

ORDINANCE NO. 24725

AN ORDINANCE AMENDING THE TULSA ZONING CODE, TITLE 42, TULSA REVISED ORDINANCES (HEREINAFTER "TITLE 42") BY AMENDING CHAPTER 5 THEREOF, RESIDENTIAL DISTRICTS, SECTION 5.020, USE REGULATIONS, TABLE 5-2; R DISTRICT USE REGULATIONS; CHAPTER 10 THEREOF, MIXED-USE DISTRICTS, SECTION 10.020, USE REGULATIONS, TABLE 10-2; MX DISTRICT USE REGULATIONS; SECTION 10.030, CHARACTER DESIGNATIONS, SECTION 10.030-B -P, PEDESTRIAN CHARACTER DESIGNATION, TABLE 10-4; LOT AND BUILDING REGULATIONS FOR -P CHARACTER ZONES; SECTION 10.030-C URBAN CHARACTER DESIGNATION, TABLE 10-5; LOT AND BUILDING REGULATIONS FOR -U CHARACTER ZONES; SECTION 10.030-D VARIABLE CHARACTER DESIGNATION, TABLE 10-6; LOT AND BUILDING REGULATIONS FOR -V CHARACTER ZONES; CHAPTER 15 THEREOF, OFFICE, COMMERCIAL AND INDUSTRIAL DISTRICTS, SECTION 15.020 USE REGULATIONS, TABLE 15-2; O, C AND I DISTRICT USE REGULATIONS; CHAPTER 20 THEREOF, OVERLAY DISTRICTS, SECTION 20.080 NIO, NEIGHBORHOOD INFILL OVERLAY, SECTION 20.080-E PARKING REGULATIONS AND FIGURE 20-2: PARKING PROHIBITED BETWEEN BUILDING AND STREET RIGHT-OF-WAY; CHAPTER 25 THEREOF, SPECIAL DISTRICTS, SECTION 25.020, AG, AGRICULTURAL DISTRICT AND AG-R, AGRICULTURAL-RESIDENTIAL DISTRICT, SECTION 25.020-B USE REGULATIONS, TABLE 25-1; AG AND AG-R DISTRICT USE REGULATIONS; SECTION 25.040 CO, CORRIDOR DISTRICT, SECTION 25.040-B USE REGULATIONS, TABLE 25-4; CO DISTRICT USE REGULATIONS; SECTION 25.050, SR, SCIENTIFIC RESEARCH DISTRICT, SECTION 25.050-B USE REGULATIONS, TABLE 25-5; SR DISTRICT USE REGULATIONS; SECTION 25.060, IMX, INSTITUTIONAL MIXED-USE, SECTION 25.060-B USE REGULATIONS, TABLE 25-7; IMX DISTRICT USE REGULATIONS; CHAPTER 45 THEREOF, ACCESSORY USES AND STRUCTURES, SECTION 45.130, PARKING AND STORAGE OF COMMERCIAL TRUCKS; CHAPTER 55 THEREOF, PARKING, SECTION 55.020 MINIMUM PARKING RATIOS, TABLE 55-1: MINIMUM MOTOR VEHICLE PARKING RATIOS; SECTION 55.050 PARKING EXEMPTIONS AND CREDITS, SECTION 55.050-K ALTERNATIVE COMPLIANCE; CHAPTER 60 THEREOF, SIGNS, SECTION 60.020 PROHIBITED SIGNS AND SIGN CHARACTERISTICS, SECTION 60.100 DYNAMIC DISPLAYS; CHAPTER 65 THEREOF, LANDSCAPING AND SCREENING, SECTION 65.080 LANDSCAPE AND SCREENING MATERIAL; CHAPTER 70 THEREOF, REVIEW AND APPROVAL PROCEDURES, SECTION 70.010 COMMON PROVISIONS, SECTION 70.010-A APPLICABILITY, TABLE 70-1: REVIEW AND DECISION-MAKING AUTHORITY SUMMARY TABLE; SECTION 70.020, ZONING CODE TEXT AMENDMENTS, ADDING SECTION 70.020-G APPLICABILITY; SECTION 70.040, DEVELOPMENT PLANS, SECTION 70.040-I AMENDMENTS TO APPROVED DEVELOPMENT PLANS; SECTION 70.080 ZONING CLEARANCE AND PERMITS, SECTION 70.080-B COMPLIANCE WITH DEVELOPMENT REGULATIONS; SECTION 70.140 APPEALS OF ADMINISTRATIVE DECISIONS, AND FIGURE 70-7: APPEALS OF ADMINISTRATIVE DECISIONS (GENERALLY); AND CHAPTER 95 THEREOF, DEFINITIONS, SECTION 95.040 TERMS BEGINNING WITH "A"; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR 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, Residential Districts, Section 5.020, Use Regulations, Table 5-2: R District Use Regulations, be and the same is hereby amended to correct "Governmental Service" to read "Governmental Service or Similar Functions" and to read in pertinent part as follows:

Table 5-2: R District Use Regulations

Table with columns: USE CATEGORY, Subcategory, Specific Use, RE, RS- (1-5), RD, RT, RM- (0-3), RMH, Supplemental Regulations. Includes PUBLIC, CIVIC AND INSTITUTIONAL and Governmental Service or Similar Functions.

