

# Subdivision and Development Regulations Planning Commission Work Session Draft

**DRAFT**

July 25, 2017



CITY OF  
**Tulsa**  
*A New Kind of Energy.*

**duncan** associates

# Contents

<b>ARTICLE 1. INTRODUCTORY PROVISIONS .....</b>	<b>1-1</b>
1-010 OFFICIAL NAME (TITLE).....	1-1
1-020 AUTHORITY .....	1-1
1-030 EFFECTIVE DATE.....	1-1
1-040 JURISDICTION.....	1-1
1-050 PURPOSES .....	1-1
1-060 MINIMUM REQUIREMENTS.....	1-2
1-070 CONFLICTING PROVISIONS .....	1-2
1-080 RULES OF LANGUAGE AND CONSTRUCTION .....	1-3
1-090 TRANSITIONAL PROVISIONS .....	1-4
1-100 ADOPTION AND AMENDMENTS .....	1-5
1-110 SEVERABILITY .....	1-5
<b>ARTICLE 5. DESIGN AND IMPROVEMENTS .....</b>	<b>5-1</b>
5-010 APPLICABILITY .....	5-1
5-020 REQUIRED INFRASTRUCTURE AND PUBLIC IMPROVEMENTS.....	5-1
5-030 BLOCKS.....	5-2
5-040 LOTS .....	5-3
5-050 TRANSPORTATION IMPACT ANALYSES .....	5-5
5-060 STREETS.....	5-7
5-070 SIDEWALKS.....	5-12
5-080 TRAILS .....	5-12
5-090 PROTECTION FROM FLOODING AND OTHER NATURAL HAZARDS .....	5-12
5-100 STORMWATER MANAGEMENT.....	5-13
5-110 LOW-IMPACT DEVELOPMENT (LID) .....	5-14
5-120 RESERVED .....	5-14
5-130 WATER SUPPLY AND SEWAGE DISPOSAL .....	5-14
5-140 UTILITIES .....	5-16
5-150 EASEMENTS .....	5-16
5-160 STREET LIGHTS .....	5-17
5-170 STREET SIGNS AND TRAFFIC CONTROL DEVICES .....	5-17
5-180 PERFORMANCE GUARANTEES AND SECURITY.....	5-17
5-190 MAINTENANCE GUARANTEES AND SECURITY .....	5-18
5-200 PERPETUAL MAINTENANCE OF COMMON AREAS AND PRIVATE IMPROVEMENTS.....	5-19
5-210 SURVEYS AND MONUMENTS.....	5-19
5-220 OIL AND GAS EXTRACTION SITES .....	5-20
<b>ARTICLE 10. REVIEW AND APPROVAL PROCEDURES .....</b>	<b>10-1</b>
10-010 INTENT .....	10-1
10-020 GENERAL PROCEDURAL PROVISIONS .....	10-1

10-030	EXEMPT LAND DIVISIONS .....	10-4
10-040	SUBDIVISIONS .....	10-5
10-050	MINOR SUBDIVISIONS .....	10-13
10-060	LOT SPLITS AND ADJUSTMENTS.....	10-15
10-070	MODIFICATIONS .....	10-21
10-080	RESERVED .....	10-22
10-090	CHANGE OF ACCESS.....	10-22
10-100	PLAT VACATIONS .....	10-24
<b>ARTICLE 15. DEFINITIONS.....</b>		<b>15-1</b>
15-010	GENERAL .....	15-1
15-020	TERMS BEGINNING WITH "A-C" .....	15-1
15-030	TERMS BEGINNING WITH "D-F" .....	15-2
15-040	TERMS BEGINNING WITH "G-I" .....	15-4
15-050	TERMS BEGINNING WITH "J-L" .....	15-5
15-060	TERMS BEGINNING WITH "M-O" .....	15-5
15-070	TERMS BEGINNING WITH "P-R" .....	15-6
15-080	TERMS BEGINNING WITH "S-U" .....	15-7
15-090	TERMS BEGINNING WITH "V-Z" .....	15-8
<b>Proposed Amendment to Tulsa Zoning Code (Sec. 70.080) .....</b>		<b>1</b>

# ARTICLE 1. INTRODUCTORY PROVISIONS

1-010	OFFICIAL NAME (TITLE) .....	1-1
1-020	AUTHORITY .....	1-1
1-030	EFFECTIVE DATE .....	1-1
1-040	JURISDICTION .....	1-1
1-050	PURPOSES .....	1-1
1-060	MINIMUM REQUIREMENTS .....	1-2
1-070	CONFLICTING PROVISIONS.....	1-2
1-080	RULES OF LANGUAGE AND CONSTRUCTION.....	1-3
1-090	TRANSITIONAL PROVISIONS.....	1-4
1-100	ADOPTION AND AMENDMENTS .....	1-5
1-110	SEVERABILITY .....	1-5

## 1-010 OFFICIAL NAME (TITLE)

The official title of these regulations is the “Tulsa Metropolitan Area Subdivision and Development Regulations,” hereinafter referred to as “these regulations.”

## 1-020 AUTHORITY

These regulations are adopted pursuant to the powers granted and limitations imposed by Oklahoma law, expressly including the statutory authority conferred by Title 19, Oklahoma Statutes, Sections 863.9 and 863.10.

## 1-030 EFFECTIVE DATE

These regulations become effective on INSERT DATE, except as otherwise expressly stated.

## 1-040 JURISDICTION

These regulations apply within the jurisdiction of the Tulsa Metropolitan Area Planning Commission.

## 1-050 PURPOSES

These regulations are adopted for the purposes of:<sup>1</sup>

- 1-050.1** Protecting and promoting the public health, safety and general welfare;
- 1-050.2** Implementing the comprehensive plan and other adopted plans and policies;
- 1-050.3** Providing for orderly growth and land development;
- 1-050.4** Facilitating the creation of accurate records of the separate interests created and conveyed by the subdivision of land, thereby helping to protect private property rights;
- 1-050.5** Ensuring that lots proposed to be created are capable of being built upon in accordance with applicable regulations;

---

<sup>1</sup> Edited and expanded list of purposes.

**1-050.6** Promoting environmentally sustainable land development practices; and

**1-050.7** Establishing subdivision review and approval procedures that are as expeditious, efficient and cost-effective as possible, while at the same time ensuring careful and competent review.

