Planning Office  
Department of City Experience  
175 E. 2nd Street, Suite 480  
Tulsa, OK 74103-3216  
T: 918-596-7609  
E: nathanfoster@cityoftulsa.org  
www.tulsaplanning.org

Nathan,

In order to conduct meetings and discussions related to this case we request a continuance to the June 5, 2024 TMAPC meeting.

Regards,

Mark

mark b. capron, pla, apa  
land development planner ii  
landscape architect  
structural · civil · landscape · survey  
123 north martin luther king jr boulevard  
tulsa, oklahoma 74103  
918.584.5858 o · 918.806.7314 d

all · den · kc · nsh · nwa · okc · tul
Item

ZCA-30, Consider proposed zoning code amendments, to the following sections of the Tulsa Zoning Code (Title 42 Tulsa Revised Ordinances, Zoning and Property Restrictions):

Section 20.030-E: Remove section requiring Special Area Overlay ordinances to be recorded in the County Clerk's land records.

Section 20.050-A: Clarify when nonconforming structures must be brought into compliance with site and building design regulations of the River Design Overlay.

Section 20.100-C: Require masonry skirting and street-facing entrances for manufactured housing units permitted by right in the Neighborhood Infill Overlay - 2.

Section 35.070-D: Update the definition of Junk or Salvage Yard to remove "building."

Sections 35.050, 35.060, 35.070, 35.090, 40.225: Update regulations related to medical marijuana uses to align with Oklahoma state laws and license types.

Sections 55.090-F, 55.100-A, 95.040-A: Clarify that recreational vehicles must be parked on a dustless, all-weather surface; clarify that gravel, rock, or screenings are a dustless, all-weather surface when treated with an approved binder; and allow residential uses in AG and AG-R districts to have gravel driveways.

Section 70.140-C: Change the timeline for appeals of administrative decisions from 10 calendar days to 10 business days to align with nuisance violation appeal timelines.

Section 80.060-B: Clarify language related to non-conforming dynamic display sign modifications.

Section 85.010: Change reference to code enforcement to reflect the 2023 City reorganization.

Sections 90.060, 90.065, 95.150: Revise measurement for lot width to include a calculation, add measurement for lot depth, and update related figures.
Sections 90.170, 95.210: Clarify that fence and wall height atop a retaining wall is measured from the top of the retaining wall and add definition for retaining wall.

Background
During the development of the City of Tulsa Zoning Code, staff anticipated that clean-up 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, the Land Use Administrator (Planning Director) has initiated and brought several rounds of general clean-up amendments through the approval process. The zoning code implementation team meets biweekly and consists of members of the Tulsa Planning Office, Code Enforcement, Development Services Department, and Legal Department.

The proposed amendments are a result of the continuing work of the zoning code implementation team. Primarily these items were identified through interactions with the public through the zoning, enforcement, and building permit processes. The proposed amendments are located in Chapters 20, 35, 40, 55, 70, 80, 85, 90, and 95 of the zoning code. The proposed amendments are minor in nature, but important to ensure ease of usability and enforcement of the zoning code. Staff presented the proposed amendments at the TMAPC meeting on April 17, 2024.

Staff Recommendation
Staff recommends approval of the proposed amendments to the City of Tulsa Zoning Code as shown in Attachment I.

Attachment I
The amendments proposed to the City of Tulsa Zoning Code, Title 42 Tulsa Revised Ordinances, are shown in strike-through/underline in Attachment I. Changes made to the draft since the informational presentation on April 17, 2024, are highlighted.
1. Remove section requiring Special Area Overlays to be recorded in the County Clerk’s land records

**Justification:** This change would delete the requirement to file a copy of Special Area (SA) overlay zoning map amendment ordinances with the county clerk’s office. Because SA Overlays are typically adopted by map, rather than legal description, the ordinance would not appear in title or land records research for individual properties.

---

**Chapter 20 | Overlay Districts**

**Section 20.030**  SA, Special Area Overlays

*20.030-E—Recordation*

The land use administrator must file a copy of all SA overlay zoning map amendment ordinances and maps indicating the boundaries of approved SA overlays in the county clerk’s office of the county in which the property is located.
2. Change “and” to “or” in the nonconformities section of the River Design Overlay

**Justification:** This change corrects a typo and clarifies that nonconforming structures must be brought into compliance with the RDO districts if they are replaced, restored, or expanded more than 50%.