Section 2. That Title 42, Chapter 10, Mixed-use Districts, Section 10.020, Use Regulations, Table 10-2: MX District Use Regulations, be and the same is hereby amended to correct "Governmental Service" to read "Governmental Service or Similar Functions" and to read in pertinent part as follows:

Table 10-2: MX District Use Regulations

Table with columns: USE CATEGORY, Subcategory, Specific Use, MX1, MX2, MX3, Supplemental Regulations. Includes PUBLIC, CIVIC AND INSTITUTIONAL and Governmental Service or Similar Functions.

Section 3. That Title 42, Chapter 10, Mixed-use Districts, Section 10.030, Character Designations, Section 10.030-B -P, Pedestrian Character Designation, be and the same is hereby amended to change the title of Section 10.030-B from "-P, Pedestrian Character Designation" to "Pedestrian Character Designation".

Section 4. That Title 42, Chapter 10, Mixed-use Districts, Section 10.030, Character Designations, Section 10.030-B Pedestrian Character Designation, Table 10-4: Lot and Building Regulations for -P Character Zones, be and the same is hereby amended to include a reference to the regulations for measurement of the Build-to Zone, and to read in pertinent part as follows:

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

Table with columns: Minimum Lot Area (sq. ft.), Minimum Lot Width (feet), Minimum Street Frontage (feet), Minimum Open Space per Unit (sq. ft.), Minimum Building Setbacks (feet), Street, Abutting R district, Abutting nonresidential district, Abutting alley, Build-to Zone (BTZ) (minimum/maximum in feet), Primary street BTZ, Secondary street BTZ.

Section 5. That Title 42, Chapter 10, Mixed-use Districts, Section 10.030, Character Designations, Section 10.030-C Urban Character Designation, Table 10-5: Lot and Building Regulations for -U Character Zones, be and the same is hereby amended to include a reference to the regulations for measurement of the Build-to Zone, and to read in pertinent part as follows:

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

Table with columns: Minimum Lot Area (sq. ft.), Minimum Lot Width (feet), Minimum Street Frontage (feet), Minimum Open Space per Unit (sq. ft.), Minimum Building Setbacks (feet), Street, Abutting R district, Abutting nonresidential district, Abutting alley, Build-to Zone (BTZ) (minimum/maximum in feet), Primary street BTZ, Secondary street BTZ.

Section 6. That Title 42, Chapter 10, Mixed-use Districts, Section 10.030, Character Designations, Section 10.030-D Variable Character Designation, Table 10-6: Lot and Building Regulations for -V Character Zones, be and the same is hereby amended to include a reference to the regulations for measurement of the Build-to Zone and to correct a formatting error, and to read in pertinent part as follows:

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

Table with columns: Minimum Lot Area (sq. ft.), Minimum Lot Width (feet), Minimum Street Frontage (feet), Minimum Open Space per Unit (sq. ft.), Minimum Building Setbacks (feet), Street, Abutting R district, Abutting nonresidential district, Abutting alley, Build-to Zone (BTZ) (minimum/maximum in feet), Primary street BTZ, Secondary street BTZ.

Section 7. That Title 42, Chapter 15, Office, Commercial and Industrial Districts, Section 15.020 Use Regulations, Table 15-2: O, C and I District Use Regulations, be and the same is hereby amended to correct household living uses for Industrial zoning districts and correct a formatting error, and to read in pertinent part as follows:

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

Table with columns: USE CATEGORY, Subcategory, Specific Use, OL, OM, OMH, OH, CS, CG, CH, CBD, IL, IM, IH, Supplemental Regulations. Includes RESIDENTIAL and Household Living (if in allowed building type identified in Table 15-2.5).

Table with columns: Household Living (if in allowed building type identified in Table 15-2.5), Single household, Two households on single lot, Three or more households on single lot.

Section 8. That Title 42, Chapter 20, Overlay Districts, Section 20.080 NIO, Neighborhood Infill Overlay, Section 20.080-E Parking Regulations, Section 20.080-E2, Location, be and the same is hereby revised to correct the number of a figure referred to therein, and to read as follows:

2. Location

The parking area is prohibited between building and street right-of-way (see Figure 20-5) on lots occupied by a Townhouse, Cottage House Development, Multi-unit House and Apartment/Condo.