## **1-060 MINIMUM REQUIREMENTS**

**1-060.1** These regulations represent minimum requirements deemed necessary to carry out the stated purposes of [1-050](#).

**1-060.2** In addition to these regulations, all development subject to these regulations must comply with all other applicable ordinances, laws and regulations, expressly including:

- A.** Building codes, zoning codes, flood protection regulations, and all other applicable laws and standards of the city and county; and
- B.** All applicable laws, rules, and regulations of the federal government and the State of Oklahoma and their duly constituted agencies.

**1-060.3** All references in these regulations to other governmental regulations are for informational purposes only and do not constitute a complete list of such regulations. These references do not imply any responsibility for the planning commission to enforce regulations imposed by other government authorities.

## **1-070 CONFLICTING PROVISIONS**

### **1-070.1 Conflict with State or Federal Regulations**

If these regulations are inconsistent with state or federal law, the more restrictive provision governs, to the extent allowed by law. The more restrictive provision is the one that imposes more stringent controls.

### **1-070.2 Conflict with Other Local Regulations**

If these regulations are inconsistent with one another or if they conflict with provisions found in other adopted local government ordinances or regulations, the more restrictive provision governs unless otherwise expressly stated. The more restrictive provision is the one that imposes more stringent controls.

### **1-070.3 Conflict with Private Agreements and Covenants**

These regulations do not abrogate or annul any easement, covenant, deed restriction or other agreement between private parties. If these regulations impose a greater restriction than imposed by an agreement or covenant among private parties, these regulations govern. The planning commission is not responsible for monitoring or enforcing agreements or covenants among private parties.

**1-080 RULES OF LANGUAGE AND CONSTRUCTION****1-080.1 Meanings and Intent**

Words and terms expressly defined in these regulations including those defined in [ARTICLE 15](#) have the specific meanings assigned unless the context indicates another meaning.

**1-080.2 City and County References**

As established in [1-040](#), these regulations apply in the City of Tulsa and unincorporated Tulsa County. Whenever reference is made to the city or county or city or county officials, such references are intended to apply to the government, agency or official with jurisdiction over the subject property or subject matter.

**1-080.3 Public Officials and Agencies**

- A.** References in these regulations to the “planning commission” are references to the Tulsa Metropolitan Area Planning Commission, which is established as a City-County cooperative planning commission pursuant to Section 863.1 et. seq. Title 19, Oklahoma Statutes.
- B.** References in these regulations to the “land use administrator” are references to the head of the land development services division of the Indian Nations Council of Governments (INCOG).
- C.** References in these regulations to the “county engineer” are references to the county engineer of Tulsa County.
- D.** References in these regulations to the “city engineer” are references to the director of engineering services of the City of Tulsa.
- E.** All other employees, public officials, bodies, and agencies to which references are made are those of the City of Tulsa or Tulsa County, unless otherwise expressly stated.

**1-080.4 Computation of Time**

- A.** References to “days” are to calendar days unless otherwise expressly stated. References to “business days” are references to regular city or county government working days.
- B.** The time in which an act is to be completed is computed by excluding the first day and including the last day. If the last day is a Saturday, Sunday or holiday observed by the city or county, that day is excluded.
- C.** A day concludes at the close of business. Any materials received after the close of business will be considered to have been received the following day.

**1-080.5 Tenses and Usage**

- A.** Words used in the singular include the plural. The reverse is also true.
- B.** Words used in the present tense include the future tense. The reverse is also true.
- C.** The words “must,” “will,” “shall” and “may not” are mandatory.

- D. The word “may” is permissive, not mandatory or required.
- E. When used with numbers, “up to x,” “not more than x” and “a maximum of x” all include “x.”
- F. The word “person” includes a firm, association, organization, partnership, limited liability company, trust, or corporation, as well as an individual.
- G. The words “used” and “occupied” include “intended, designed or arranged to be used or occupied.”

#### **1-080.6 Conjunctions**

Unless the context otherwise expressly indicates, conjunctions have the following meanings:

- A. “And” indicates that all connected items or provisions apply; and
- B. “Or” indicates that the connected items or provisions may apply singularly or in combination.

#### **1-080.7 Headings and Illustrations**

Headings and illustrations are provided for convenience and reference only and do not define or limit the scope of any provision of these regulations. In case of any difference of meaning or implication between the text of these regulations and any heading, drawing, table, figure or illustration, the text governs.

#### **1-080.8 Versions and Citations**

All references in these regulations to other city, county, state or federal regulations are to be construed as referring to the most up-to-date version and citation for those regulations, unless otherwise expressly indicated. When the referenced regulations have been repealed and not replaced by other regulations, requirements for compliance are no longer in effect.

#### **1-080.9 Lists and Examples**

Unless otherwise expressly indicated, lists of items or examples that use “including,” “such as,” or similar terms are intended to provide examples only. They are not to be construed as exhaustive lists of all possibilities.

#### **1-080.10 Delegation of Authority**

Whenever a provision appears requiring the head of a department or another local government officer or employee to perform an act or duty, that provision will be construed as authorizing the department head or officer to delegate that responsibility to others over whom they have authority. Delegation of authority is not allowed when these regulations expressly prohibit such delegation.

### **1-090 TRANSITIONAL PROVISIONS**

#### **1-090.1 Applications Submitted Before Effective Date**

Complete applications for approvals required under these regulations that are pending approval before the effective date specified in [1-030](#) must be reviewed and approved in accordance with the subdivision regulations in effect immediately before the effective date specified in [1-030](#). Incomplete applications submitted before the effective date specified in [1-030](#) will not



be reviewed until they are complete. Once complete, the application must be reviewed and approved in accordance with the regulations in effect at the time that the application is deemed complete.

**1-090.2 Permits Issued Before the Effective Date**

Any building, structure or other activity for which a building permit was issued before the effective date specified in [1-030](#) may be completed in conformance with the issued building permit and other applicable permits and conditions, even if such building, structure or activity does not fully comply with provisions of these regulations. If the permitted construction or activity is not commenced and diligently pursued within the time allowed under the original permit or any extension granted, then the building, structure or other activity is subject to compliance with these regulations.