---

Chapter 20 | Overlay Districts

Section 20.050 RDO, River Design Overlays

20.050-A General

5. Nonconformities

b. Restoration, Replacement, Alteration and Expansion of Nonconforming Uses and Structures (other than signs)

(2) An existing structure and all replacements, restorations, expansions, alterations and additions must be brought into compliance with the site and building design regulations of §20.050:C under the following circumstances:

(a) More than 50% of a nonconforming structure is proposed to be replaced, or restored and expanded by more than 50%; or

(b) A nonconforming structure is proposed to be altered or expanded by more than 50%; or

(c) Additional structure(s) are proposed to be constructed resulting in a more than 50% increase in the floor area or lot coverage, as described in §20.050-A5.b(1).
3. Require masonry skirting and street-facing entrances for manufactured housing units permitted by right in the Neighborhood Infill Overlay – 2

**Justification:** This change was requested by City Council as the Neighborhood Infill Overlay – 2 (NIO-2) for the Dawson area went through the approval process. To alleviate concerns heard from neighbors, the proposed changes would require manufactured housing units in the NIO-2 district to be skirted with masonry and have a street-facing entrance.

---

**Chapter 20 | Overlay Districts**

### Section 20.100 NIO-2, Neighborhood Infill Overlay – 2

#### 20.100-C Residential Building Types for Household Living

1. **Table 20-7 Notes**
   
   The following notes refer to the bracketed numbers (e.g., “[1]”) in (Table 20-7):

   [1] Apartment/condo is limited to no more than 4 dwelling units on a single lot.

   [2] Manufactured housing units manufactured in 2016 or later, that are permitted by right if they are skirted with masonry, have a street-facing entrance, and are attached to a permanent foundation are permitted by right. All other manufactured housing units require a special exception approved in accordance with the procedures of Section 70.120.
Attachment I: ZCA-30 Zoning Code Amendments
Draft Changes

4. Remove “building” from the definition of Junk or Salvage Yard

**Justification:** This change clarifies that junk or salvage yards occur in open areas, not within buildings. Other use categories, such as Vehicle Equipment and Supplies Sales and Rentals, also relate to the sale of used parts or supplies but take place inside a building. The change is intended to avoid unintentionally regulating or enforcing uses within enclosed buildings that more closely align with other use categories.

---

Chapter 35 | Building Types and Use Categories

### Section 35.070 Industrial Use Category

35.070-D Junk or Salvage Yard

An open area where waste, scrap, used or second-hand materials are bought, sold, exchanged, stored, baled, packed, disassembled, crushed, processed, or handled for reclamation, disposal or other similar purposes, including but not limited to scrap iron and other metals, paper, rags, rubber tires and bottles.
5. Update regulations related to medical marijuana uses in Chapters 35 and 40

Justification: These changes align city medical marijuana zoning regulations with Oklahoma state licenses issued by the Oklahoma Medical Marijuana Authority (OMMA). Since the zoning code amendments related to medical marijuana uses were first adopted in 2018, Oklahoma state statutes and OMMA regulations have changed. The intent of the amendments is to align zoning regulations with current state laws.

Chapter 35 | Building Types and Use Categories

Section 35.050 Commercial Use Category

35.050-D Commercial Service

5. Research Service
Uses engaged in scientific research and testing services leading to the development of new products and processes. Such uses resemble office buildings or campuses and do not involve the mass production, distribution or sale of products. Research services do not produce odors, dust, noise, vibration or other external impacts that are detectable beyond the property lines of the subject property. Includes medical marijuana testing laboratories, and medical marijuana research facilities, as licensed by the holder of a medical marijuana research license issued by the Oklahoma State Department of Health-Medical Marijuana Authority, in accordance with the terms of such license.

35.050-L Retail Sales

6. Medical Marijuana Dispensary
Retail sales uses that sell or otherwise provide medical marijuana or medical marijuana products by the holder of a medical marijuana dispensary license issued by the Oklahoma State Department of Health-Medical Marijuana Authority, in accordance with the terms of such license, which may be sold or provided only to the holder of a medical marijuana patient or caregiver license.

35.050-P Trade School
Uses in an enclosed building that focus on teaching the skills needed to perform a particular job. Examples include schools of cosmetology, modeling academies, computer training facilities, vocational schools, administrative business training
facilities and similar uses. Licensed medical marijuana education facilities are expressly included. Truck driving schools are classified as “trucking and transportation terminals” (wholesale, distribution and storage use category).

