

# REQUEST FOR ACTION: ORDINANCE

Version: 01/27/2014

AGENDA FOR: ☒ MAYOR ☒ COUNCIL AUTHORITY: TMAPC DATE: June 14, 2017  
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 # 23712

SUBJECT: ZCA-4, Zoning Code amendments  
ORDINANCE TYPE: AMENDING ZONING CODE BA or CT #: \_\_\_\_\_  
AMENDMENT OF ORD#: \_\_\_\_\_ TRO TITLE: \_\_\_\_\_ TRO SUBTITLE: \_\_\_\_\_ PLANNING DISTRICT: \_\_\_\_\_  
ZONING #: \_\_\_\_\_ SSID: \_\_\_\_\_ PUD #: \_\_\_\_\_ PROP/NON-PROP: \_\_\_\_\_ COUNCIL DISTRICT: \_\_\_\_\_

**SUMMARY:**

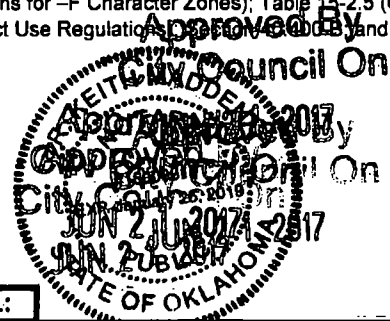
Applicant: Land Use Administrator (Susan Miller), 2 West 2nd Street, Suite 800, Tulsa, OK 74103

Summary: ZCA-4 - Various amendments to the City of Tulsa Zoning Code to correct omissions and errors from Ordinance 23668 in the following tables and sections: Table 5-3 (R District Lot and Building Regulations); Table 10-5 (Lot and Building Regulations for -U Character Zones); Table 10-6 (Lot and Building Regulations for -V Character Zones); Section 10.030-E2; Table 10-7 (Lot and Building Regulations for -F Character Zones); Table 15-2.5 (O, C, and I District Building Type Regulations for Household Living); Section 20.050-C; Table 20-1 (RDO District Use Regulations for Household Living); and Section 70.030-G. Proposed changes are shown in yellow on Attachment I of the staff report.

APPROVED BY MAYOR  
CITY OF TULSA

JUN 26 2017

Approved By  
City Council On  
JUN 21 2017



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 June 7, 2017, TMAPC voted 7-0-0 to recommend the City Council approve the proposed amendments to the City of Tulsa Zoning Code.

DEPARTMENT HEAD APPROVAL: Susan Miller

DATE: 6/14/2017

CITY ATTORNEY APPROVAL: \_\_\_\_\_

BOARD APPROVAL: \_\_\_\_\_

MAYORAL APPROVAL: PRO-TEM

OTHER: \_\_\_\_\_

JUN 26 2017

FOR CITY COUNCIL OFFICE USE ONLY: 17-493-1

DATE RECEIVED: 6-14-17

COMMITTEE: UED

COMMITTEE DATE(S): 6-21-17

FIRST AGENDA DATE: 6-21-17

HEARING DATE: \_\_\_\_\_

SECOND AGENDA DATE: 6-28-17

APPROVED: \_\_\_\_\_

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

06 - 26 - 2017

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(Published in the Tulsa World

June 30, 2017.)ORDINANCE NO. 23712

AN ORDINANCE AMENDING THE TULSA ZONING CODE, TITLE 42 TULSA REVISED ORDINANCES (HEREINAFTER "TITLE 42"), BY AMENDING TABLE 5-3: R DISTRICT LOT AND BUILDING REGULATIONS; TABLE 10-5: LOT AND BUILDING REGULATIONS FOR -U CHARACTER ZONES; TABLE 10-6: LOT AND BUILDING REGULATIONS FOR -V CHARACTER ZONES; SECTION 10.030-E2 (ALLOWED BUILDING TYPES IN -F CHARACTER ZONES); TABLE 10-7: LOT AND BUILDING REGULATIONS FOR -F CHARACTER ZONES; TABLE 15-2.5: O, C AND I DISTRICT BUILDING TYPE REGULATIONS FOR HOUSEHOLD LIVING; TABLE 20-1: RDO DISTRICT USE REGULATIONS; SECTION 20.050-C (RESIDENTIAL BUILDING TYPES IN RDO DISTRICTS); SECTION 40.400-B (SUPPLEMENTAL USE RESTRICTIONS FOR VEHICLE SALES AND SERVICE); AND SECTION 70.030-G (PROTEST PETITIONS); REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY OF TULSA:

