

Item

Discuss various proposed amendments to the City of Tulsa Zoning Code in the following sections:

- **Chapter 5 Residential Districts:** Section 5.020 Use Regulations, Table 5-2: R District Use Regulations
- **Chapter 10 Mixed-use Districts:** Section 10.020 Use Regulations, Table 10-2: MX District Use Regulations; Section 10.030 Character Designations, Table 10-4: Lot and Building Regulations for -P Character Zones, Figure 10-3: MX District Lot and Building Regulations (-P Character Zone), Table 10-5: Lot and Building Regulations for -U Character Zones, Table 10-6: Lot and Building Regulations for -V Character Zones
- **Chapter 15 Office, Commercial and Industrial Districts:** Section 15.020 Use Regulations, Table 15-2: O, C, and I District Use Regulations
- **Chapter 20 Overlay Districts:** Section 20.080 NIO, Neighborhood Infill Overlay; Figure 20-2: Parking Prohibited between Building and Street Right-of-way
- **Chapter 25 Special Districts:** Section 25.020 AG, Agricultural District and AG-R, Agricultural-Residential District, Table 25-1: AG and AG-R District Use Regulations; Section 25.040 CO, Corridor District, Table 25-4: CO District Use Regulations; Section 25.050 SR, Scientific Research District, Table 25-5: SR District Use Regulations; Section 25.060 IMX, Institutional Mixed-Use, Table 25-7: IMX District Use Regulations
- **Chapter 45 Accessory Uses and Structures:** Section 45.130 Parking and Storage of Commercial Trucks
- **Chapter 55 Parking:** Section 55.020 Minimum Parking Ratios, Table 55-1: Minimum Motor Vehicle Parking Ratios; Section 55.050 Parking Exemptions and Credits
- **Chapter 60 Signs:** Section 60.020 Prohibited Signs and Sign Characteristics; Section 60.100 Dynamic Displays
- **Chapter 65 Landscaping and Screening:** Section 65.080 Landscape and Screening Material
- **Chapter 70 Review and Approval Procedures:** Section 70.010 Common Provisions, Table 70-1: Review and Decision-making Authority Summary Table; Section 70.020 Zoning Code Text Amendments; Section 70.040 Development Plans; Section 70.080 Zoning Clearance and Permits; Section 70.140 Appeals of Administrative Decisions; Figure 70-7: Appeals of Administrative Decisions (Generally)
- **Chapter 95 Definitions:** Section 95.040 Terms Beginning with "A", Arterial

Background

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

The amendments are a result of the zoning code implementation team's work. The proposed amendments are located in Chapters 5, 10, 15, 20, 25, 45, 55, 60, 65, 70, and 95 of the zoning code. Most proposed amendments are minor in nature. Staff presented the proposed amendments at the August 18, 2021, work session. Since then, two new amendments have been proposed and are included in Attachment I.

The amendments proposed to the City of Tulsa Zoning Code, Title 42 Tulsa Revised Ordinances, are shown in ~~strike-through~~/underline/**highlight** in **Attachment I**. Amendments that have been added or altered since the work session are noted in **blue**.

Attachment 1

- Summary of changes and justifications for zoning code amendments

1. Governmental Service or Similar Functions Use Tables

Justification: As part of the ZCA-17 amendments effective July 1, 2020, the “Governmental Service” use was renamed “Governmental Service or Similar Functions” and its definition was revised. The amendment failed to update the use name throughout the entire zoning code. This change makes the “Governmental Service or Similar Functions” use name consistent across all use regulation tables and the minimum parking ratio table.

Chapter 5 | Residential Districts

Section 5.020 Use Regulations

Table 5-2: R District Use Regulations

USE CATEGORY	RS-						RM-				RMH	Supplemental Regulations		
Subcategory	RE	1	2	3	4	5	RD	RT	0	1			2	3
Specific Use														
PUBLIC, CIVIC AND INSTITUTIONAL														
Governmental Service or Similar Functions	S	S	S	S	S	S	S	S	S	S	S	S	S	

Chapter 10 | Mixed-use Districts

Section 10.020 Use Regulations

Table 10-2: MX District Use Regulations

USE CATEGORY	MX1	MX2	MX3	Supplemental Regulations
Subcategory				
Specific Use				
PUBLIC, CIVIC AND INSTITUTIONAL				
Governmental Service or Similar Functions	S	S	S	