***

Section 35.060 Wholesale, Distribution & Storage Use Category

***

35.060-D Wholesale Sales and Distribution
Uses engaged in the wholesale sales, bulk storage and distribution of goods. Such uses may also include incidental retail sales and wholesale showrooms. Expressly includes the following uses: bottled gas and fuel oil sales, flea markets, ice distribution centers, monument sales, portable storage building sales, vending machine sales, auctioneers, and frozen food lockers. Includes uses engaged in the transportation and distribution of medical marijuana products to and from the licensed premises of commercial medical marijuana licensees.

Section 35.070 Industrial Use Category
This category includes uses that produce goods from extracted and raw materials or from recyclable or previously prepared materials, including the design, storage and handling of these products and the materials from which they are produced. The industrial subcategories are:

35.070-A Low-impact Manufacturing and Industry
Manufacturing and industrial uses that do not, as part of their normal operations, generate noticeable off-site impacts in terms of noise, smoke, particulate matter, odors, or vibration. Typical examples of low-impact manufacturing and industrial uses include: commercial laundries and linen supply services, apparel manufacturing, bakery products manufacturing, production of medical marijuana products, such as edibles and pre-rolls, using medical marijuana components processed elsewhere, bottling plants, ice manufacturing, mattress manufacturing and assembly, microbreweries, micro distilleries, coffee roasting with a maximum roasting capacity of 45 kilograms per batch, musical instrument and parts manufacturing, newspaper printing and binderies.

1. Microbrewery
An establishment in which beer or malt beverages are made on the premises and then sold or distributed, and which produces less than 15,000 barrels (465,000 gallons) of beer and malt beverages per calendar year. Where allowed by law, microbreweries may include tasting rooms and direct sales to consumers in addition to other methods of distribution.

2. Micro Distillery
A distillery producing distilled spirits in total quantity of no more than 40,000 proof gallons per calendar year. Where allowed by law, micro distilleries may include tasting rooms and direct sales to consumers in addition to other methods of distribution.
Attachment I: ZCA-30 Zoning Code Amendments
Draft Changes

3. **Low-impact Medical Marijuana Processor**
   A medical marijuana processor issued a nonhazardous processor license by the Oklahoma Medical Marijuana Authority.

35.070-B **Moderate-impact Manufacturing and Industry**
Manufacturing and industrial uses that, as part of their normal operations, generate noticeable off-site impacts in terms of noise, smoke, particulate matter, odors, or vibration. Typical examples of moderate-impact manufacturing and industrial uses include: large breweries, distilleries and alcohol manufacturing (other than micro distilleries), coffee roasting with a roasting capacity of more than 45 kilograms per batch, moderate-impact medical marijuana processing facilities, medical marijuana waste disposal facilities, dairy products manufacturing, foundries, chrome plating, crematoriums and animal rendering plants, electroplating, fiberglass manufacturing, flour mills and paper products manufacturing.

1. **Large Brewery**
   An establishment where beer or malt beverages are made on the premises at an annual production rate of over 15,000 barrels (465,000 gallons). Large breweries may include tasting rooms.

2. **Moderate-impact Medical Marijuana Processing Facility**
   An establishment in which the preparation, manufacture, processing or packaging of medical marijuana products by the holder of a medical marijuana processor license issued by the Oklahoma State Department of Health is conducted, in accordance with the terms of such license, and in which extraction processes are limited to use of non-flammable substances such as carbon dioxide, and to food-based and water-based extraction.

2. **Medical Marijuana Waste Disposal Facility**
   A facility issued a medical marijuana waste disposal facility license by the Oklahoma Medical Marijuana Authority.

35.070-C **High-impact Manufacturing and Industry**
Manufacturing and industrial uses that regularly use hazardous chemicals or procedures or that produce hazardous byproducts or explosive hazards. Typical examples of high-impact manufacturing and industrial uses include: the manufacture of acetylene, cement, lime, gypsum or plaster-of-Paris, chlorine, corrosive acid or fertilizer, insecticides, disinfectants, poisons, explosives, paint, lacquer, varnish, petroleum products, coal products, plastic and synthetic resins and radioactive materials. This subcategory also includes petrochemical tank farms, gasification plants, smelting, animal slaughtering, oil refining, asphalt and concrete (batch) plants and tanneries.

