

Item

Discuss the proposed Neighborhood Infill Overlay and other "missing middle" citywide Zoning Code Amendments.

Background

The 2019, the Downtown & Surrounding Neighborhoods Housing Study & Strategy (DSNHSS) commissioned to comprehensively assess housing needs Downtown and in the surrounding neighborhoods. The final study results were presented to the City Council in June 2020 and released to the public in July 2020. The study identified the need for the creation of missing middle zoning code amendments to promote housing typologies that have the potential to be effective tools for expanding housing choice and affordability. According to the study, missing middle housing could "potentially foster redevelopment in older neighborhoods with housing that "fits in" with the historic housing stock and land use patterns" of Tulsa (PG).

"Missing Middle" housing, a term coined by Opitcos Design, refers to the lack of housing options other than detached houses and large apartment complexes. These buildings are often similar in size to a detached house but have two or more units, such as duplexes, multi-unit homes, townhouses, and smaller-scale multi-family apartments/condos. The term "missing" suggests they have typically not been allowed to be built since the mid-1940s and "Middle" because size-wise they fit between detached homes and large multi-family complexes.

Simultaneously, the Tulsa Planning Office compiled various Small Area Plan and Comprehensive Plan recommendations that show a similar desire for opportunities for a full range of housing types to fit every income, household and preference. Listed below are just a few recommendations from PlaniTulsa that could target missing middle housing types both within the Study Area and Citywide.

PlaniTulsa:

- PlaniTulsa Goal #1: **Robust mix of housing types and sizes are developed and provided in all parts of the city.**
- PlaniTulsa Goal #7: **Low-income and workforce affordable housing is available in neighborhoods across the city.**
 - 7.2: Ensure that land use and zoning regulations allow a mix of housing types, including single family homes, cottage homes, townhomes, condominiums and apartments that serve people at a variety of income levels.

Crutchfield Small Area Plan:

- Goal #5: **Increase housing choices available in Crutchfield.**
 - 5.1: Support the development of an expanded range of housing types, including single-family housing types such as cottage housing, clustered homes, and narrow-lot homes and appropriately scaled "missing middle" (mid-density) housing types such as townhomes, multi-unit houses (duplexes, triplexes, quads), live-work units, and accessory dwelling units.



Crosbie Heights Small Area Plan:

- Goal #2: **Promote development of complete neighborhoods, defined in the Comprehensive Plan (p. LU-18) as "neighborhoods that blend...amenities, connectivity, and housing options together."**
 - 2.4 In accordance with land use designations, support redevelopment to include a mix of smaller residential structures (e.g., duplexes, triplexes and cottage houses) to provide housing for the socioeconomic diversity (e.g, income, age, mobility) in the neighborhood.

Pearl District Small Area Plan:

- Goal # 1: **Support compatible residential infill and reinvestment.**
 - 1.1 Support infill housing that fits with the character of the neighborhood. Encourage development that maintains the existing block and street patterns when feasible.

In May 2020, The Tulsa Planning Office began to identify possible zoning code amendments that seek to remove barriers to missing middle housing types by making a few changes applicable citywide and by creating a Neighborhood Infill Overlay within the study area. In August 2020, The Housing and Neighborhoods Survey was launched that helped inform what type of "missing middle" housing types were supported by respondents. Based upon the support for missing middle housing, The City Council initiated the development of the overlay and citywide text amendments.

Public Engagement

A developer's roundtable was held virtually in October 2020 to discuss the housing market, infill, and zoning code amendments to allow for more housing typologies by right in both the overlay area and citywide. In January 2021, staff and City Councilors participated in 5 separate virtual neighborhood meetings in the proposed overlay boundaries to discuss the Neighborhood Infill Overlay, the meeting schedule is listed below:

- Riverview & Cherry Street Residents – Mon., Jan. 11
- Pearl District Residents – Tues., Jan. 12
- Crutchfield Residents – Thurs., Jan. 14
- Owen Park & Crosbie Heights Residents – Tues., Jan. 19
- Greenwood & Unity-Heritage Residents – Thurs., Jan. 21

Staff used feedback from the developer's roundtable, community meeting sessions, and any additional commentary to continue to develop the Neighborhood Infill Overlay and other "missing middle" zoning code changes citywide. The attached proposed zoning code amendments are intended to allow for a spectrum of missing middle typologies to be developed by right, eliminating zoning obstacles that prevent these housing types.