Chapter 25 | Special Districts

Section 25.020 AG, Agricultural District and AG-R, Agricultural-Residential District

25.020-B Use Regulations

Table 25-1: AG and AG-R District Use Regulations

USE CATEGORY	AG	AG-R	Supplemental Use Regulations
Subcategory (Section 35.020) Specific Use			
PUBLIC, CIVIC AND INSTITUTIONAL			
Governmental Service <i>or Similar Functions</i>	S	S	

Section 25.040 CO, Corridor District

25.040-B Use Regulations

Table 25-4: CO District Use Regulations

USE CATEGORY	CO	Supplemental Regulations
Subcategory (Section 35.020) Specific Use		
PUBLIC, CIVIC, AND INSTITUTIONAL		
Governmental Service <i>or Similar Functions</i>	P*	



Section 25.050 SR, Scientific Research District

25.050-B Use Regulations

Table 25-5: SR District Use Regulations

USE CATEGORY		Supplemental Regulations
Subcategory (Section 35.020) Specific Use	SR	
PUBLIC, CIVIC AND INSTITUTIONAL Governmental Service <u>or Similar Functions</u>	S	

Section 25.060 IMX, Institutional Mixed-Use

25.060-B Use Regulations

Table 25-7: IMX District Use Regulations

USE CATEGORY		Supplemental Regulations
Subcategory (Section 35.020) Specific Use	IMX	
PUBLIC, CIVIC AND INSTITUTIONAL Governmental Service <u>or Similar Functions</u>	S	

Chapter 55 | Parking

Section 55.020 Minimum Parking Ratios

Table 55-1: Minimum Motor Vehicle Parking Ratios

USE CATEGORY	Measurement (spaces per)	CBD District	CH District and MX District	All Other Districts and PI Overlay [1]	Additional requirements/notes
Subcategory					
Specific Use					
[1] See Section 20.040 for information on PI Overlay					
PUBLIC, CIVIC & INSTITUTIONAL					
Governmental Service or Similar Functions		0.00	established as part of special exception		

2. Build-to-Zone in Mixed-use Districts

Justification: The proposed amendments to the build-to zone (BTZ) requirements in the pedestrian character district are intended to avoid conflicts between building placement and public and private utilities located within street rights-of-way. Adjusting the requirement from a 0/10 BTZ to a 0/20 BTZ still accomplishes the intent of street-facing buildings with active streetscapes while allowing the flexibility to avoid utilities where present. The proposed changes also correct typographical and formatting errors.