1. **High-impact Medical Marijuana Processing Facility**
Attachment I: ZCA-30 Zoning Code Amendments
Draft Changes

An establishment in which the preparation, manufacture, processing or packaging of medical marijuana products by the holder of a hazardous medical marijuana processor license issued by the Oklahoma State Department of Health, Medical Marijuana Authority is conducted, in accordance with the terms of such license, and in which extraction processes include the use of flammable substances such as butane, propane, ethanol and alcohol.

Section 35.090 Agricultural Use Category

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

1. Medical Marijuana Grower Operation
Uses involving the growing, harvesting and packaging of medical marijuana by the holder of a medical marijuana grower license issued by the Oklahoma State Department of Health, Medical Marijuana Authority, in accordance with the terms of such license. Does not include retail sales.

Chapter 40 | Supplemental Use and Building Regulations

Section 40.225 Medical Marijuana Uses
The supplemental use regulation of this section apply to medical marijuana uses.

40.225-A A medical marijuana grower operation must be located inside an enclosed building.

40.225-B A medical marijuana processing facility, whether moderate-low-impact or high-impact, must be located inside an enclosed building.

40.225-C A medical marijuana dispensary must be located inside an enclosed building.

40.225-D A medical marijuana dispensary may not be located within 1,000 feet of another medical marijuana dispensary.

40.225-E Drive-through windows and drive-through lanes are prohibited for medical marijuana grower operations, processing facilities, and research facilities.

40.225-F Medical marijuana grower operations, processing facilities, waste disposal facilities, and dispensaries must provide the following:

1. A ventilation/air filtration system that prevents odor from being detectible at the boundaries of the lot within which the building housing the medical marijuana grower operation, processing facility or dispensary is located, except that if such use is located in multiple-tenant building, the
ventilation/air filtration system must prevent odor from being detectible outside the tenant space housing the use.

2. An electronic security system and surveillance camera.

40.225-G Medical marijuana grower operations, processing facilities, dispensaries, transportation facilities, education facilities, waste disposal facilities, testing laboratories, and research facilities must be conducted and maintained in compliance with the licenses issued by the Oklahoma State Department of Health Medical Marijuana Authority and in compliance with Oklahoma law, including but not limited to all applicable statutes, rules and regulations.

40.225-H No medical marijuana grower operation, processing facility, dispensary, transportation facility, education facility, waste disposal facility, testing laboratory, or research facility shall be permitted or maintained unless there exists a valid license, issued by the Oklahoma State Department of Health Medical Marijuana Authority for the particular use at the particular location.

40.225-I The separation distance required under Section 40.225-D must be measured in a straight line between the nearest perimeter walls of the buildings (or portion of the building, in the case of a multiple-tenant building) occupied by the dispensaries. The separation required under Section 40.225-D shall not be applied to limit the location of a medical marijuana dispensary for which a license was issued by the Oklahoma State Department of Health Medical Marijuana Authority prior to December 1, 2018, for the particular location.

40.225-J A medical marijuana waste disposal facility must be located inside an enclosed building.
Attachment I: ZCA-30 Zoning Code Amendments
Draft Changes

6. Update regulations related to the dustless, all-weather surface requirement for driveways and parking areas

**Justification:** These changes clarify that recreational vehicles must be parked on a dustless, all-weather surface; clarify that gravel, rock, or screenings are considered a dustless, all-weather surface when treated with an approved road surface binder; and correct table numbers. The proposed changes also allow residential driveways in AG and AG-R zoning districts to be surfaced with gravel. AG and AG-R districts tend to be more rural in character, with less density and often longer driveways than residential districts.

---

Chapter 55 | Parking

***

Section 55.090 Parking Area Design

***

55.090-F Surfacing

1. All off-street parking areas must be surfaced with a dustless, all-weather surface unless otherwise expressly stated in this zoning code. Pervious pavement or pervious pavement systems are allowed subject to the supplemental regulations of §55.090-F.4. Parking area surfacing must be completed prior to initiation of the use to be served by the parking.

2. All motorized vehicles designed for travel upon public streets and all recreational vehicles that are being parked, stored or displayed for sale must be parked, stored or displayed on a dustless, all-weather surface. This surfacing requirement does not apply to junk or salvage yards. The board of adjustment is authorized to grant a special exception permitting the parking, storage or display of motorized vehicles or recreational vehicles on a surface other than one consisting of a dustless, all-weather surface if the location complies with all applicable minimum building setbacks.

3. Driveways, not including parking spaces, that serve residential uses in AG and AG-R zoning districts may be surfaced with gravel in place of a dustless, all-weather surface outside of the street right-of-way.