Process Schedule

2020

- (July) City of Tulsa public press release of Housing Study
- (July) Small group meetings with City Councilors
- (Aug) TMAPC Work Session to discuss Housing Study findings
- (Aug) Engage development representatives to discuss general infill concepts
- (Sept) City Council initiation of an Infill Overlay and citywide text amendments

2021

- (Jan) Engage with neighborhoods included in the Housing Study boundary
- (Mar) TMAPC Work Session to discuss proposed text amendments
- (April) Reengage with neighborhoods and present final draft of text amendments
- (May) TMAPC public hearing to provide recommendation on proposed text amendments
- (Aug) City Council initiation of map amendments to apply the new Overlay text
- (Sept) Engage with residents and property-owners of area to be affected by Overlay
- (Oct) TMAPC public hearing to provide recommendation on proposed map amendments

Staff Recommendation

Discuss and set for Public Hearing in May 2021.

Attachment(s)

Attachment I: Proposed Neighborhood Infill Overlay & Citywide Zoning Code Amendments

City-wide:

5.030-A Table of Regulations

The lot and building regulations of Table 5-3 apply to all principal uses and structures in R districts, except as otherwise expressly stated in this zoning code. General exceptions to these regulations and rules for measuring compliance can be found in Chapter 90 Regulations governing accessory uses and structures can be found in Chapter 45.

Table 5-3: R District Lot and Building Regulations

Regulations	RE	RS-1	RS-2	RS-3	RS-4	RS-5	RD	RT	RM-0	RM-1	RM-2	RM-3	RMH
Minimum Lot Area (sq. ft.)													
Detached house	22,500	13,500	9,000	6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	5,500
Patio house	-	-	-	6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	-
Townhouse	-	-	-	4,500	4,500	2,200	2,750	1,600	1,600	1,600	1,600	1,600	-
Cottage house dev't	-	-	-	-	-	15,000	15,000	15,000	15,000	15,000	15,000	15,000	-
						10,000	10,000	10,000	10,000	10,000	10,000	10,000	
Duplex	-	-	-	9,000	9,000	3,300	6,900	6,900	6,900	6,900	6,900	6,900	-
				6,900	5,500		5,500	5,500	5,500	5,500	5,500	5,500	
Multi-unit house	-	-	-	-	-	3,300	6,900	5,500	5,500	5,500	5,500	5,500	-
Apartment/condo	-	-	-	-	-	-	-	-	10,000	10,000	6,000	24,000	-
Mobile home park	-	-	-	-	-	-	-	-	-	-	-	-	[1]
Other allowed buildings/uses													
Permitted by right	22,500	13,500	9,000	6,900	5,500	5,500	5,500	5,500	5,500	5,500	5,500	5,500	5,500
Special exceptions	22,500	13,500	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000
Min. Lot Area per Unit (sq. ft.)													
Detached house	22,500	13,500	9,000	6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	-
Patio house	-	-	-	6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	-
Townhouse	-	-	-	4,500	4,500	2,200	2,750	1,600	1,600	1,600	1,600	1,600	-
Cottage house dev't	-	-	-	-	-	2,750	2,750	2,750	2,750	2,750	2,750	2,750	-
						2,500	2,500	2,500	2,500	2,500	2,500	2,500	
Duplex	-	-	-	4,500	4,500	1,650	3,450	3,450	3,450	3,450	3,450	3,450	-
				3,450	2,750		2,750	2,750	2,750	2,750	2,750	2,750	
Multi-unit house	-	-	-	-	-	1,100	1,800	1,800	1,800	1,375	1,100	900	-
Apartment/condo	-	-	-	-	-	-	-	-	2,900	1,750	1,100	400	-
Other allowed buildings/uses													
Permitted by right	-	-	-	-	-	-	-	-	5,500	5,500	5,500	5,500	5,500
Special exceptions	22,500	13,500	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000
Minimum Lot Width (ft.)													
Detached house	150	100	75	60	50	30	50	50	50	50	50	50	-
Patio house	-	-	-	60	50	30	50	50	50	50	50	50	-
Townhouse	-	-	-	30	30	20	25	20	20	20	20	20	-
					25								
Cottage house dev't	-	-	-	-	-	75	75	75	75	75	75	75	-
Duplex	-	-	-	75	75	30	60	60	60	60	60	60	-
				60	50		50	50	50	50	50	50	
Multi-unit house	-	-	-	-	-	30	50	50	50	50	50	50	-
Apartment/condo	-	-	-	-	-	-	-	-	100	100	50	100	-
Other allowed buildings/uses													