**1-090.3 Previous Violations**

The adoption of these regulations does not affect nor prevent any pending or future prosecution of, or action to abate, violations of the previous subdivision regulations that occurred before the effective date specified in [1-030](#).

**1-100 ADOPTION AND AMENDMENTS**

An affirmative vote of a majority the full membership of the planning commission is required to adopt or amend these regulations.

**1-110 SEVERABILITY**

If any portion of these regulations is held to be invalid or unconstitutional by a court of competent jurisdiction, that portion is to be deemed severed from the remaining regulations and does not affect or diminish the validity of the remaining regulations.



## ARTICLE 5. DESIGN AND IMPROVEMENTS

5-010	APPLICABILITY .....	5-1
5-020	REQUIRED INFRASTRUCTURE AND PUBLIC IMPROVEMENTS .....	5-1
5-030	BLOCKS .....	5-2
5-040	LOTS .....	5-3
5-050	TRANSPORTATION IMPACT ANALYSES .....	5-5
5-060	STREETS .....	5-7
5-070	SIDEWALKS .....	5-12
5-080	TRAILS .....	5-12
5-090	PROTECTION FROM FLOODING AND OTHER NATURAL HAZARDS .....	5-12
5-100	STORMWATER MANAGEMENT .....	5-13
5-110	LOW-IMPACT DEVELOPMENT (LID) .....	5-14
5-120	RESERVED .....	5-14
5-130	WATER SUPPLY AND SEWAGE DISPOSAL .....	5-14
5-140	UTILITIES .....	5-16
5-150	EASEMENTS .....	5-16
5-160	STREET LIGHTS .....	5-17
5-170	STREET SIGNS AND TRAFFIC CONTROL DEVICES .....	5-17
5-180	PERFORMANCE GUARANTEES AND SECURITY .....	5-17
5-190	MAINTENANCE GUARANTEES AND SECURITY .....	5-18
5-200	PERPETUAL MAINTENANCE OF COMMON AREAS AND PRIVATE IMPROVEMENTS .....	5-19
5-210	SURVEYS AND MONUMENTS .....	5-19
5-220	OIL AND GAS EXTRACTION SITES .....	5-20

### 5-010 APPLICABILITY

Except as otherwise expressly stated, the design and improvement regulations of this article apply to all land divisions and to activities expressly identified in 70.080-B of the Tulsa zoning code.<sup>2</sup>

### 5-020 REQUIRED INFRASTRUCTURE AND PUBLIC IMPROVEMENTS<sup>3</sup>

**5-020.1** Except as otherwise expressly stated, developers are responsible for the construction and installation of infrastructure and public improvements in accordance with the regulations of this article. Required infrastructure and improvements must comply with all applicable design criteria and standard specifications.

---

<sup>2</sup> This proposed text reflects a proposal to eliminate the mandatory “platting” requirements now included in Sec. 70-080-B of the Tulsa Zoning Code. Proposed amendments to 70-080-B are included at the end of this document (see [Proposed Amendment to Tulsa Zoning Code \(Sec. 70.080\)](#)).

<sup>3</sup> New section.

- 5-020.2** All improvements must be designed and installed to provide for a logical inter-connected system of infrastructure and to create continuity of improvements that will facilitate land development on adjacent properties.
- 5-020.3** If a developer files a final plat for only a portion of a development for which a preliminary subdivision plat was approved, the infrastructure and improvements required to be constructed, installed, and maintained are those improvements that the [insert official] or county engineer reasonably deems necessary to serve the lots shown on the final plat.
- 5-020.4** Upon installation and construction of all required infrastructure and improvements, the developer may seek acceptance of improvements to be dedicated to the public by submitting to the [insert official] or county engineer the required number of as-built or record plans. In addition, the developer must provide a statement signed by a registered engineer indicating that all required improvements have been installed and constructed in accordance with the submitted as-built or record plans.
- 5-020.5** Unless otherwise expressly stated, the developer is responsible for maintenance of all required infrastructure and improvements, including rights-of-way, to the standards of these regulations until the city or county, another unit of government, a property owners association, or other legal entity assumes formal, legal responsibility for maintenance of the infrastructure and improvements (see 5-200). Final plats must include the developer’s signed acknowledgement of this maintenance responsibility.

**5-030 BLOCKS**

**5-030.1 General**

The size and shape of blocks must be suitable for the proposed development and be laid out in a pattern that ensures the connectivity of streets and nonmotorized travel routes and provides for efficient provision of public and safety services.

**5-030.2 Depth**

Blocks must have a depth that accommodates 2 rows of lots, except when reverse frontage along major streets is provided or when prevented by topographic conditions or other physical constraints, such as property size or location next to railroads, water bodies or public parks or open spaces.

**5-030.3 Length**

- A.** To provide convenient motorized and nonmotorized travel routes within and among neighborhoods, blocks within new subdivisions may exceed the maximum established in Table 5-1.

**Table 5-1: Maximum Block Lengths**

<b>Block Type</b>	<b>Maximum Block Length (feet)</b>
<u>Urban</u>	<u>650</u>
<u>Suburban</u>	<u>1,000</u>
Rural	1,500

**Table 5-2 Notes**

- [1] ~~Urban = blocks on which the mean lot width of all fronting lots is 60 feet or less~~
- [2] ~~Suburban = blocks on which the mean lot width of all fronting lots is more than 60 feet and less than 150 feet~~
- [3] ~~Rural = blocks on which on which the mean lot width of all fronting lots is 150 feet or more~~
- B. ~~Decision making bodies are authorized to allow longer block lengths than the maximums specified in Table 5-1,~~ in accordance with the modification procedures of 10-070. ~~In order to approve block length modifications, decision-making bodies must determine that the general modification approval criteria are met and that~~ topography, natural resources (e.g., wetlands, woodlands, floodplains, wildlife habitats), ~~or~~ existing development or other physical constraints make shorter block lengths undesirable or impractical or that it is unreasonable to impose otherwise applicable block length regulations based on the existing pattern of development, or other relevant factors.
- C. Decision-making bodies are authorized to condition ~~modifications to allow the allowance of~~ longer block lengths on the provision of traffic calming improvements, emergency vehicle access routes, mid-block pedestrian connections (easements), crosswalks and other access features that provide safe and convenient motorized and non-motorized access to schools, playgrounds, shopping areas, transportation routes and other community facilities.
- D. Block lengths are measured from street centerline to street centerline.
- E. The block length regulations of this subsection do not apply ~~Maximum block lengths~~ along major streets ~~may not exceed 1,500 feet when the city or county engineer determines that access control policies or other safety or traffic management policies require the allowance of longer block lengths.~~

## 5-040 LOTS

### 5-040.1 General

The size, shape and orientation of lots must comply with applicable zoning regulations. When lots will not be served by centralized sewer or water service, lot dimensions and area must comply with the requirements of the Oklahoma Department of Environmental Quality.