34. In RE and RS zoning districts, driveways serving residential dwelling units may not exceed 50% of the lot frontage or the following maximum widths, whichever is less, unless a greater width is approved in accordance with the special exception procedures of Section 70.120, or, if in a PUD, in accordance with the amendment procedures of §30.010-I.2. (Refer to the City of Tulsa Standard Specifications and Details for Residential Driveways, #701-704).
Attachment I: ZCA-30 Zoning Code Amendments
Draft Changes

Table 55-6: Maximum Driveway Widths in RE and RS Zoning Districts

<table>
<thead>
<tr>
<th>Lot Frontage</th>
<th>75'+</th>
<th>60' – 74'</th>
<th>46' – 59'</th>
<th>30' – 45'</th>
<th>Less than 30' [2]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Driveway Within Right-of-Way (feet) [1]</td>
<td>27'</td>
<td>26'</td>
<td>22'</td>
<td>20'</td>
<td>12'</td>
</tr>
<tr>
<td>Driveway Within Street Setback (feet)</td>
<td>30'</td>
<td>30'</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
</tbody>
</table>

[1] Maximum width applies to the composite of all driveways if multiple curb cuts are provided.
[2] Provided that for lot frontages less than 24 feet, a driveway up to 12 feet in width is permitted.

For approvals granted under the terms of the zoning code in effect prior to January 1, 2016, including (1) variances of maximum driveway coverage measured by width, square footage or percentage of yard and (2) establishment of PUD development standards that increase the maximum permitted driveway coverage measured by any such means, the foregoing maximums do not apply.

45. Pervious pavement or pervious pavement systems, including pervious asphalt, pervious concrete, modular pavers designed to funnel water between blocks, lattice or honeycomb shaped concrete grids with turf grass or gravel filled voids to funnel water, plastic geocells with turf grass or gravel, reinforced turf grass or gravel with overlaid or embedded meshes, resin-bound pervious pavement systems, or similar structured and durable systems are allowed as parking lot surfacing materials. Gravel, turf, or other materials that are not part of a structured system designed to manage stormwater are not considered pervious pavement or a pervious pavement system. Pervious pavement and pervious pavement systems must comply with the following:

***

Section 55.100 Stacking Spaces for Drive-through Facilities

55.100-A Spaces Required

In addition to the parking required for each use, establishments with drive-through facilities must provide stacking spaces for each drive-through station as indicated in Table 55-67:

Table 55-67: Drive-through Stacking Space Requirements

<table>
<thead>
<tr>
<th>Use</th>
<th>Minimum Spaces (per lane)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Automated teller machine</td>
<td>2 (measured from ATM)</td>
</tr>
<tr>
<td>Bank</td>
<td>3 (measured from teller or service area)</td>
</tr>
<tr>
<td>Car wash, automated or customer-operated</td>
<td>2 (measured from vehicle entrance)</td>
</tr>
<tr>
<td>Car wash, attendant hand wash</td>
<td>3 (measured from vehicle entrance)</td>
</tr>
<tr>
<td>Drug store</td>
<td>2 (measured from pick-up window)</td>
</tr>
<tr>
<td>Restaurant drive-through</td>
<td>3 (measured from order board)</td>
</tr>
<tr>
<td>Kiosks</td>
<td>2 (measured from service window)</td>
</tr>
<tr>
<td>Other</td>
<td>As determined by the development administrator</td>
</tr>
</tbody>
</table>

***
Chapter 95 | Definitions

***

Section 95.040   Terms Beginning with “A”

***

All-Weather Surface (or Material)
A hard surface, dustless material capable, during ordinary use, of withstanding without substantial deterioration, normal weather conditions. Gravel, rock, or screenings alone, without use of when treated with a road surface binder approved by the development administrator, does not meet the definition of an all-weather surface.
7. Revise timelines for appeals of administrative decisions

**Justification:** These changes update appeal timelines to align with the appeal timelines for nuisance violations. Currently, an owner has 10 business days to appeal a nuisance violation but only 10 calendar days to appeal a zoning violation. This change would give 10 business days to file appeals of administrative decisions to the board of adjustment. This would affect appeals of zoning violation determinations by the development administrator or code enforcement, preservation commission decisions, and zoning decisions and interpretations by the land use administrator or development administrator.