Regulations	RE	RS-1	RS-2	RS-3	RS-4	RS-5	RD	RT	RM-0	RM-1	RM-2	RM-3	RMH
Permitted by right	150	100	75	60	50	50	50	50	50	50	50	50	50
Special exceptions	150	100	100	100	100	100	100	100	100	100	100	100	100
Minimum Street Frontage													
Residential bldgs/uses [2]	30	30	30	30	30	30	30	30	30	30	30	30	30
Min. Building Setbacks (ft.)													
Street [3]													
Arterial or fwy service rd.	35	35	35	35	35	35	35	35	35	35	35	35	35
Other streets	35	35	30	25	20	20	25	10	25	25	10	25	25
Side (interior) [4]	15	5	5	5	5	5	5	5[5]	5[6]	5[6]	5[6]	5[7]	10
Rear [4]	25	25	25	20	20	20	20	20	20	20	10	20	15
Min. Open Sp./Unit (sq. ft.)	12,000	7,000	5,000	4,000[8]	2,500	600	2,000	1,200	1,200	600	200	-	2,500
Max. Building Height (feet)	35	35	35	35	35	35	35	35	35	35	35	-	35

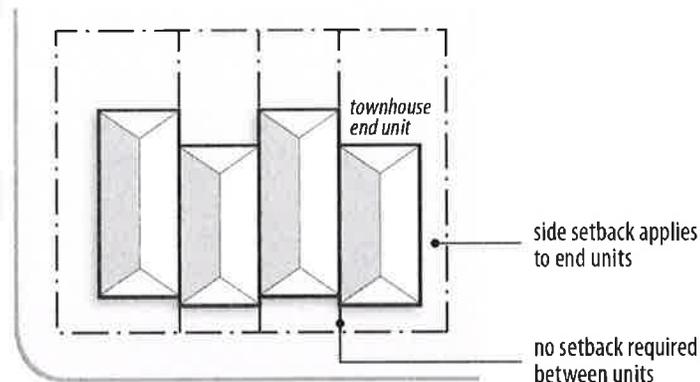
5.030-B Table Notes

The following notes refer to the bracketed numbers (e.g., " [1]") in Table 5-3:

- [2] Minimum street frontage requirements apply to townhouse developments, not to individual townhouse units. Cottage house developments require minimum street frontage of 75 feet. Minimum street frontage requirements do not apply to nonresidential uses.

- [4] **Non-residential** Uses requiring special exception approval in R zoning districts require minimum 25-foot building setback from R-zoned lots occupied by residential uses.
- [5] No side setback is required for interior units in townhouse developments. Side setback applies to end units (see Figure 5-2).

Figure 5-2: Side Setbacks for Townhouses



- [6] Minimum interior side setback is 10 feet for apartment/condo and permitted nonresidential buildings.
- [7] Minimum interior side setback is 25 feet for apartment/condo and permitted nonresidential buildings.
- [8] Minimum required open space for duplex in RS-3 is 2,500 square feet per unit.