Chapter 10 | Mixed-use Districts

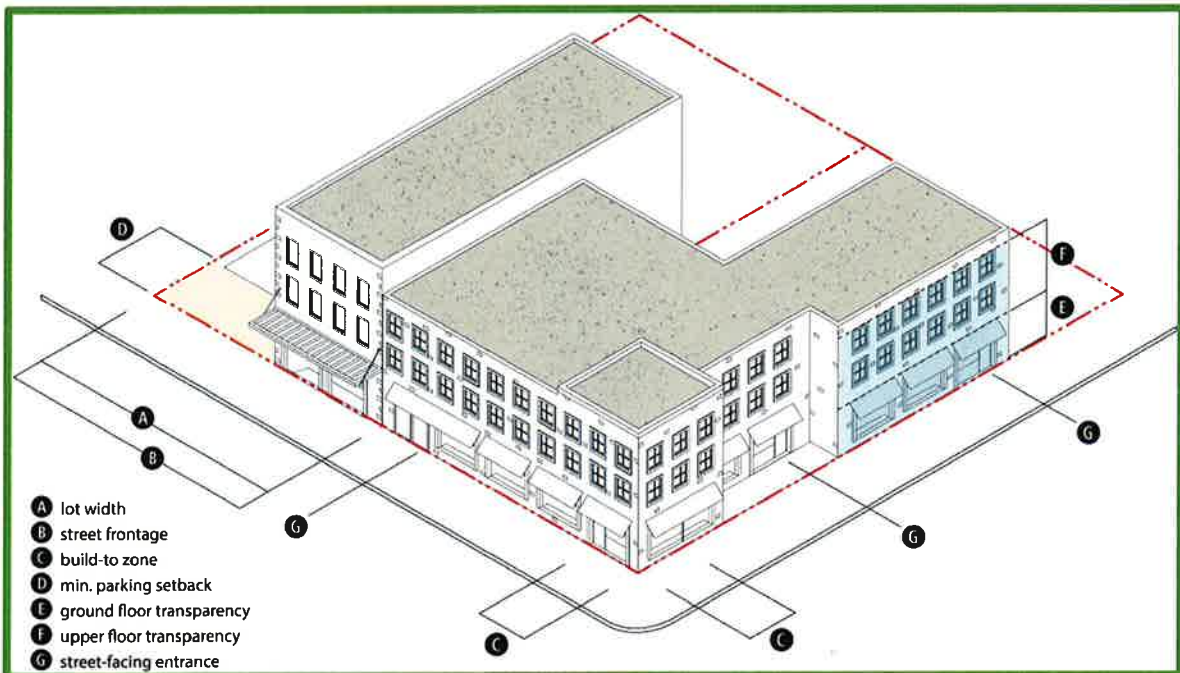
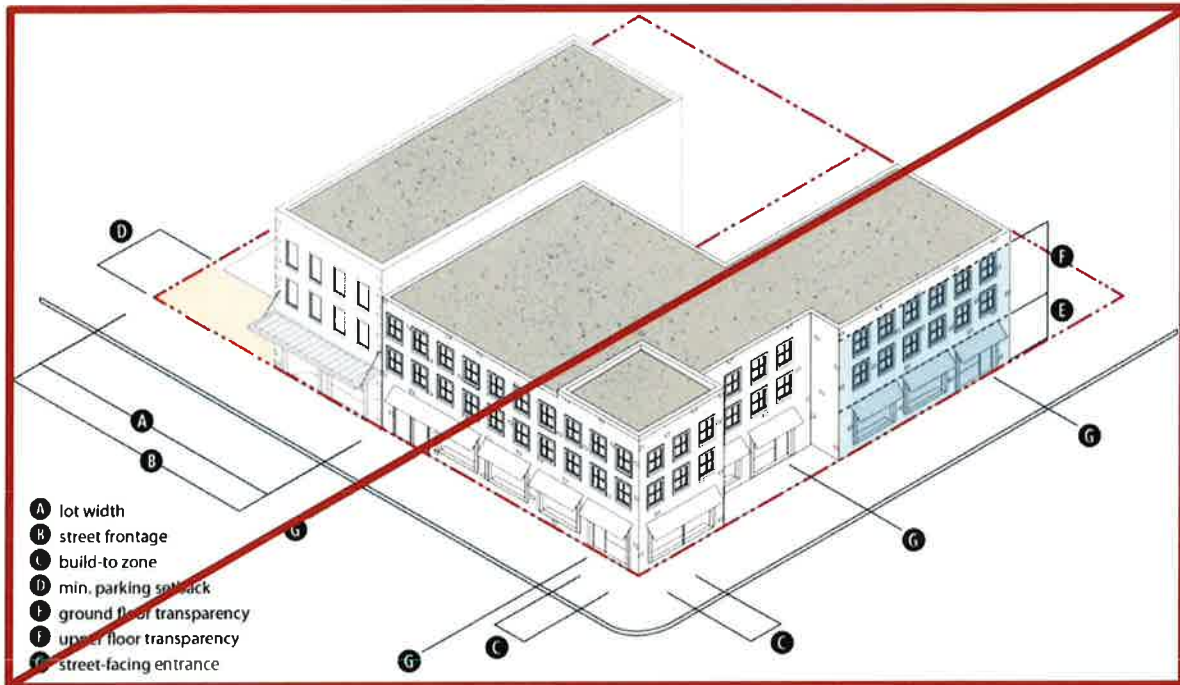
Section 10.030 Character Designations

10.030-B ~~P~~, Pedestrian Character Designation

Table 10-4: Lot and Building Regulations for -P Character Zones

Minimum Lot Area (sq. ft.)	3,500	Min. Ground Floor Ceiling Height (feet)	14
Minimum Lot Width (feet)	25	Minimum Transparency (%)	
Minimum Street Frontage (feet)	20	Ground floor	50
Minimum Open Space per Unit (sq. ft.)	100	Upper floors	20
Minimum Building Setbacks (feet)		Min. Parking Setbacks (ft)(see also §55.080-C)[1]	
Street	0	Primary street	30
Abutting R district	10	Secondary street or R zoning district	10
Abutting nonresidential district	0	Nonresidential zoning district	0
Abutting alley	5	Street-facing Entrance Required	Yes
Build-to Zone (BTZ) (minimum/maximum in feet) <i>See Section 90.110 for BTZ measurement</i>	0/ 10 20		
Primary street BTZ	80		
Secondary street BTZ	30		

