

11.30.2022 2211-02629

ORDINANCE NO.

REQUEST FOR ACTION: ORDINANCE**24959**

Version: 01/27/2014

AGENDA FOR: ☒ MAYOR ☒ COUNCIL AUTHORITY: ☐ TMAPC ☐ DATE: October 12, 2022
 Tulsa City Clerk's Office: 596-7513 or 596-7514

FOR INFORMATION CONTACT:

DEPARTMENT: TMAPC CONTACT NAME: Susan Miller
 ADDRESS: 2 West 2nd St. Ste. 800, Tulsa, OK 74103 TELEPHONE: (918) 579-9470

ORDINANCE # _____

SUBJECT: ZCA-18, Zoning Code amendmentORDINANCE TYPE: AMENDING ZONING CODE BA or CT #: _____

AMENDMENT OF ORD#: _____ TRO TITLE: _____ TRO SUBTITLE: _____ PLANNING DISTRICT: _____

ZONING #: ZCA-18 SSID: _____ PUD #: _____ PROP/NON-PROP: _____ COUNCIL DISTRICT: _____**SUMMARY:**

Applicant: City Council, 175 E. 2nd Street, Tulsa, OK 74103; phone: 918.596.1990

On June 22, 2022, the Tulsa City Council initiated an effort to develop zoning code amendments that would establish a Special Area Overlay as defined by the City of Tulsa Zoning Code in Section 20.010.

The proposed amendment to the City of Tulsa Zoning Code, Title 42 Revised Ordinances, to add Section 20.090 establishing the regulations of a Neighborhood Character Overlay (NCO) district. The purpose of the Neighborhood Character Overlay district is to establish zoning regulations consistent with the existing neighborhood scale and to prevent the negative impact of oversized infill development on existing established neighborhoods.

BUDGET:**FINANCE DIRECTOR APPROVAL:**FUNDING SOURCE: N/A**REQUEST FOR ACTION:** All department items requiring Council approval must be submitted through the Mayor's Office.

On October 5, 2022 TMAPC voted 7-2-0 to recommend the City Council adopt the proposed amendments to the of the City of Tulsa Zoning Code.

DEPARTMENT HEAD APPROVAL: Susan MillerDATE: 10/12/22

CITY ATTORNEY APPROVAL: _____

BOARD APPROVAL: _____

MAYORAL APPROVAL: [Signature]NOV 30 2022

OTHER: _____

FOR CITY COUNCIL OFFICE USE ONLY:

DATE RECEIVED: _____

COMMITTEE: UED COMMITTEE DATE(S): 10-26-22 FIRST AGENDA DATE: 11-2-22HEARING DATE: _____ SECOND AGENDA DATE: 11-16-22 APPROVED: _____

For City Clerk's Office Use Only (Agenda Date: MMDDYYYY; Sec #: Dept ##, Item ##, Sub-Item ##, Status: S=Synopsis):

APPROVED

NOV 16 2022

Tulsa City Council

22-982-1



Published in the Tulsa World
December 4, 2022)

ORDINANCE NO. 24959

AN ORDINANCE AMENDING THE TULSA ZONING CODE, TITLE 42, TULSA REVISED ORDINANCES (HEREINAFTER "TITLE 42") BY AMENDING CHAPTER 20 THEREOF, OVERLAY DISTRICTS, TO ADD A NEW SECTION 20.090 ESTABLISHING THE REGULATIONS OF A NEW OVERLAY DISTRICT TITLED "NEIGHBORHOOD CHARACTER OVERLAY" (NCO); PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith.

BE IT ORDAINED BY THE CITY OF TULSA:

Section 1. That Title 42, Chapter 20, Overlay Districts, is hereby amended to add a new Section 20.090 establishing the regulations of a new overlay district titled "Neighborhood Character Overlay" (NCO), and to read as follows:

Section 20.090, NCO, Neighborhood Character Overlay

20.090-A General

1. Purpose and Intent

The Neighborhood Character Overlay (NCO) district establishes zoning regulations that are intended to promote compatibility of infill housing in established neighborhoods.