~~Side lot lines should be at right angles to or radial to street lines or to the tangent of curved streets.~~

### 5-040.2 Flag Lots<sup>4</sup>

- A. The creation of flag lots is prohibited, except that flag lots may be approved through the modification procedures of 10-070 when the authorized decision-making body determines that the modification approval criteria are met and that a flag lot design is necessary to:
- (1) To avoid direct access onto a major street;

<sup>4</sup> New section; proposed replacement for existing prohibition on lots with more than 3 side lot lines.

- (2) Provide greater protection of sensitive natural resources areas;
  - (3) Hide or conceal utility buildings/substations, or radio, television or telecommunication towers; or
  - (4) Avoid substantial hardship to the subject property owner due to the property's topography or another condition that is unique to the property.
- B. Decision-making bodies are authorized to impose conditions on the approval of a flag lot, including but not limited to requirements for shared driveways, maximum flag pole length, minimum street frontage and minimum flag pole width.

### 5-040.3 Access to Lots

#### A. General

Land must be divided in a way that affords each lot with access to a street that complies with the applicable provisions of these regulations.

#### B. Access to Major Streets and Highways<sup>5</sup>

If a property with frontage along a major street or highway is proposed to be subdivided or developed, decision-making bodies are authorized to restrict access to the respective street or highway and require that the developer take one or more of the following actions:

- (1) Create through lots that back onto the major street or highway and front onto and take access from a parallel street, coupled with the installation of a fence, wall or vegetative visual screen along the major street or highway frontage;
- (2) Provide a frontage road separated from the major street or highway;
- (3) Establish deed restrictions or other legally enforceable means of preventing private driveway access to the major street or highway; or
- (4) Provide a cross-access easement to abutting properties that front on the same major street or highway.

### 5-040.4 ~~Unbuildable Lots~~ Reserve Areas

These regulations recognize that it may occasionally be necessary and in the public interest to create lots ~~designated as reserve areas that will not be built upon. Such lots may be used as common areas for to be occupied by~~ stormwater detention, common recreation, private rights-of-way or other similar ~~purposes~~uses, subject to the common area maintenance provisions of ~~5-200~~. If declared ~~unbuildable reserved for such purposes~~ by means of restrictive covenants or other recorded legal documents approved by the city or county, ~~unbuildable lots reserve areas~~ are exempt from the lot regulations of this section ~~5-040~~.

<sup>5</sup> Partly new.

**5-050 TRANSPORTATION IMPACT ANALYSES<sup>6</sup>****5-050.1 Purpose**

Transportation impact analysis (TIA) requirements are intended to provide a mechanism for evaluating the impacts that major proposed developments will have on traffic conditions, transit users, pedestrians and bicyclists and to identify improvements needed to mitigate significant negative impacts in terms of transportation or public safety.

**5-050.2 When Required**

A transportation impact analysis is required at the time of application for rezoning or at the time of application for approval of an optional or mandatory development plan if:

- A.** The proposed development will generate average daily traffic counts of 1,000 or more vehicles per day (ADT) or 100 or more vehicle trips during peak traffic hours (PHT), based on trip generation rates from the latest edition of the Institute of Transportation Engineers (ITE) *Trip Generation Manual*.
- B.** In calculating the number of vehicle trips expected to be generated, only “new” vehicle trips are to be counted; pass-by and internal trip capture rates are not used in calculating new or added vehicle trips.
- C.** A TIA is not required if all the following conditions are met: (1) the property to be rezoned or developed has been the subject of a TIA within the previous 3 years; (2) the projected trip generation of the newly proposed development is equal to or less than the previous TIA and (3) the trip distribution has not significantly changed.
- D.** Unless the allowed density or intensity of development allowed on the subject property is limited by a development plan or other mechanism enforceable by the city or county, all TIA calculations must be based on reasonable estimates of the maximum residential and nonresidential development that could be placed on the subject property, as determined by the land use administrator.

**5-050.3 Level of Service**

- A.** Required TIAs must demonstrate that the proposed development would not cause build-out-year, peak-hour levels of service on any major street or highway or intersection within the study area to fall below Level of Service (LOS) “D,” as defined by the latest edition of the Transportation Research Board’s (TRB) *Highway Capacity Manual*, or, when the existing level of service is already LOS “E” that the proposed development would not cause the LOS to fall to the next lower letter grade.
- B.** If the road segment or intersection is already LOS “F,” the TIA must demonstrate that the proposed development, with any proposed improvements, would not

---

<sup>6</sup> This section is entirely new.

cause build-out year peak-hour operation to degrade more than 5% of the total delay on any intersection approach within the study area.

- C. If specific driveway access points are proposed, the TIA must also demonstrate that the proposed development would avoid unsafe conditions on abutting streets.
- D. The TIA must also include an assessment of the proposed development's impacts on the convenience and safety of pedestrians, cyclists and other forms of non-motorized travel.

#### **5-050.4 Study Area**

The transportation impact analysis must address the proposed development's impact on at least:

- A. Roads, sidewalks, bicycle routes, transit facilities and intersections within the development site;
- B. Road segments, sidewalks, bicycle routes, transit facilities and intersections abutting the proposed development site; and
- C. Off-site road segments and intersections when traffic from the proposed development is expected to account for at least 10% of the road's or intersection approach leg's average daily traffic

#### **5-050.5 Preparation**

Any TIA, whether required or voluntarily provided, must be prepared by a registered engineer. Before preparing the TIA, the developer's engineer must hold a scoping meeting with the [insert official] or county engineer to identify the study area and any specific issues that must be addressed.