Figure 10-3: MX District Lot and Building Regulations (-P Character Zone)



10.030-C Urban Character Designation



Table 10-5: Lot and Building Regulations for -U Character Zones

Minimum Lot Area (sq. ft.)		Min. Parking Setbacks (feet)(see also §55.080-C)[1]	
Townhouse	1,600	Primary street	30
Apartment/condo	7,500	Secondary street or R zoning district	10
All other	3,500	Nonresidential district	0
Minimum Lot Width (feet)		Min. Ground Floor Ceiling Height (feet)	
Townhouse	20	Mixed-use and commercial buildings	14
Apartment/condo	50	Other buildings	-
All other	25	Minimum Transparency (%)	
Minimum Street Frontage (feet)	20	Mixed-use buildings	
Minimum Open Space per Unit (sq. ft.)		Ground floor	40
Townhouse	200	Upper floors	20
Apartment/condo/mixed-use	100	Commercial buildings	
Minimum Building Setbacks (feet)		Ground floor	35
Street	0	Upper floors	20
Abutting R district	10	Other buildings	20
Abutting nonresidential district	0	Street-facing Entrance Required	Yes
Abutting alley	5		
Build-to Zone (BTZ) (minimum/maximum in feet) <i>See Section 90.110 for BTZ measurement</i>	0/20		
Primary street BTZ	60		
Secondary street BTZ	30		

10.030-D Variable Character Designation

Table 10-6: Lot and Building Regulations for -V Character Zones

Minimum Lot Area (sq. ft.)		Build-to Zone (BTZ) (minimum/maximum in feet) <i>See Section 90.110 for BTZ measurement</i>	0/110
Townhouse	1,600	Primary street BTZ	50
Apartment/condo	7,500	Secondary street BTZ	25
All other	3,500	Min. Parking Setbacks (feet)(see also §55.080-C)[1]	
Minimum Lot Width (feet)		Street or R zoning district	10
Townhouse	20	Nonresidential zoning district	0
Apartment/condo	50	Min. Ground Floor Ceiling Height (feet)	
All other	25	Mixed-use and commercial buildings	14
Minimum Street Frontage (feet)	20	Other buildings	-
Minimum Open Space per Unit (sq. ft.)		Minimum Transparency (%)	
Townhouse	200	Mixed-use buildings	
Apartment/condo/mixed-use	100	Ground floor	40
Minimum Building Setbacks (feet)		Upper floors	20
Street	0	Commercial buildings	
Abutting R district	10	Ground floor	35
Abutting nonresidential district	0	Upper floors	20
Abutting alley	5	Other buildings	20
		Street-facing Entrance Required [bold and left-justify]	Yes

3. Building Types and Use Tables

Justification: As part of the ZCA-3 amendments effective May 10, 2017, residential building types were separated from use tables. Household Living use allowances reflect the most permissive building type allowed under each zoning district in all use tables except Table 15-2 and Table 25-1. These proposed changes correct the Household Living uses for Industrial and Agricultural zoning districts to be consistent with other use tables throughout the code. The proposed changes also correct typographical and formatting errors.

Chapter 15 | Office, Commercial and Industrial Districts

Section 15.020 Use Regulations

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

USE CATEGORY	OL	OM	OMH	OH	CS	CG	CH	CBD	IL	IM	IH	Supplemental Regulations
Subcategory												
Specific Use												
RESIDENTIAL												
Household Living (if in allowed building type identified in Table 15-2.5) [bold]												
Single household	P	P	P	P	P	P	P	P	PS	PS	PS	
Two households on single lot	P	P	P	P	P	P	P	P	PS	P-	P-	
Three or more households on single lot	P	P	P	P	P	P	P	P	PS	P-	P-	

Chapter 25 | Special Districts

Section 25.020 AG, Agricultural District and AG-R, Agricultural-Residential District

25.020-B Use Regulations

Table 25-1: AG and AG-R District Use Regulations

USE CATEGORY			
Subcategory	AG	AG-R	Supplemental Use Regulations
Specific Use			
RESIDENTIAL			
	Household Living (if in allowed Bbuilding type indicated in 25.1-525-1.5) [bold and left-justify]		
Single Household	P/S	P	

4. Neighborhood Infill Overlay Cleanup

Justification: ZCA-19, effective August 31, 2021, established the Neighborhood Infill Overlay District in the zoning code. A figure was numbered incorrectly in the text of the amendment. This proposed change renumbers that figure and simplifies the text within the figure.