*Section 1. That Title 42, Chapter 5, Table 5-3: R District Lot and Building Regulations, be and the same is hereby amended to read as follows:*

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
<b>Minimum Lot Area (sq. ft.)</b>													
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	-
Duplex	-	-	-	9,000	9,000	3,300	6,900	6,900	6,900	6,900	6,900	6,900	-
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]
<b>Other allowed buildings/uses</b>													
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
<b>Min. Lot Area per Unit (sq. ft.)</b>													
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	-
Duplex	-	-	-	4,500	4,500	1,650	3,450	3,450	3,450	3,450	3,450	3,450	-
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	-
<b>Other allowed buildings/uses</b>													
Permitted by right	-	-	-	-	-	-	-	-	5,500	5,500	5,500	5,500	5,500

Regulations	RE	RS-1	RS-2	RS-3	RS-4	RS-5	RD	RT	RM-0	RM-1	RM-2	RM-3	RMH
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
<b>Minimum Lot Width (ft.)</b>													
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	–
Multi-unit house	–	–	–	–	–	30	50	50	50	50	50	50	–
Apartment/condo	–	–	–	–	–	–	–	–	100	100	50	100	–
<b>Other allowed buildings/uses</b>													
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
<b>Minimum Street Frontage</b>													
Residential bldgs/uses [2]	30	30	30	30	30	30	30	30	30	30	30	30	30
<b>Min. Building Setbacks (ft.)</b>													
<b>Street [3]</b>													
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

*Section 2. That Title 42, Chapter 10, Table 10-5: Lot and Building Regulations for –U Character Zones, be and the same is hereby amended to read as follows:*

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

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

[1] Parking is prohibited between building and street right-of-way (see Figure 10-4). Parking structures are subject to Section 40.280.

*Section 3. That Title 42, Chapter 10, Table 10-6: Lot and Building Regulations for –V Character Zones, be and the same is hereby amended to read as follows:*

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

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

See Figure 10-6 for illustration of selected regulations.

[1] A maximum of one double-loaded parking aisle (2 parking bays) is permitted between the building and street right-of-way (see Figure 10-5 and Figure 10-6). Parking structures are subject to Section 40.280.

Section 4. That Title 42, Chapter 10, Section 10.030-E2 Allowed Building Types, and Table 10-7: Lot and Building Regulations for -F Character Zones, be and the same are hereby amended to read as follows:

2. Allowed Building Types

The following building types are permitted in -F character zones (see building type definitions in Section 35.010):

- Vertical mixed-use and mixed-use buildings
- Commercial buildings
- Apartment/Condo
- Townhouses
- Duplexes
- Detached houses
- Civic/Institutional buildings
- Open space sites

Table 10-7: Lot and Building Regulations for -F Character Zones

<b>Minimum Lot Area (sq. ft.)</b>		<b>Minimum Parking Setbacks (feet)(see also §55.080-C)</b>	
Townhouse	1,600	Detached house/townhouse/duplex	-
Duplex	5,000	Other buildings [3]	
Apartment/condo	7,500	Street	10
Other buildings	3,500	Abutting R district	10
<b>Minimum Lot Width (feet)</b>		Abutting nonresidential district	0
Townhouse	20	Abutting alley	2
Duplex	45	<b>Min. Ground Floor Ceiling Height (feet)</b>	
Apartment/condo	50	Vertical mixed-use, mixed-use and commercial buildings	14
Other buildings	25	Other buildings	-
<b>Minimum Street Frontage (feet)</b>	20	<b>Minimum Transparency (%)</b>	
<b>Minimum Open Space per Unit (sq. ft.)</b>		Vertical mixed-use buildings	
Detached house	400	Ground floor	40

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Townhouse/Duplex	200
Apartment/condo/mixed-use	100
<b>Minimum Building Setbacks (feet)</b>	
Detached house/townhouse/duplex	
Street	15[1]
Side	3[2]
Rear	20
Other buildings	
Street	5
Abutting R district	10
Abutting nonresidential district	0
Abutting alley	5

Upper floors	20
Commercial buildings and mixed-use buildings	
Ground floor	35
Upper floors	20
Other buildings	20
Street-facing Entrance Required	Yes

- [1] Garage doors must be set back at least 20 feet from back of sidewalk (see Figure 10-7).  
[2] For townhouses, side setback applies only to exterior wall of end units.  
[3] Parking structures are subject to Section 40.280.