Section 9. That Title 42, Chapter 20, Overlay Districts, Section 20.080 NIO, Neighborhood Infill Overlay, Section 20.080-E Parking Regulations, Figure 20-2: Parking Prohibited between Building and Street Right-of-Way, be and the same is hereby revised to correct the number thereof and to correct the labeling within the figure and to read as follows:

Figure 20-5: Parking Prohibited between Building and Street Right-of-Way



Section 10. That Title 42, Chapter 25, Special Districts, Section 25.020, AG, Agricultural District and AG-R, Agricultural-Residential District, Section 25.020-B Use Regulations, Table 25-1: AG and AG-R District Use Regulations, be and the same is hereby amended to correct the title of a column, to correct household living uses and to correct a formatting error, and to read in pertinent part as follows:

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

Table with columns: USE CATEGORY, Subcategory, Specific Use, AG, AG-R, Supplemental Regulations. Includes PUBLIC, CIVIC AND INSTITUTIONAL and Household Living (if in allowed building type indicated in Table 25-1.5).

Section 11. That Title 42, Chapter 25, Special Districts, Section 25.020, AG, Agricultural District and AG-R, Agricultural-Residential District, Section 25.020-B Use Regulations, Table 25-1: AG and AG-R District Use Regulations, be and the same is hereby amended to correct "Governmental Service" to read "Governmental Service or Similar Functions" and to read in pertinent part as follows:

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

Table with columns: USE CATEGORY, Subcategory, Specific Use, AG, AG-R, Supplemental Regulations. Includes PUBLIC, CIVIC AND INSTITUTIONAL and Governmental Service or Similar Functions.

Section 12. That Title 42, Chapter 25, Special Districts, Section 25.040, CO, Corridor District, Section 25.040-B Use Regulations, Table 25-4: CO District Use Regulations, be and the same is hereby amended to correct "Governmental Service" to read "Governmental Service or Similar Functions" and to read in pertinent part as follows:

Table 25-4: CO District Use Regulations

Table with columns: USE CATEGORY, Subcategory, Specific Use, CO, Supplemental Regulations. Includes PUBLIC, CIVIC AND INSTITUTIONAL and Governmental Service or Similar Functions.

Section 13. That Title 42, Chapter 25, Special Districts, Section 25.050, SR, Scientific Research District, Section 25.050-B Use Regulations, Table 25-5: SR District Use Regulations, be and the same is hereby amended to correct "Governmental Service" to read "Governmental Service or Similar Functions" and to read in pertinent part as follows:

Table 25-5: SR District Use Regulations

Table with columns: USE CATEGORY, Subcategory, Specific Use, SR, Supplemental Regulations. Includes PUBLIC, CIVIC AND INSTITUTIONAL and Governmental Service or Similar Functions.

Section 14. That Title 42, Chapter 25, Special Districts, Section 25.060, IMX, Institutional Mixed-Use, Section 25.060-B Use Regulations, Table 25-7: IMX District Use Regulations, be and the same is hereby amended to correct "Governmental Service" to read "Governmental Service or Similar Functions" and to read in pertinent part as follows:

Table 25-7: IMX District Use Regulations

Table with columns: USE CATEGORY, Subcategory, Specific Use, IMX, Supplemental Regulations. Includes PUBLIC, CIVIC AND INSTITUTIONAL and Governmental Service or Similar Functions.

Section 15. That Title 42, Chapter 45, Accessory Uses and Structures, Section 45.130, Parking and Storage of Commercial Trucks, be and the same is hereby amended to revise the title thereof to read as follows: "Parking and Storage of Commercial Vehicles" and be and the same is hereby amended to specify the characteristics of vehicles prohibited from parking in residential districts, to identify where parking is prohibited and to read as follows:

Section 45.130 Parking and Storage of Commercial 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 commercial vehicle as defined in §45.130-A may be parked or stored outdoors within a residential zoning district. This provision is not intended to prohibit the following:

- 1. Vehicles accessory to a permitted non-residential use and parked on the lot containing the use;
2. Deliveries and pickups by common carrier, delivery vehicles or service vehicles being actively used, loaded, or unloaded (e.g., postal 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.