This amendment was proposed after the work session on August 18, 2021.

Chapter 14 | Overlay Districts

Section 20.080 NIO, Neighborhood Infill Overlay

20.080-E Parking Regulations

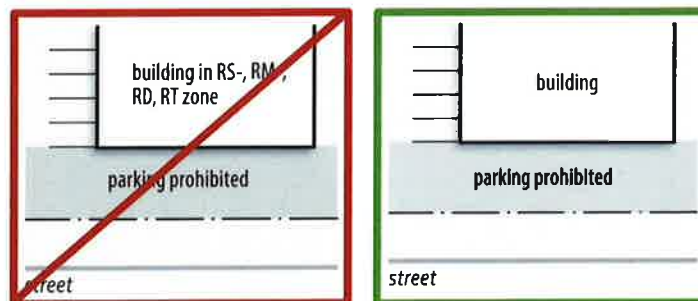
1. Minimum Parking Ratios

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 20-25) on lots occupied by a Townhouse, Cottage House Development, Multi-unit House and Apartment/Condo.

Figure 20-25: Parking Prohibited between Building and Street Right-of-Way



5. Definition of Commercial Vehicle

Justification: The zoning code currently restricts the parking and storing of Commercial Trucks in residential zoning districts, but the definition of Commercial Truck is based on a section of the Oklahoma Administrative Code (O.A.C.). The section of the O.A.C. referenced by the zoning code is applicable for vehicle tag registration fees and not for identifying the types of vehicles causing a nuisance in residential neighborhoods. This update clarifies what types of vehicles are restricted from parking in residential areas and provides characteristics that are easily identifiable by code enforcement officers during an investigation.

Chapter 45 | Accessory Uses and Structures

Section 45.130 **Parking and Storage of Commercial ~~Trucks~~Vehicles**

45.130-A Description

A commercial vehicle, for the purpose of determining compliance with Section 45.130, is any vehicle, including but not limited to a car, van, truck, bus, semi-truck, or tow truck, that includes any of the following characteristics:

1. More than two (2) axles;
2. A cab height greater than eighty-four (84) inches;
3. Any part or attachment to the vehicle capable of exceeding the height of ninety (90) inches;
4. A gross vehicle weight rating greater than twelve thousand (12,000) pounds;
5. An overall length of more than twenty-five (25) feet;
6. A commercial sign or message exceeding four (4) square feet per side; or
7. A tow sling or other device designed specifically to tow another vehicle.

45.130-B Where Prohibited

No ~~vehicle required to be registered as a "commercial truck" pursuant to OAC 710:60-3-91~~ vehicle as defined in §45.130-A may be parked or stored ~~on a lot outdoors~~ within a residential zoning district. This provision is not intended to prohibit the following:



1. Vehicles accessory to permitted non-residential use and parked on the lot containing the use;
2. dDeliveries and pickups by common carrier delivery vehicles or service vehicles being actively used, loaded, or unloaded (e.g., postal service, ~~united parcel service~~UPS, FedEx, et al.) of the type typically used in residential neighborhoods;
3. Recreational vehicles (See §45.150);
4. Vehicles registered to a governmental body or utility provider and used for law enforcement, emergency response, or repair of public infrastructure; or
5. Vehicles accessory to a construction project or an active building or construction permit.

6. Minimum Parking Ratio for Schools

Justification: The Zoning Code has long required excessive amounts of parking for school uses, forcing schools to ask for relief from minimum parking requirements nearly twenty times in the past two decades whenever they propose construction projects resulting in additional square footage or athletic/auditorium seating. In each case, schools have successfully demonstrated that the zoning code requires much more parking than is needed or used, sometimes by a factor of 10. Currently, no high school meets the minimum parking requirement, several by 60-80%. In contrast, every high school would meet the requirement outlined in the proposal, allowing schools more flexibility and reducing the need to ask for relief in the future. These proposed changes reduce the minimum parking ratios for high schools, middle schools, and elementary schools.