#### **5-050.6 Contents of Analysis**

Transportation impact analyses must include charts, graphics, and narrative presenting at least the following information unless the [insert official] or county engineer determines that such information is not necessary to conduct a competent review of anticipated transportation impacts:

- A. A description of existing land uses and development intensities in the study area, the location and characteristics of streets, sidewalks, bicycle routes, transit facilities and intersections in the study area, and the existing traffic volumes and conditions (including levels of service) of those facilities;
- B. A description of the location and traffic-related characteristics (land use, intensity, expected date of full build-out and occupancy, vehicular access points, pedestrian connections, bicycle routes and transit facilities and characteristics, etc.) of the proposed development and other developments in the study area that are under construction or approved, as well as streets and other transportation facilities and improvements in the study area that are under construction or programmed and funded;



- C. Projections of future background traffic (existing vehicular, pedestrian, bicycle and transit volumes forecasted to build-out year levels based on traffic growth rates agreed upon in the TIA scoping meeting) plus traffic generated by other developments in the study area that are under construction or approved;
- D. Future background and site traffic projections must be made for the peak hours of the adjacent street segments and intersections and for the development's expected full build-out and occupancy date, and must include trip generation, trip distribution (using distributions agreed upon in the TIA scoping meeting), and traffic assignment estimates;
- E. Studies of the proposed development's incremental impacts on:
  - (1) Street capacity during peak hours at all site access points and at street segments and intersections in the study area (including determination of the level of service for the street segments and intersections, queuing vs. existing/proposed storage);
  - (2) The need for signalization of intersections in the study area; and
  - (3) Pedestrian, bicycle and transit-user safety and convenience.
- F. A description of the location, nature, and extent of site access and transportation improvements and other measures recommended to mitigate any failure to meet traffic operation standards due to the proposed development's transportation impacts;
- G. Identification of all assumptions and data sources used in analyses, projections and recommendations.

#### **5-050.7 Improvement Requirements**

Based on the results of a TIA, the city council or board of county commissioners is authorized to require that the applicant participate in funding their proportionate fair-share of on- or off-site improvements to mitigate traffic congestion and traffic safety impacts resulting from the proposed development. A TIA may not be used as a basis for requiring property owners or developers to make transportation improvements not affected by the property for which the TIA is submitted or to correct deficiencies in existence before the time of the proposed development.

## **5-060 STREETS**

### **5-060.1 Applicability**

The standards of this section apply to all streets unless otherwise expressly stated.

### **5-060.2 Access**

All lots created after the effective date specified in [1-030](#) must have [an approved means of access](#) to a public street or an approved private street that complies with the street standards of this section.

- A. Reserve strips controlling access to streets are prohibited except where their control is placed with the city or county under conditions approved by the planning commission.

- B. When proposed lots abut an existing or proposed major street, the decision-making body is authorized to require one or more of the following:
  - (1) Non-access provisions controlling ingress and egress to the abutting major street;
  - (2) A reverse frontage with a non-access reservation along the rear lot line;
  - (3) A frontage road parallel to the major street.

#### 5-060.3 General Street Layout

The arrangement and layout of all streets must conform to the comprehensive plan and the major street and highway plan. When streets are not shown on the comprehensive plan or the major street and highway plan, the arrangement and layout of new streets must:

- A. Create an integrated system of streets and nonmotorized transportation facilities that provide for safe and efficient access to lots and movement of people;
- B. Provide for the efficient movement of through traffic by providing an interconnected network of streets and nonmotorized transportation facilities to avoid isolation of areas and over-reliance on major streets and highways; and
- C. Be uncomplicated, so that emergency services, public services, and visitors can find their way to their intended destinations.

#### 5-060.4 Connectivity of Streets and Nonmotorized Travel Routes<sup>7</sup>

##### A. Intent

Requiring connected streets and nonmotorized transportation routes helps ensure connected neighborhoods, diffusion and distribution of traffic among multiple travel route options, and easy access by public and emergency service vehicles.

##### B. Requirement

When new streets or nonmotorized transportation improvements are required to be constructed as part of a development, they must connect to similar improvements within the development and be extended to the outer perimeter of the development so that they can be connected to similar improvements.

#### 5-060.5 Dead-End Streets

##### A. Temporary Dead-End (“Stub”) Streets<sup>8</sup>

- (1) Temporary turnarounds must be provided at the end of stub streets that are intended for extension when a subsequent phase of the development is completed or when the abutting property is developed if the stub street provides access to more than 2 lots or is more than 200 feet in length, as

<sup>7</sup> New section.

<sup>8</sup> New section.

measured from the centerline of the intersecting street to the perimeter of the subdivision to which the stub street extends.

- (2) At the time that the temporary dead-end street is extended or connected to another street segment, any existing temporary turnaround must be removed by the developer responsible for extending the street. If for any reason the stub street is not extended, a permanent turnaround must be constructed by the subject developer on the (abutting) site being developed.
- (3) Stub streets must be clearly marked on plats and labeled “Future Street Extension.” In addition, developers must post an approved sign in the right-of-way of the stub street indicating that the temporary dead-end (stub) street is intended as a “Future Street Extension.”
- (4) The following notation must be incorporated into any plat showing a stub street: THIS STREET RIGHT-OF-WAY IS NOT INTENDED TO BE A PERMANENT DEAD-END STREET. IT IS PLATTED WITH THE INTENT OF BEING EXTENDED AND CONNECTED TO STREETS THAT MAY BE BUILT IN THE FUTURE, THEREBY PROVIDING ACCESS TO AND FROM ABUTTING PROPERTIES.

#### **B. Permanent Dead-End Streets**

- (1) All approved permanent dead-end streets must comply with International Fire Code standards.
- (2) Permanent dead-end streets may not exceed 750-600 feet in length measured from the centerline of the intersecting street to the center of the turnaround. ~~The maximum length of a street terminated with a hammerhead turn-around may not exceed 120 feet. The maximum length of a street terminated with a “Y” turn-around may not exceed 60 feet.~~ If a modification of these maximum length regulations is approved, decision-making bodies are authorized to impose one or more of the following conditions:
  - (a) Supplemental emergency vehicle access routes;
  - (b) A pedestrian access easement from the terminus of the dead-end street;
  - (c) A planted island with a pervious or bioretention landscaped area in the center of any cul-de-sac bulb; or
  - (d) Other requirements designed to ensure connectivity, decrease storm water runoff, or otherwise promote the purposes of these subdivision regulations.