Overlay:

Section 20.080 Neighborhood Infill Overlay

20.080-A General

1. Purpose and Intent

The Neighborhood Infill Overlay establishes zoning regulations that are intended to promote the development of alternative infill housing in established neighborhoods. The overlay allows for a variety of residential housing types in a manner that is compatible, in mass and scale, with the character of surrounding properties. The regulations are also intended to promote housing types that accommodate households of varying sizes and income levels and provide for a more efficient use of residential land.

2. Applicability

Except as otherwise expressly stated, the Neighborhood Infill Overlay regulations of this section apply to RS-3, RS-4, RS-5, RD, RT, RM-0, RM-1, RM-2 and RM-3 zoning districts only within the boundaries of the Neighborhood Infill Overlay districts to all new permitted uses and structures and all building alterations and site modifications that require a building permit.

3. Nonconformities

Nonconformities that exist within the overlay district are governed by the regulations of Chapter 80 except in residential zoning districts, a single detached house, duplex, or multi-unit house, where the particular residential building type is allowed by right or is allowed by special exception and a special exception has been granted, may be erected on a nonconforming lot without complying with the minimum lot area, minimum lot area per unit, minimum lot width, minimum street frontage or minimum open space per unit requirements of the subject zoning district, provided that at least 50% of the lot area remains as open space. All other lot and building regulations apply, except that detached houses, duplexes, or multi-unit houses may be erected on corner lots that are nonconforming with regard to lot width, subject to a reduced minimum street side building setback of 5 feet. Garages that are accessed through a side yard abutting a street must be set back at least 20 feet.

4. Conflicting Regulations

All applicable regulations of the underlying base zoning district apply to property in the Neighborhood Infill Overlay unless otherwise expressly stated in the Neighborhood Infill Overlay regulations. For properties with approved development plans (PUD, CO, MPD, Optional Development Plan), the approved development plan and development standards apply.

20.080-B Use Regulations – Residential, Household Living

Residential, household living principal uses are allowed in the Neighborhood Infill Overlay district in accordance with Table 20-4.

1. Permitted Uses

Residential, household living uses identified with a "P" symbol are allowed by right in the Neighborhood Infill Overlay district within the particular base zoning district, subject to compliance with any supplemental regulations identified in Chapter 40 and all other applicable regulations of this zoning code.

2. Special Exception Uses

Uses identified with an "S" may be allowed and if reviewed and approved in accordance with the special exception procedures of Section 70.120.

3. Prohibited Uses

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

Table 20-4: Neighborhood Infill Overlay District Use Regulations for Household Living

Base Zoning Districts:

USE CATEGORY Subcategory Specific use	RS-			RD	RT	RM-			
	3	4	5			0	1	2	3
RESIDENTIAL									
Household Living (if in building type allowed in Table 20-4.5)									
Single household	P [1]	P [1]	P [1]	P [2] [1]	P [2] [1]	P [2] [1]	P [2] [1]	P [2] [1]	P [2] [1]
Two households on single lot	S P	S P	S P	P	P	P	P	P	P
Three or more households on single lot	- P	- P	S P	S P	P	P	P	P	P

4. Table 20-4 Notes

The following notes refer to the bracketed numbers (e.g., " [1]") in (Table 20-4):

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

[2][1] Accessory dwelling units are allowed by right in RS, RD, RT, and RM- and RMH Districts on a lot occupied by a detached house. For supplemental regulations, see Section 45.031.

20.080-C Residential Building Types for Household Living

In the Neighborhood Infill Overlay district, within the particular base zoning district, household living uses must be located in the residential building types identified in Table 20-4.5. Descriptions of the residential building types and references to applicable regulations are found in Section 35.010.