Chapter 55 | Parking

Section 55.020 Minimum Parking Ratios

Table 55-1: Minimum Motor Vehicle Parking Ratios

USE CATEGORY	Measurement (spaces per)		CH District and MX District	All Other Districts and PI Overlay [1]	Additional requirements/notes
Subcategory		CBD District			
Specific use					
[1] See Section 20.040 for information on PI Overlay					
PUBLIC, CIVIC & INSTITUTIONAL					
School					
Elementary or Middle	1,000 sq. ft.	0.00	0.65 0.50	0.85 0.75	
Senior High	1,000 sq. ft.	0.00	0.85 0.50*	1.10 0.75*	*plus 0.20 or 0.055 per seat in the largest stadium/auditorium seat, whichever is greater

7. Alternative Compliance Parking Ratios

Justification: Alternative compliance parking ratios can be approved by the Board of Adjustment through its special exception procedures if a parking study is submitted along with the application. The requirements for the parking study are vague and difficult to interpret. The proposed change removes the requirement for a parking study but retains the other approval standards to guide the Board of Adjustment.

Chapter 55 | Parking

Section 55.050 Parking Exemptions and Credits

55.050-K Alternative Compliance

The motor vehicle parking ratios of this chapter are not intended to prevent development and redevelopment or to make development and redevelopment economically impractical. In order to allow for flexibility in addressing the actual expected parking demand of specific uses, alternative compliance parking ratios may be approved through the special exception procedures of Section 70.120 only if:

- ~~1. The applicant submits a parking study demonstrating that the motor vehicle parking ratios of Section 55.020 do not accurately reflect the actual day-to-day parking demand that can reasonably be anticipated for the proposed use based on field surveys of observed parking demand for similar use within the city or on external data from credible research organizations, such as the Urban Land Institute (ULI) or the Institute of Transportation Engineers (ITE);~~
21. The board of adjustment determines that the other allowed parking reduction alternatives of Section 55.050 are infeasible or do not apply; and
32. The board of adjustment determines that the reduced parking ratios proposed are not likely to cause material adverse impacts on traffic circulation and safety or on the general welfare of property owners and residents in the surrounding area.

8. Sign Permits

Justification: This change clarifies that most signs require a sign permit and cites Title 51, Tulsa Revised Ordinances, which establishes the types of signs requiring a permit.

Chapter 60 | Signs

Section 60.020 Prohibited Signs and Sign Characteristics

The following signs and sign characteristics are prohibited except as otherwise expressly stated:

60.020-A Signs for which no ~~required~~ permit that is required under Title 51 of the Tulsa Revised Ordinances has been issued;

9. Dynamic Display Signs

Justification: The zoning code requires a 1,200-foot separation distance between outdoor advertising signs that includes dynamic displays, regardless of the sign type. The intent of this was to provide a buffer between “Off-Premise Outdoor Advertising Signs” (Billboards) that included dynamic displays and not all outdoor advertising signs. Staff believes that was an error carried over from the previous zoning code and the text should include the words “off-premise” prior to “outdoor advertising sign” in Sections 60.100-J and 60.100-K. This proposed amendment will align the text of the code with the intent and application of the regulation.

During the work session on August 18, 2021, it was noted that one instance of “off-premise” was missing in 60.100-J and has since been included.

Chapter 60 | Signs

Section 60.100 Dynamic Displays

60.100-J Any off-premise outdoor advertising sign that includes a dynamic display that was lawfully established before January 1, 2010, must be separated by a minimum distance of 1,200 feet from any other off-premise outdoor advertising sign that includes a dynamic display. This spacing limitation does not apply between signs separated by a freeway. The 1,200-foot distance must be measured in a straight line from the center of the subject sign structures, as located on the ground.

60.100-K Except as provided in §60.100-J, any off-premise outdoor advertising sign that includes a dynamic display and that was approved by a permit issued on or after January 1, 2009, must be separated by a minimum distance of 1,200 feet from any other off-premise outdoor advertising sign that includes a dynamic display facing the same traveled way. The 1,200-foot distance must be measured in a straight line from the center of the subject sign structures, as located on the ground.

10. Selection of Native Tree Species

Justification: This change removes references to a plant list and corrects a typographical error to clarify that non-native trees adapted to local growing conditions are acceptable.