#### **5-060.6 Right-of-Way Widths**

The minimum right-of-way width of all proposed streets must comply with the *Major Street and Highway Plan*, or if no width is specified on the *Major Street and Highway Plan*, the following minimum width requirements apply:

**Table 5-2: Minimum Right-of-Way Width for Streets Not Shown on Major Street and Highway Plan**

Street Type	Minimum ROW Width (feet)
Freeway	per ODOT Standards
Parkway	150
Primary Arterial	120 [1]
Secondary Arterial	100 [2]
Secondary Arterial Alternate	100 [2]
Special Trafficway	100
Residential Collector, Residential Street with open drainage (County), Commercial/Industrial Street	60
Commercial/Industrial Collector, Commercial/Industrial Street with open drainage (County)	80
Residential Street	50
Urban Arterial	70[3]
CBD Street	80

**Table 5-2 Notes**

- [1] Minimum right-of-way width of 130 feet is required for a right turn lane on a primary arterial street at the major street intersection to extend for a distance of at least 388 feet paralleling the right side of the primary arterial street, measured from the section line.
- [2] Minimum right-of-way width of 108 feet is required for a right turn lane on a secondary arterial street at the major street intersection to extend a distance of at least 388 paralleling the right side of the secondary arterial street, measured from the section line.
- [3] Minimum right-of-way width of 80 feet (at least 40 feet on each side of centerline) is required at the major street intersection to extend a distance of at least 388 feet measured from the intersection line.

**5-060.7 Street Pavement Width, Construction and Design**

All streets must comply with pavement width, street surfacing, street design and storm drainage requirements established by the [insert official] or county engineer.

**5-060.8 Private Streets<sup>9</sup>**

- A.** Private streets proposed in the unincorporated county require review and approval through the PUD rezoning process. Private streets proposed in the city require review and approval through the zoning code's mandatory development plan procedures. Such streets are subject to all applicable regulations of this section.<sup>10</sup>
- B.** Private streets are prohibited in subdivisions of more than 20 acres in the City of Tulsa and in subdivisions of more than 40 acres in the unincorporated areas of Tulsa County.

<sup>9</sup> Most of these private street provisions are new. They have been modeled after Broken Arrow's private street regulations. The SR Work group recommends inclusion of private street design standards in this section.

<sup>10</sup> Use of the development plan process for approval of private streets in the city will require an amendment to Sec. 70.040.B-1 of city's zoning code, such as: "Development plans are required (mandatory) for Corridor (CO) district zoning map amendments and Master Planned Development (MPD) zoning map amendments. They are also required for major amendments to existing Planned Unit Developments (PUDs) and for all proposals to provide access to lots via a private street."

- C. Private streets may not be approved if abutting subdivisions or undeveloped land have or require access to and from such streets. Private streets are prohibited if access to an existing or future collector or major street is impeded or rendered impossible.
- D. School bus service is not provided on private streets. School bus pick-up locations for subdivisions that include private streets require approval by the subject school district.
- E. Private streets must be constructed in accordance with the same regulations that apply to public streets, and must include sidewalks and all street fixtures required for public streets.
- F. Maintenance responsibility for private streets must be established in accordance with [5-200](#).
- G. The cost of powering street lights along private streets is the sole responsibility of the property owners association or other legal entity responsible for perpetual maintenance (see [5-200](#)).
- H. Private street entrances (at the gate) must have entrance and exit lanes, with lanes having a width of at least 14 feet. If covered, travel lanes must have a minimum vertical clearance of 14 feet.
- I. Call boxes must be located at least 60 feet from the ultimate right-of-way line of the public street from which the private street is accessed.<sup>11</sup>
- J. Private streets intersecting with public streets must have a vehicle turn-around area before any entrance gate that allows a passenger vehicle to complete a turn-around completely outside of the right-of-way of the intersecting public street.
- K. Guaranteed access to all emergency and service delivery vehicles must be provided at all entrances even in case of electrical power loss.
- L. Gate designs, security systems and access controls must be reviewed and approved by the technical advisory committee before installation. Hard-tempered steel locks are prohibited.

#### 5-060.9 Street Intersections

- A. All street intersections involving arterial streets must be at right angles. The [insert official] and county engineer are authorized to approve intersection designs that are within 15 degrees of a right angle when reasonably determined to be necessary to address ~~unless otherwise dictated by~~ pedestrian and vehicle safety, topography or similar considerations.

---

<sup>11</sup> Continuing discussion of whether this should be measured from ROW or curb line and whether distance can be tied to number of units and access points.

- B. Where there is an offset in the alignment of a street across an intersection, the centerline offset (jog) must be at least 125 feet. ~~Greater-Alternative~~ centerline offsets may be ~~required-approved~~ by the [insert official] or county engineer when reasonably determined to be necessary to address turn-lane stacking or traffic safety considerations.

## 5-070 SIDEWALKS

- 5-070.1** Sidewalks must be installed on both sides of all arterial streets and on both sides of all collector streets and residential (local) streets with curb and gutter. Decision-making bodies are authorized to require the installation of sidewalks in other locations, such as at the end of permanent dead-end streets when they determine that such sidewalks will create a logical and well-connected pedestrian circulation system.
- 5-070.2** Decision-making bodies are authorized to waive or defer the requirement for sidewalk installation, in accordance with the modification procedures of 10-070, when they determine that the general modification approval criteria are met and that topography, natural resource constraints or other factors that are unique to the subject property make sidewalk installation impractical. Sidewalk waivers or deferrals may also be approved pursuant to any applicable fee-in-lieu options available in the city or county (see also Title 35, Section 602, Tulsa Revised Ordinances).
- 5-070.3** Sidewalks must be located inside the right-of-way line or in an alternative location approved by the city or county engineer.
- 5-070.4** All sidewalks must be constructed in accordance with the standards and specifications of the city or county, including sidewalk width requirements. When a sidewalk will provide a connection between existing sidewalks that are less than current required widths, the new sidewalk connection may be tapered to match the width of the sidewalk to which the connection is being made. This reduced width taper may not extend more than 7 feet from the point of connection and must comply with ADA requirements.