**Chapter 70 | Review and Approval Procedures**

**Section 70.140**  Appeals of Administrative Decisions

**70.140-C**  Application Filing

1. Complete applications for appeals of administrative decisions must be filed with the clerk of the board of adjustment and the city clerk, who will accept the appeal on behalf of the administrative official who made the decision being appealed and forward it to said official.

2. Appeals of administrative decisions must be filed within 10 business days of the date of the decision being appealed.
8. Clarify language related to non-conforming dynamic display sign modifications

**Justification:** Section 80.060-B currently prevents non-conforming off-premise outdoor advertising signs from being upgraded or modified. The intent of the requirement is for signs to conform to current zoning standards as changes are made to them. This proposed amendment clarifies that converting a sign from one type of dynamic display to another is considered a sign modification for the purposes of non-conforming sign regulations. For example, converting a dynamic display sign using mechanical display like rotating panels into a sign using electronic display like LED lights is a modification, not basic repair/maintenance.

---

Chapter 80 | Nonconformities

**Section 80.060 Nonconforming Signs**

80.060-A Description

A nonconforming sign is a sign that was lawfully established but that no longer complies with applicable zoning code regulations because of the adoption or amendment of regulations after the sign was established.

80.060-B Off-Premise Outdoor Advertising Signs

Nonconforming off-premise outdoor advertising signs may continue subject to the following provisions:

1. Nonconforming off-premise outdoor advertising signs must be maintained in good repair and safe condition, in accordance with §80.010-D. No permits may be issued for upgrades or modifications of nonconforming signs. The conversion of a dynamic display component of a sign to a different dynamic display method or technology is considered a sign modification.

Justification: This change updates the name for the code enforcement division in Chapter 85. The City of Tulsa’s 2023 reorganization renamed the neighborhood inspections division of the Working in Neighborhoods Department to the code enforcement division of the Department of City Experience.

Chapter 85 | Violations, Penalties and Enforcement

Section 85.010 Responsibility for Enforcement
The development administrator, the neighborhood inspections division of the working in neighborhoods department code enforcement division, and any other officials or agencies designated by the mayor have responsibility for enforcing this zoning code. All departments, officials, agencies and employees vested with the authority to review, recommend or issue development approvals, permits or licenses must act in accordance with the provisions of this zoning code.
10. Revise measurement for lot width and add measurement for lot depth

**Justification:** The current measurement of lot width is unclear and difficult to calculate for irregularly shaped lots. This change provides more specific guidance and reflects the current practice for calculating lot width when reviewing subdivisions, lot splits, and lot line adjustments. Figures have been updated to reflect the lot depth measurement and to show that an irregular lot may have more than one rear lot line.

---

**Chapter 90 | Measurements***

**Section 90.060  Lot Width**
Lot width is measured as refers to the average (mean) horizontal distance between the side property lines of a lot. Lot width is calculated as follows:

\[
\text{Lot Width} = \frac{\text{Lot Area (square feet)}}{\text{Lot Depth (feet)}}
\]

*Figure 90-1: Lot Width Measurement*

**Section 90.065  Lot Depth**
Lot depth is measured as the distance, in a straight line, between the midpoint of the front lot line and the midpoint of the rear lot line.

*Figure 90-1: Lot Depth Measurement*
Chapter 95 | Definitions

Section 95.150 Terms Beginning with “L”

**Figure 95-4: Lot Lines**

**Figure 95-6: Rear Lot Line**
11. Fence and wall height measurement along retaining walls

**Justification:** The current measurement of fence and wall height does not take into account retaining walls. These changes clarify that fences and walls installed on top of retaining walls can be measured from the top of the retaining wall and add a definition for retaining wall.

---

**Chapter 90 | Measurements**

---

**Section 90.170 Other Height Measurements**

**90.170-A Fences and Walls**

The height of fences and walls is measured as vertical distance from the average finished grade on the inside of the fence to the top of the fence or wall. Fences atop walls or landscape features (e.g., raised beds) are measured to average finished grade at the base of the wall or landscape feature. **In the case of retaining walls, average finished grade may be measured from the side of the retaining wall abutting and contacting the earth being supported.** Fence posts may exceed the height of the highest connected portion of the fence by up to 12 inches.

---

**Chapter 95 | Definitions**

---

**Section 95.210 Terms Beginning with “R”**

**Retaining Wall**

A vertical structure built from stone or brick masonry, reinforced concrete, segmented block or other material approved by the development administrator and built to support earth of a higher level on one side than on the other.