Chapter 65 | Landscaping and Screening

Section 65.080 Landscape and Screening Material

65.080-A General

3. Selection
Trees and plants used to satisfy the requirements of this zoning code must:
 - a. Meet or exceed the plant quality standards established in the latest edition of the American Standard for Nursery Stock (ANSI Z60.1);
 - b. Be native to North America or adapted for growing conditions in the Tulsa area, as determined by the land use administrator; and
 - c. Not be artificial plants or plants listed as prohibited species on the recommended and prohibited tree ~~and plant species~~ list.

11. Review and Decision-making Authority Summary Table

Justification: As part of the ZCA-17 amendments effective July 1, 2020, the authority for verifying compliance with spacing and separation distance requirements was removed from the Board of Adjustment and placed with the development administrator through the city's permit review process. The proposed amendment updates Table 20-1 to reflect that the development administrator has the authority to verify spacing and separation distance requirements.

Chapter 70 | Review and Approval Procedures

Section 70.010 Common Provisions

70.010-A Applicability

The common provisions of this section apply to all of the procedures in this chapter unless otherwise expressly stated.

Table 70-1: Review and Decision-making Authority Summary Table

Procedure	Staff	Preservation Commission	Planning Commission	Board of Adjustment	City Council	Public Notice
Zoning Code Text Amendments	R	-	<R>	-	<DM>	N
Zoning Map Amendments (Non-HP)	R	-	<R>	-	<DM>	N,M,P
Development Plans	R	-	<R>	-	<DM>	N,M,P
Site Plans	DM[1]	-	-	-	-	-
Historic Pres. (HP) Zoning Map Amendments	R	R	<R>	-	<DM>	N,M,P
HP Permits	R[2]	DM[2]	-	-	-	-
Zoning Code Interpretations	DM[3]	-	-	-	-	-
Spacing and Separation Distance Verification	DM [4]	-	-	<DM> -	-	M -
Special Exceptions	-	-	-	<DM>	-	N,M,P [45]
Variances	-	-	-	<DM>	-	N,M
Appeals of Administrative Decisions	-	-	-	<DM>[56]	-	N,M

R = Review body (review and recommendation) | **DM** = Decision-making body (final decision to approve or deny)
 < > = Public hearing required | Hearing Notice: **N** = Newspaper; **M** = Mail; **P** = Posting (signs)

Table 70-1 Notes

[1] Unless alternative site plan review procedure/decision-maker is established by city council at time of development plan approval (see §70.050-C)

[2] Preservation officer (staff) authorized to act on some applications (see §70.070-K)

24.20



[3] Development administrator authorized to issue written interpretations

[4] Development administrator authorized to verify spacing and separation distance requirements

[45] Special notice requirements for minor special exceptions (See §70.120-E)

[56] Appeals of administrative decisions on site plans go the planning commission

12. Correction of Errors within Zoning Code Text Amendments

Justification: This proposed change would allow the land use administrator to correct typographical, reference, spelling, formatting, and some numbering errors without the zoning code text amendment procedures. The intent is to allow staff the flexibility to administratively correct minor errors within the zoning code document as they arise.

This amendment was proposed after the work session on August 18, 2021.

Chapter 70 | Review and Approval Procedures

70.020 Zoning Code Text Amendments

70.020-G Applicability

1. All amendments to the text of this zoning code must be processed in accordance with the provisions of this section, except as stated in 70.020-G.2.
2. The land use administrator, in consultation with the city legal department, is authorized to correct typographical errors, reference errors, spelling errors, formatting errors, and errors in section, page, table, and figure numbering, without following the zoning code text amendment procedures of this section. The changes necessary to correct such errors may not change the meaning or regulations of the zoning code.

13. Required Notice for Minor Amendments

Justification: As part of the ZCA-6 amendments effective June 11, 2018, the requirement to post sign notices for PUD minor amendments was removed. When the change was made, the requirement was removed from Section 30.010-I but not Section 70.040-I. This proposed change would delete the sign notification requirements for minor amendments in Section 70.040-I to be consistent with the changes made in ZCA-6.

Chapter 70 | Review and Approval Procedures

Section 70.040 Development Plans

70.040-I Amendments to Approved Development Plans

1. Minor Amendments

- c. Notice of the planning commission's public hearing on a development plan minor amendment request must be provided at least 10 days in advance of the hearing by mailing written notice to all owners of property within a 300-foot radius of the exterior boundary of the subject property. ~~Notice (signs) must also be posted on the subject property at least 10 days before the scheduled public hearing.~~

14. Early-Release Permits

Justification: This change removes the ability for building foundation or earth-change permits to be released prior to the recording of a final plat. Since the adoption of the Tulsa Zoning Code in 2016, the early-release provisions have never been used. The provision is unnecessary because the release of certain permits while platting is already covered through the IDP process.

