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Item

Public hearing to provide a recommendation to the City Council regarding amending the City of Tulsa Zoning Code, Title 42 Revised Ordinances, to add Section 20.080 establishing the regulations of a Neighborhood Infill Overlay (NIO) District, and consider amending Section 5.030-A, Table 5-3 and Section 5.030-B, Table Note [4].

Background

The 2019 Downtown & Surrounding Neighborhoods Housing Study & Strategy (DSNHSS) was commissioned to comprehensively assess housing needs in the Downtown and surrounding neighborhoods (see **Attachment I** for project boundary). 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 a diversity of 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" in Tulsa.

'Missing Middle' housing, a term coined by Opticos Design, refers to the lack of housing options other than detached houses and large apartment complexes. Other residential building types available in the Zoning Code 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 these other options have typically not been allowed to be built since the mid-1940s and 'middle' because size-wise they fit between the more common 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, a Housing and Neighborhoods Survey was launched citywide that helped inform what type of 'missing middle' housing types were supported by respondents. Based upon the adopted policies of various City plans, and feedback from over 1,500 survey responses, the City Council initiated the development of the overlay and a few citywide text amendments. Staff presented the first draft of the proposed changes to the Planning Commission at a March 17, 2021, work session.

A draft of the Neighborhood Infill Overlay and citywide changes was developed by a staff working group and refined from input received during meetings with neighborhood residents, local builders, licensed architects, and various City officials. The proposed zoning code amendments (see **Attachment II**) are intended to allow for a spectrum of 'missing middle' typologies to be developed by right, eliminating zoning obstacles that prevent these housing types.

Public Engagement

Throughout the development of the proposed Zoning Code amendments a developer's roundtable was held virtually in October 2020 to discuss the housing market, infill, and ideas for zoning code amendments in both an overlay area and citywide. In January 2021, Tulsa Planning Office staff and District 1 and District 4 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

Approximately 90 people attended the virtual meetings. During those virtual neighborhood meetings, residents were asked to participate in a poll that asked which type of missing middle

housing options they supported being built in their neighborhood. Most of the residents who participated were in support of additional housing types being built in their neighborhoods. More specifically, support was expressed for duplexes, multi-unit homes, townhouses, and smaller-scale multi-family apartments/condos. The participants were also asked to submit comments and questions that staff answered during the meeting and were later used to document feedback for future use.

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. In May 2021, staff presented the final draft of the proposed changes in two virtual public meetings. The first of the two meetings was targeted to residents in the proposed boundary and held on May 3, 2021. In this meeting, staff discussed the draft of the proposed overlay text, 17 people attended, and most attendees indicated that they lived in the proposed overlay boundaries. The second public meeting was held on May 6, 2021, where staff discussed the proposed citywide changes to the Zoning Code, 64 individuals attended. All virtual meetings were shared by City Councilors and advertised on the Tulsa Planning Office website, newsletter, and social media accounts.

All virtual meetings were recorded, and the presentation slides and video recordings have been available on the Tulsa Planning Office website. The Tulsa Planning Office website was updated to have a dedicated 'Housing Zoning Code Amendments' page. The dedicated page includes information such as the draft proposed text amendments with a brief explanation of what those changes mean, frequently asked questions, and other educational resources.

The public meetings were well attended and members of the staff working group presented and had significant discussion with attendees on how the proposed overlay and citywide changes would impact properties within the proposed boundary and citywide. The public engagement process satisfies the zoning code requirement that Special Area (SA) overlays "be based on an adopted plan or be prepared following an inclusive, transparent, and equitable planning and public involvement process that includes opportunities for affected property owners and residents to participate in the formulation of the district regulations or otherwise offer recommendations and provide input." Further outreach will be done before the proposed map amendments defining the overlay boundaries are presented to TMAPC.

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
- (May) Reengage with neighborhoods and present final draft of text amendments
- (June) TMAPC public hearing to provide recommendation on proposed text amendments
- (July/Aug) City Council initiation of map amendments to apply the NIO 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 Analysis

The standards in the proposed ZCA-19 will be consistent with promoting housing types that accommodate households of varying sizes and income levels and provide for a more efficient use of residential land. As outlined above, the proposed overlay and citywide changes implement multiple Comprehensive Plan goals and policies and Small Area Plan recommendations. The changes are consistent with the Zoning Code's general purposes (Section 1.050) and the stated purpose and intent of the applicable overlay.