Table 20-4.5: Neighborhood Infill Overlay District Building Type Regulations for Household Living

Base Zoning Districts:

USE CATEGORY Subcategory Specific use Building Types	RS-			RD	RT	RM-			
	3	4	5			0	1	2	3
RESIDENTIAL									
Household Living									
Single household									
Detached house	P	P	P	P	P	P	P	P	P
Patio House	P	P	P	P	P	P	P	P	P
Townhouse									
2-unit townhouse	S P	S P	P	P	P	P	P	P	P
3+-unit townhouse	- P	- P	- P	- P	P	P	P	P	P
Manufactured housing unit	S	S	S	S	S	S	S	S	S
Manufactured housing subdivision	-	-	-	-	-	-	-	-	-
Mobile home	-	-	-	-	-	-	-	-	-
Mixed-use building	-	-	-	-	-	-	S	S	S
Vertical mixed-use building	-	-	-	-	-	-	S	S	S
Two households on single lot									
Duplex	S P	S P	S P	P	P	P	P	P	P
Mixed-use building	-	-	-	-	-	-	P	P	P
Vertical mixed-use building	-	-	-	-	-	-	P	P	P
Three or more households on single lot									
Cottage house development	- P	- P	P	S P	S P	P	P	P	P
Multi-unit house	- P	- P	S P	S P	P	P	P	P	P
Apartment/condo	- P [1]	- P [1]	- P [1]	- P [1]	- P [1]	P	P	P	P
Mobile home park	-	-	-	-	-	-	-	-	-
Mixed-use building	-	-	-	-	-	-	P	P	P
Vertical mixed-use building	-	-	-	-	-	-	P	P	P

1. Table 20-4.5 Notes

The following notes refer to the bracketed numbers (e.g., " [1]") in (Table 20-4.5):

[1] Apartment/condo is limited to no more than 8 dwelling units on a single lot.

20.080-D Lot and Building Regulations

In the Neighborhood Infill Overlay district, the lot and building regulations of Table 20-5 apply in the RS-3, RS-4, RS-5, RD, RT, RM-0, RM-1, RM-2, RM-3 base zoning districts to Duplex, Townhouse, Cottage House Development, Multi-unit House and Apartment/Condo building types. General exceptions to these regulations and rules for measuring compliance can be found in Chapter 90. Regulations governing accessory uses and structures can be found in Chapter 45.

Table 20-5: Neighborhood Infill Overlay District Lot and Building Regulations

Minimum Lot Area (sq. ft.)	
Townhouse	1,600
All other [1]	4,000
Minimum Lot Width (feet)	
Minimum Lot Area per unit (sq. ft.) [2]	
Townhouse	20
All other [1]	40
Minimum Street Frontage (feet)	20[2]
Minimum Open Space per Unit (sq. ft.)	100
Minimum Building Setbacks (feet)	
Street	10[3]
Side	3[4]
Rear	10
Maximum Building Height (feet)	35

Table 20-5 Notes

The following notes refer to the bracketed numbers (e.g., " [1]") in (Table 20-5):

[1] All other include Cottage house development, Duplex, Multi-unit house and Apartment/condo building types.

[2] Lot area per unit does not apply in the Neighborhood Infill Overlay

[3] Minimum street frontage requirements apply to townhouse developments, not to individual townhouse units. Cottage house developments require minimum street frontage of 50 feet.

[4] Minimum setback for street-facing garage doors is 20 feet.

[5] No side setback is required for interior units in townhouse developments. Side setback applies to end units.

20.080- E Parking Regulations

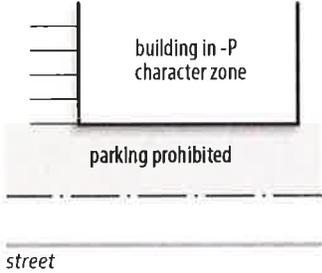
1. Minimum Parking Ratios

The minimum parking ratios established in Section 55.020, Table 55-1 for a Household Living use are reduced by 50% in the Neighborhood Infill Overlay district.

2. Location

The parking area is prohibited between building and street right-of-way (see Figure 20-2) on lots occupied by a Townhouse, Cottage House Development, Multi-unit House and Apartment/Condo.

Figure 20-2: Parking Prohibited between Building and Street Right-of-Way (need to update figure)



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