Chapter 70 | Review and Approval Procedures

Section 70.080 Zoning Clearance and Permits

70.080-B Compliance with Development Regulations

~~3. Early-Release Permits~~

~~Building permits authorizing the installation of a building foundation and earth-change permits may be issued prior to the date that the final subdivision plat or lot split/adjustment certifications or certificates are recorded if the development administrator or land use administrator determines that all of the following criteria have been met:~~

- ~~a. The final plat, lot split or lot line adjustment has been approved by the land use administrator or planning commission, in accordance with applicable procedures of Tulsa Metropolitan Area Subdivision and Development Regulations;~~
- ~~b. All plats or other documents requiring the property owner's signature have been signed by the property owner;~~
- ~~c. The activity for which the foundation permit or earth-change permit is requested complies with all applicable regulations; and~~
- ~~d. Future recordation of all required plats or other documents is reasonably assured.~~

15. Appeals of Administrative Decisions

Justification: The filing requirements in place for appeals of administrative decisions have caused confusion and challenges for applicants. These changes streamline the process by allowing applicants to file appeals directly with the clerk of the board of adjustment and the City Clerk, rather than with the administrative official who issued the decision. The additions to §70.140-A clarify that the appeal procedures of §70.140 also apply to decisions made by the Tulsa Preservation Commission.

The proposed changes to §70.140-C were updated after the August 18, 2021, work session to better reflect Oklahoma state statute requirements for appeals of administrative decisions.

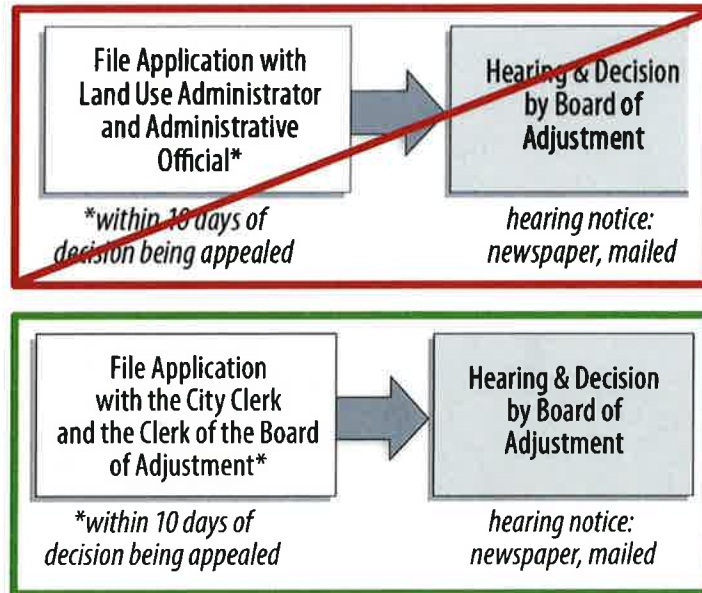
Chapter 70 | Review and Approval Procedures

Section 70.140 Appeals of Administrative Decisions

70.140-A Authority

Appeals of administrative (staff-level) decisions on site plans go to the planning commission (See §70.050-C). The board of adjustment is authorized to hear and decide all other appeals where it is alleged there has been an error in any order, requirement, decision or determination made by the land use administrator, the development administrator or any other administrative official in the administration, interpretation or enforcement of this zoning code. For the purpose of applying the procedures of Section 70.140 to appeal of any final decision of the preservation commission (See §70.070-L), the final decision of the preservation commission is deemed an administrative decision and the preservation commission is deemed an administrative official.

Figure 70-7: Appeals of Administrative Decisions (Generally)



70.140-C Application Filing

1. Complete applications for appeals of administrative decisions must be filed with the ~~land use administrator~~ 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.

16. Special Trafficway / Scenic Drive

Justification: When the Tulsa Major Street and Highway Plan was updated in 2018, the "Special Trafficway" designation was renamed "Scenic Drive." This change updates the name and clarifies that a scenic drive is an arterial street.

Chapter 95 | Definitions

Section 95.040 Terms Beginning with "A"

Arterial

A street designated on the major street and highway plan as an arterial, parkway or ~~special trafficway~~ scenic drive.