Section 16. That Title 42, Chapter 55, Parking, Section 55.020 Minimum Parking Ratios, Table 55-1: Minimum Motor Vehicle Parking Ratios, be and the same is hereby amended to correct "Governmental Service" to read "Governmental Service or Similar Functions" and to read in pertinent part as follows:

Table 55-1: Minimum Motor Vehicle Parking Ratios

Table with columns: USE CATEGORY, Subcategory, Specific Use, Measurement (spaces per), CBD District, CH District and MX District, All Other Districts and PI Overlay [1], Additional requirements/notes. Includes PUBLIC, CIVIC & INSTITUTIONAL and Governmental Service or Similar Functions.

Section 17. That Title 42, Chapter 55, Parking, Section 55.020 Minimum Parking Ratios, Table 55-1: Minimum Motor Vehicle Parking Ratios, be and the same is hereby amended to reduce the parking required for schools and to read in pertinent part as follows:

Table 55-1: Minimum Motor Vehicle Parking Ratios

Table with columns: USE CATEGORY, Subcategory, Specific use, Measurement (spaces per), CBD District, CH District and MX District, All Other Districts and PI Overlay [1], Additional requirements/notes. Includes PUBLIC, CIVIC & INSTITUTIONAL and School.

Section 18. That Title 42, Chapter 55, Parking, Section 55.050 Parking Exemptions and Credits, Section 55.050-K Alternative Compliance, be and the same is hereby amended to eliminate the requirement for a parking study and to read as follows:

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 board of adjustment determines that the other allowed parking reduction alternatives of Section 55.050 are infeasible or do not apply; and
2. 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.

Section 19. That Title 42, Chapter 60, Signs, Section 60.020 Prohibited Signs and Sign Characteristics, Section 60.020-A, be and the same is hereby amended to include a reference to Title 51 of the Tulsa Revised Ordinances and to read as follows:

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

Section 20. That Title 42, Chapter 60, Signs, Section 60.100 Dynamic Displays, Section 60.100 J, be and the same is hereby amended to revise the term "outdoor advertising sign" to read "off-premise outdoor advertising sign" and to read as follows:

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.

Section 21. That Title 42, Chapter 60, Signs, Section 60.100 Dynamic Displays, Section 60.100 K, be and the same is hereby amended to revise the term "outdoor advertising sign" to read "off-premise outdoor advertising sign" and to read as follows:

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.

Section 22. That Title 42, Chapter 65, Landscaping and Screening, Section 65.080 Landscape and Screening Material, Section 65.080-A General, Section 65.080-A3, Selection, be and the same is hereby amended to delete reference to a plant list and to permit trees and plants that are not native to North America, but that are adapted to local growing conditions, and to read as follows:

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 list.

Section 23. That Title 42, Chapter 70, Review and Approval Procedures, Section 70.010 Common Provisions, Section 70.010-A Applicability, Table 70-1: Review and Decision-making Authority Summary Table, and Table 70-1 Notes, be and the same are hereby amended to reflect that the Development Administrator verifies spacing and separation distance requirements and to read as follows:

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

Table with columns: Procedure, Staff, Preservation Commission, Planning Commission, Board of Adjustment, City Council, Public Notice. Includes Zoning Code Text Amendments, Zoning Map Amendments (Non-HP), Development Plans, Site Plans, Historic Pres. (HP) Zoning Map Amendments, HP Permits, Zoning Code Interpretations, Spacing and Separation Distance Verification, Special Exceptions, Variances, Appeals of Administrative Decisions.

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)
[3] Development administrator authorized to issue written interpretations
[4] Development administrator authorized to verify spacing and separation distance requirements
[5] Special notice requirements for minor special exceptions (See §70.120-E)
[6] Appeals of administrative decisions on site plans go the planning commission

Section 24. That Title 42, Chapter 70, Review and Approval Procedures, Section 70.020, Zoning Code Text Amendments, be and the same is hereby amended to add a new subsection thereto, Section 70.020-G Applicability, to provide for administrative correction of typographical and certain other errors in the zoning code, to read as follows:

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.

Section 25. That Title 42, Chapter 70, Review and Approval Procedures, Section 70.040, Development Plans, Section 70.040-I Amendments to Approved Development Plans, Section 70.040-I1, Minor Amendments, Section 70.040-I1c, be and the same is hereby amended to delete the requirement for posting notice of development plan minor amendments and to read as follows:

- 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.

Section 26. That Title 42, Chapter 70, Review and Approval Procedures, Section 70.080 Zoning Clearance and Permits, Section 70.080-B Compliance with Development Regulations, be and is hereby amended to delete provision for Early Release Permits, and Section 70.080-B3 is hereby deleted.

Section 27. That Title 42, Chapter 70, Review and Approval Procedures, Section 70.140 Appeals of Administrative Decisions, Section 70.140-A Authority, be and the same is hereby amended to confirm that an appeal from the preservation commission is covered by the procedures of the section and to read as follows:

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