Staff Recommendation

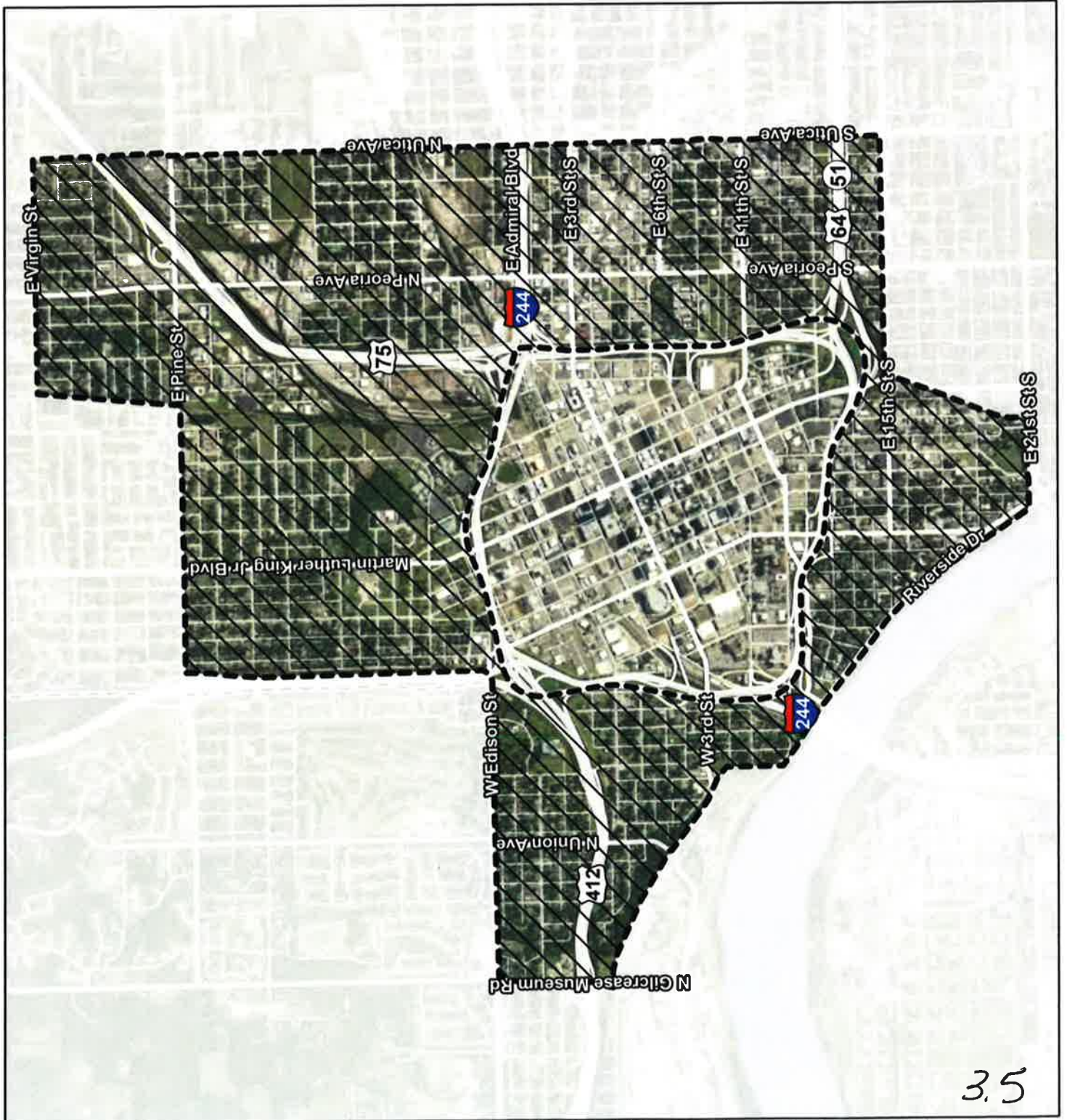
Approval of the proposed amendments to the City of Tulsa Zoning Code as shown in Attachment II.

Attachment(s)

Attachment I: Downtown & Surrounding Neighborhoods Housing Study & Strategy project boundary

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

Attachment 1: Downtown & Surrounding Neighborhoods Housing Study and Strategy - Project Boundary



Legend

-  Proposed Neighborhood Infill Overlay Area



Location Map



ATTACHMENT II

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	-
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	

Regulations	RE	RS-1	RS-2	RS-3	RS-4	RS-5	RD	RT	RM-0	RM-1	RM-2	RM-3	RMH
Multi-unit house	-	-	-	-	-	30	50	50	50	50	50	50	-
Apartment/condo	-	-	-	-	-	-	-	-	100	100	50	100	-
Other allowed buildings/uses													
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

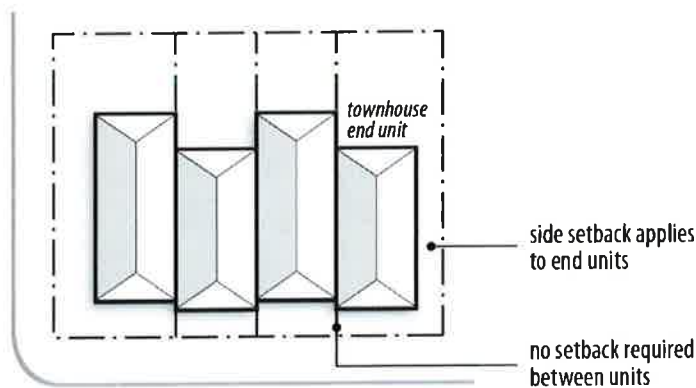
The following notes refer to the bracketed numbers (e.g., " [1]") in Table 5-3:

[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

USE CATEGORY Subcategory Specific use	Base Zoning Districts:								
	RS-			R R		RM-			
	3	4	5	D	T	0	1	2	3
RESIDENTIAL									
Household Living (if in building type allowed in Table 20-4.5)									
Single household	P	P	P	P	P	P	P	P	P
	[1	[1	[1]	[2	[2	[2	[2	[2	[2]
]]]]]]]]]
				[1	[1	[1	[1	[1	[1]
]]]]]]
Two households on single lot	S	S	S	P	P	P	P	P	P
	P	P	P						
Three or more households on single lot	-	-	S	S	P	P	P	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	- P	- P	- P	- P	P	P	P	P
	[1]	[1]	[1]	[1]	[1]				
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
Duplex, Cottage House Development, Multi-Unit House, Apartment/Condo	4,000
Minimum Lot Area per Unit (sq. ft.)	N/A
Minimum Lot Width	
Townhouse	20
Duplex, Cottage House Development, Multi-Unit House, Apartment/Condo	40
Minimum Street Frontage (feet)	20 [1]
Minimum Open Space per Unit (sq. ft.)	100
Minimum Building Setbacks (feet)	
Street	10 [2]
Side	3 [3]
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] Minimum street frontage requirements apply to townhouse developments, not to individual townhouse units. Cottage house developments require minimum street frontage of 50 feet.

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

[3] 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