2. Applicability

- a. The regulations of this section apply to newly permitted detached houses, duplexes, and accessory buildings and any building alterations and site modifications for detached houses, duplexes, or accessory buildings that require a building permit within the boundaries of the NCO district. Any building, development, or structure for which a building permit was issued, or a complete building application has been accepted for processing prior to the effective date of the NCO district may be completed in conformance with the issued building permit and other applicable permits and conditions, even if such building, development, or structure does not comply with the provisions of the NCO district. If the building, development, or structure is not commenced and completed within the time allowed under the original building permit and any authorized permit extension, the building, development, or structure may be

constructed, completed, and occupied only if it complies with the regulations of the NCO district.

- b. Complete applications for development plans, special exceptions, variances, or other zoning-related approvals that are pending approval on the date a property is supplementally zoned NCO must be reviewed wholly under the zoning regulations applicable to the property immediately preceding the date the property was supplementally zoned NCO. Building permits for construction and development approved under such zoning approvals may be issued in accordance with Section 20.090-A2c.
- c. The development administrator is authorized to issue building permits for construction or development approved before the date a property was supplementally zoned NCO and for developments pending approval under Section 20.090-A2b even if such building, development, or structure does not fully comply with the NCO district regulations. If building is not commenced and completed within the time allowed under the building permit and any authorized permit extension, then the building, development, or structure may be constructed, completed, and occupied only if it complies with the NCO district regulations.

3. **Conflicting Regulations**

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

4. **Nonconformities**

Nonconformities that exist within the NCO district are governed by the regulations of Chapter 80.

20.090-B Lot and Building Regulations

In the Neighborhood Character Overlay district, the supplemental regulations of this section apply to detached houses and duplexes, and lots being used for detached houses and duplexes. General exceptions to these regulations and rules for measuring compliance can be found in Chapter 90.

1. **Maximum Building Height**

The maximum allowable building height is 30 feet.

2. **Maximum Building Width**

The maximum allowable building width is 40 feet. For the purposes of the Neighborhood Character Overlay district, building width shall be measured from the exterior wall closest to the side setback to the exterior wall closest to the opposite side setback, parallel to the

street setback. For corner lots, building width is measured parallel to the street setback not designated as the side street setback.

3. **Maximum Driveway Width**
Driveways serving detached houses or duplexes may not exceed 18 feet in width within the right-of-way and within the street setback. Maximum width is applied to the composite of all driveways if multiple curb cuts are provided.
4. **Garage Setbacks**
Street-facing garage doors must be set back at least 36 feet and may not be located closer to the street than the front façade of the principal residential building. On corner lots, the side street setback along a non-arterial street may be reduced to 20 feet.

20.090-C Accessory Building Regulations

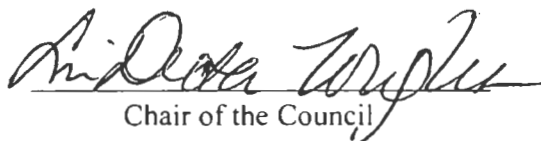
In the Neighborhood Character Overlay, the supplemental regulations of this section apply to all detached accessory buildings including an accessory dwelling unit (ADU) established in conjunction with detached houses or duplexes.

1. **Accessory Dwelling Units**
Accessory Dwelling Units (ADUs), as defined in Section 45.031, are permitted by right.
2. **Maximum Height of Accessory Buildings**
The maximum allowable height for accessory buildings is 25 feet with a maximum of two stories.
3. **Accessory Building Size**
The total aggregate floor area of all accessory buildings may not exceed 750 square feet or 40% of the floor area of the principal residential structure, whichever is greater.
4. **Accessory Building Coverage of Rear Setback**
The maximum allowable coverage of the rear setback by accessory buildings is 50%.

Section 2. That if any section, sentence, clause or phrase of this ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance or any part thereof.

Section 3. That all ordinances or parts of ordinances in conflict herewith be and the same are expressly repealed.

ADOPTED by the City Council of the City of Tulsa, Oklahoma:
NOV 16 2022


Chair of the Council

OFFICE OF THE MAYOR

Received by the Mayor: _____, at _____.
Date Time

G.T. Bynum, Mayor

By _____
Secretary

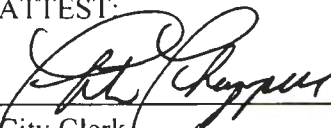
APPROVED by the Mayor of the City of Tulsa, Oklahoma: NOV 30 2022 2022,
Date
at _____.
Time



Mayor

(Seal)

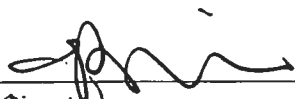
ATTEST:



City Clerk



APPROVED:



City Attorney