## 5-080 TRAILS<sup>12</sup>

When a trail or trail extension, as identified in the comprehensive plan or a trails plan that has been adopted by the governing body, is located on the subject property, the ~~planning commission decision-making body~~ is authorized to require that an easement be provided for the trail.

## 5-090 PROTECTION FROM FLOODING AND OTHER NATURAL HAZARDS

- 5-090.1** All proposed land divisions and developments in a flood hazard area must be reviewed by the floodplain administrator to verify that:
- A. The proposal is consistent with the need to minimize flood damage;

---

<sup>12</sup> New section.

- B. All public utilities and facilities, such as sewer, gas, electric and water systems, are located and constructed to minimize or eliminate flood damage;
- C. Adequate drainage is provided to reduce exposure to flood hazards; and
- D. The proposal complies with all applicable federal, state and local flood-related building codes and watershed-floodplain development regulations.

**5-090.2** The requirements of this subsection (~~5-090.2~~) apply to all land divisions and developments in a flood hazard.<sup>13</sup>

- A. All plats, lot line adjustments and lot splits must show:
  - (1) Flood hazard area boundaries (including floodways);
  - (2) Design flood elevations; and
  - (3) Current effective map panel information.
- B. All new building lots must be provided with adequate buildable area on naturally high ground outside of the flood hazard areas.
- C. All new building lots must be accessible by emergency vehicles during flood events by transportation routes with reasonably safe and dry access.
- D. The design of utilities and facilities must comply all applicable floodplain regulations, building codes and drainage standards.
- E. Floodplain permits must be obtained before any development occurs in a flood hazard area.
- F. All flood hazard areas must be placed in a reserve parcel or drainage easement.

**5-090.3** Steep slopes or lands subject to subsidence or other natural hazards may not be plated or developed in such a way as to present a danger to life or property, or to the public health, safety, or general welfare.

## **5-100 STORMWATER MANAGEMENT**

~~The stormwater drainage system shall be designed and constructed in accordance with the Adopted Ordinances, Resolutions standards and design requirements as adopted by the City or County, as appropriate, and shall be so designed to collect and pass the runoff from a 100-year frequency flood under conditions of full urbanization. The 2, 5, 10, 50, 100 year flows shall be modeled and 500 year flow analyzed. The entire flow shall be confined within the said stormwater drainage systems.~~

~~The stormwater detention facility if required by City or County adopted standards, shall be designed and constructed in accordance with said standards.~~

Developers are responsible for designing and installing stormwater management facilities in accordance with all applicable city and county requirements.

<sup>13</sup> Subsections 5-090.1 and 5-090.2 were added after the public review draft in response to comments provided by the floodplain administrator. They reflect current FEMA requirements and practices that have been followed by the city for years. Their addition here will provide greater clarity in the regulations.

**5-110 LOW-IMPACT DEVELOPMENT (LID)**

City and county policies support subdivision designs that incorporate low-impact development best management practices for reducing runoff and to mimicking a site's predevelopment hydrology by minimizing disturbed areas and impervious cover and then infiltrating, filtering, storing, evaporating, and detaining stormwater runoff close to its source. Low-impact development practices include measures such as preserving undeveloped open space, biofiltration, reducing impervious cover and using porous pavement.

**5-120 RESERVED****5-130 WATER SUPPLY AND SEWAGE DISPOSAL****5-130.1 City of Tulsa**

- A.** Subdivisions within the corporate limits of the City of Tulsa must be served by a public drinking water supply approved by the Oklahoma Department of Environmental Quality.
- B.** The developer must provide an internal sanitary sewer collection system to each lot within a subdivision that is within the boundaries of any sewer district or that abuts or is within 250 feet of any public district or lateral sewer line.<sup>14</sup>
- C.** Required sanitary sewer collection systems must be designed and constructed in accordance with the standards of the agency operating the system and be approved by the ~~City of Tulsa, Department of Public Works~~ Oklahoma Department of Environmental Quality.
- D.** If an approved public sanitary sewer system is not required, pursuant to the criteria of ~~5-130.1B, reasonably accessible to the subdivision, as determined by the City of Tulsa Department of Public Works~~, the planning commission is authorized to allow the subdivision to be initially developed on ~~individual septic private sewage disposal~~ systems, subject to the following regulations:
  - (1)** In addition to installation of the ~~individual private sewage disposal septic~~ systems, the developer must install a sewer collection system within the subdivision that can be connected to an approved public sanitary sewer system when available and provide each lot in the subdivision with an individual sewer tap.
  - (2)** The ~~required sanitary sewer approved sewage disposal~~ system and taps must be designed and constructed in accordance with standards established by agency operating the system and the regulations of the Oklahoma Department of Environmental Quality.
  - (3)** All lots that will be initially served by individual on-site sewage disposal systems must comply with the minimum lot size requirements of the Oklahoma Department of Environmental Quality for on-site sewage disposal systems. These minimum lot size requirements may not be varied except

<sup>14</sup> This revision makes the regulations consistent with Title 17 Tulsa Revised Ordinances (Section 906)



by the agency having jurisdiction over the permitting of the proposed individual on-site sewage disposal systems.

- (4) The developer must also provide, ~~with the preliminary subdivision plat application,~~ soil percolation test results for each lot to be served by an individual on-site sewage disposal system before approval of a building permit for construction on the lot. Percolation test results must be prepared by an entity legally authorized to perform such tests in Oklahoma and must be submitted in a form required by the permitting agency.
- (5) The developer must submit restrictive covenants with the preliminary subdivision plat application relative to the installation and use of ~~individual on-site sewage private sewage~~ disposal systems and/or connection to the public sanitary sewer system.