*Section 5. That Title 42, Chapter 15, Table 15-2.5: O, C and I District Building Type Regulations for Household Living, be and the same is hereby amended to read as follows:*

*Table 15-2.5: O, C and I District Building Type Regulations for Household Living*

USE CATEGORY	OL	OM	OMH	OH	CS	CG	CH	CBD	IL	IM	IH	Supplemental Regulations
Subcategory												
Specific use												
Building Types												
<b>RESIDENTIAL</b>												
<b>Household Living</b>												
Single household												
Detached house	P	S	S	S	S	S	S	S	-	-	-	
Townhouse	P	P	P	P	P	P	P	P	-	-	-	
Manufactured housing unit	-	-	-	-	-	S	S	-	S	S	S	Section 40.210
Mixed-Use building	P	P	P	P	P	P	P	P	S	-	-	
Vertical mixed-use building	P	P	P	P	P	P	P	P	S	-	-	
Two households on single lot												
Duplex	P	S	S	S	S	S	S	S	-	-	-	
Mixed-Use building	P	P	P	P	P	P	P	P	S	-	-	
Vertical mixed-use building	P	P	P	P	P	P	P	P	S	-	-	
Three or more households on single lot												
Multi-unit House	P	S	S	S	S	S	S	S	-	-	-	
Apartment/condo	S	P	P	P	P	P	P	P	-	-	-	Section 40.030
Mixed-Use building	P	P	P	P	P	P	P	P	S	-	-	
Vertical mixed-use building	P	P	P	P	P	P	P	P	S	-	-	

P= Permitted; S=Special Exception Approval Required; - = Prohibited

*Section 6. That Title 42, Chapter 20, Table 20-1: RDO District Use Regulations, be and the same is hereby amended to read as follows:*

Table 20-1: RDO District Use Regulations

USE CATEGORY	RDO-1	RDO-2	RDO-3
<b>Subcategory</b>			
Specific use			
X = expressly prohibited use   □ and unlisted uses = underlying zoning governs			
<b>RESIDENTIAL</b>			
Household Living (if in building type allowed in underlying zoning and not prohibited in Table 20-1.5)			
<b>PUBLIC, CIVIC AND INSTITUTIONAL</b>			
Cemetery	X	X	X
Utilities and Public Service Facility			
Major	X	X	□ [2]
Wireless Communication Facility			
Freestanding tower	X	X	X
<b>COMMERCIAL</b>			
Assembly and Entertainment			
Indoor gun club	X	X	X
Outdoor gun club	X	X	X
Commercial Service			
Building service	X	X	X
Business support service	X	X	X
Consumer maintenance/repair service	X	X	X
Research service	X	X [1]	□
Financial Services (except as below)	X	X [1]	□
Personal credit establishment	X	X	X
Funeral or Mortuary Service	X	X	X
Office			
Business or professional office	X	X [1]	□
Medical, dental or health practitioner office	X	X [1]	□
Plasma center	X	X	X
Retail Sales			
Building supplies and equipment	X	X	X
Self-service Storage Facility	X	X	X
Sexually Oriented Business Establishment	X	X	X
Vehicle Sales and Service			
Commercial vehicle repair/maintenance	X	X	X
Commercial vehicle sales and rentals	X	X	X
Fueling station	X	X	X
Personal vehicle repair and maintenance	X	X	X
Personal vehicle sales and rentals	X	X	X
Vehicle part and supply sales	X	X	X
Vehicle body and paint finishing shop	X	X	X
<b>WHOLESALE, DISTRIBUTION AND STORAGE</b>			
Equipment and Materials Storage, Outdoor	X	X	X
Trucking and Transportation Terminal	X	X	X
Warehouse	X	X	X
Wholesale Sales and Distribution	X	X	X
<b>INDUSTRIAL</b>			
Moderate-impact Manufacturing & Industry	X	X	X
High-impact Manufacturing & Industry	X	X	X
Mining or Mineral Processing	X	X	X
Junk or Salvage Yard	X	X	X
<b>RECYCLING</b>			
Construction or Demolition Debris	X	X	X
Consumer Material Drop-off Station	X	X	X
Consumer Material Processing	X	X	X
<b>AGRICULTURAL</b>			
Animal Husbandry	X	X	X
Horticulture Nursery	X	X	X

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USE CATEGORY	RDO-1	RDO-2	RDO-3
Subcategory			
Specific use			
OTHER			
Drive-in or Drive-through Facility (as a component of an allowed use)	X	X	X
Off-premise Outdoor Advertising Sign	X	X	X

[1] Use allowed above the ground-floor level only.

[2] Use limited to water and wastewater treatment facilities (Special Exception required).

*Section 7. That Title 42, Chapter 20, Section 20.050-C Residential Building Types, be and the same is hereby amended to read as follows:*

#### **20.050-C Residential Building Types**

Residential uses allowed in RDO districts must be located in residential buildings as allowed in the underlying zoning district, except as prohibited by Table 20-1.5.

Descriptions of the residential building types and references to applicable regulations are found in Section 35.010.

*Section 8. That Title 42, Chapter 40, Section 40.400-B, be and the same is hereby amended to read as follows:*

**40.400-B** Whenever commercial or personal vehicle sales or rentals are within 300 feet of an R-zoned lot, off-street parking and vehicle display areas must comply with the parking area design standards of Section 55.090.

*Section 9. That Title 42, Chapter 70, Section 70.030-G Protest Petitions, be and the same is hereby amended to read as follows:*

#### **70.030-G Protest Petitions**

1. If a valid protest petition is filed against any proposed zoning map amendment, passage of the zoning map amendment requires a favorable vote of three-fourths of the members of the entire city council.
2. A protest petition will be deemed valid if it is signed and acknowledged by the owners of 20% or more of the area of the lots included in the proposed zoning map amendment or by the owners of 50% or more of the area of the lots within 300 feet of the area included in the proposed zoning map amendment and if it meets the other regulations of this Section 70.030-G.
3. A written protest petition opposing a zoning map amendment must be submitted to the land use administrator at least 3 business days before the city council's vote.
4. The protest petition must identify the zoning case number for which the protest is filed and must state that it is a formal protest of the proposed zoning map amendment.
5. Persons signing the protest petition must be at least eighteen (18) years of age and must hold record title to their properties, as shown in the land records of the Tulsa County Clerk. If a lot is owned jointly by more than one owner, all owners must sign the protest petition. If a lot is owned by a trust, the trustee must sign, noting that he or she signs "as trustee". If there is more than one trustee, and no single trustee is authorized to sign, then all the trustees must sign. If a lot is owned by a

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corporation, the president or a vice-president or the chair or vice chair of the board of directors, must sign. If a lot is owned by a limited liability company, a manager must sign. If a lot is owned by any other legal entity, the person signing the protest petition must be someone authorized by that entity to convey title to land.

6. Persons signing the protest petition must indicate the street address of the lot owned. If no street address is assigned, a legal description (lot and block of a subdivision, metes and bounds description of unplatted tracts) or a map must be provided.
7. If a protest petition contains multiple signature pages, each page must contain the same protest language. Signatures must be the normal cursive signature of the person signing and should be accompanied by the legibly printed or typed name of the person signing. The name of the person signing must be the same as the name of that person as shown in the land records of the Tulsa County Clerk.
8. A protest petition may not be amended, supplemented or corrected subsequent to the deadline for filing the petition.

*Section 10. That all ordinances or parts of ordinances in conflict herewith be and the same are hereby expressly repealed.*

*Section 11. That an emergency is hereby declared to exist for the preservation of the public peace, health and safety, by reason whereof this ordinance shall take effect immediately from and after its passage, approval and publication.*

ADOPTED by the Council: JUN 21 2017, 2017.

ADOPTED as an emergency measure: JUN 21 2017.

  
Chair of the Council ←

JHV



FILED  
CITY OF TULSA  
STATE OF OKLAHOMA

2017 JUN 22 AM 10 28

MICHAEL P. KIER  
CITY CLERK

OFFICE OF THE MAYOR

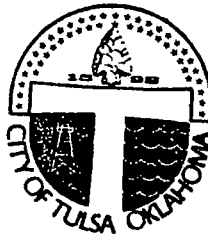
Received by the Mayor: \_\_\_\_\_, at \_\_\_\_\_.  
Date Time

G.T. Bynum, Mayor

By \_\_\_\_\_  
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma: JUN 26 2017 2017,  
Date  
at \_\_\_\_\_  
Time

Michael Junk  
Mayor **PRO-TEM** Michael Junk



(Seal)

ATTEST:

Michael P. K...  
City Clerk

APPROVED:

Jeff O. Melis  
City Attorney

JHV

JHV