#### 5-130.2 Unincorporated Tulsa County

- A. Subdivisions in unincorporated Tulsa County may be served by individual wells for drinking water in lieu of a public water supply in accordance with applicable regulations of the Oklahoma Water Resources Board and the Oklahoma Department of Environmental Quality.
- B. The developer must provide an internal sanitary sewer collection system to serve each lot in the subdivision. The system must be designed and constructed in accordance with standards established by the agency operating the system and the regulations of the Oklahoma Department of Environmental Quality.
- C. If an approved public sanitary sewer system is not reasonably accessible to the subdivision, as determined by the planning commission after review and recommendation by the technical advisory committee, the planning commission is authorized to allow use of ~~individual on-site sewage private sewage~~ disposal systems in accordance with the following regulations:
  - (1) Individual on-site sewage disposal systems must comply with the requirements of the Oklahoma Administrative Code, Title 252, Chapter 641.
  - (2) ~~Several types of subsurface or above ground, on-site sewage disposal systems may be permitted. It is beyond the scope of these Subdivision Regulations to provide detailed instructions, designs, or specifications for any sewage disposal systems.~~ The developer is responsible for obtaining the applicable regulations of the agency having jurisdiction and complying with all applicable procedural and substantive requirements for the use of private sewage disposal systems.
  - (3) All lots to be served by individual on-site sewage disposal systems in the proposed subdivision must comply with the minimum lot size requirements of the Oklahoma Department of Environmental Quality for on-site sewage disposal systems. These minimum lot size requirements may not be varied except by the agency having jurisdiction over the permitting of the proposed individual on-site sewage disposal systems.

- (4) The developer must submit restrictive covenants with the preliminary subdivision plat application relative to the installation and use of ~~individual on-site private~~ sewage disposal systems and/or connection to the public sanitary sewer system.

#### 5-140 UTILITIES<sup>15</sup>

- 5-140.1** Developers must make all necessary arrangements with respective utility providers for the installation of utilities, including gas, electrical, and communications service.
- 5-140.2** All new utility installations must be placed underground within a dedicated easement or public right-of-way, except that the requirements for underground utilities do not apply in the following instances:
- A.** Temporary overhead utility lines during the time that construction is occurring, but only during periods of construction;
  - B.** Service connections, meters, and similar equipment that are customarily attached to the outside wall of the premises they serve;
  - C.** Poles used exclusively for street lighting; and
  - D.** Electric distribution transformers, switch gear, meter pedestals, and telephone pedestals that are customarily installed above-ground if landscaping or other approved visual screening is provided around ground-mounted equipment.
- 5-140.3** No underground water, electric, gas, communication service or other similar utility may be placed within a storm or sanitary sewer easement, except for crossings, unless expressly approved by the [insert official] or county engineer.

#### 5-150 EASEMENTS

- 5-150.1** Easements must be provided by the developer when review agencies and authorized decision-making bodies determine that such easements are necessary or desirable to accommodate utilities, drainage facilities (surface or subsurface), best management practices, pedestrian access, emergency vehicle access or other necessary facilities and improvements.
- 5-150.2** Utility easements with a width of up to 17.5 feet may be required around a subdivision perimeter.
- 5-150.3** Utility easements with a width of up to 11 feet (22 feet back-to-back) may be required along rear lot lines and side lot lines when necessary to accommodate utilities.

#### Utility Easements

~~The planning commission is authorized to require minimum perimeter width of seventeen and a half 17.5' feet, or an increase in or reduction of width as requested by each utility company, and when necessary on other lot lines, for poles, wires, conduits, sanitary sewers, gas, water, power, and other utility lines.~~

<sup>15</sup> New section.

### ~~Drainage Easements~~

~~Suitable drainage easements as required by the adopted design criteria of the City or County as applicable shall be provided on the subdivision plat. Drainage shall be collected as necessary to prevent consecutive drainage to lots on blocks in excess of 4 lots each.~~

### ~~Easements Subject to Technical Advisory Committee~~

~~The location, width, and alignment of all easements shall be subject to review by the Technical Advisory Committee prior to approval.~~

## **5-160 STREET LIGHTS<sup>16</sup>**

The [insert official] or county engineer is authorized to require the installation of street lights along streets. The location and type will be determined during the development review process based on guidelines established in the *American National Standard Practice for Roadway Lighting* (ANSI/IESNA RP-8-00).

## **5-170 STREET SIGNS AND TRAFFIC CONTROL DEVICES<sup>17</sup>**

All street signs, traffic control devices and related apparatus must comply with city or county standards.

## **5-180 PERFORMANCE GUARANTEES AND SECURITY<sup>18</sup>**

### **5-180.1 Purpose**

Performance guarantee and security requirements are established to help ensure that developers properly install infrastructure and improvements required by these regulations in a timely manner, in accordance with approved plans and plats.

### **5-180.2 Term of Agreement**

The term of a performance guarantee may not exceed 2 years. If the developer has not completed the required infrastructure and public improvements within the 2-year period, the [insert official] or county engineer is authorized to approve one extension of up to 6 months in duration. Any additional extensions or extensions of a longer duration require approval of the planning commission. Decision-making bodies are authorized to require updated improvement cost estimates and additional security as a condition of any extension granted.

### **5-180.3 Form and Amount of Security**

- A.** Security must be in the form of an irrevocable letter of credit, cash or other instrument readily convertible to cash, as approved by the city attorney or district attorney. The performance guarantee and security must be conditioned upon the performance of all work necessary to complete the required infrastructure and improvements.

---

<sup>16</sup> New section.

<sup>17</sup> New section.

<sup>18</sup> This section is entirely new. Proposed replacement for agreements guaranteeing installation of improvement (Sec. 5.2 of current regulations).

- B. The estimated total cost of required infrastructure and improvements must be itemized by improvement type and certified by the developer's registered engineer. Cost estimates must be based on industry norms within Tulsa County.
- C. The amount of the performance guarantee must equal at least 110% of the estimated total cost of the required infrastructure and improvements.

#### **5-180.4 Default and Use of Security**

If the developer fails to properly install required infrastructure and improvements within the term of the guarantee and any approved extension, the guarantee will be deemed in default. In the case of default, the city or county is authorized to draw or foreclose upon the security funds to fund completion of the required infrastructure and improvements or to contract for installation of the required infrastructure and improvements. If the cost of completing the required infrastructure and improvements exceeds the security amount, the developer is liable for all excess costs. Any security funds to be drawn upon or foreclosed will be subject to an administrative fee that reflects the city or county's actual costs associated with preparing bid documents and preparing and administering a contract for the work to be completed.

#### **5-180.5 Release of Security**

The security must be released once all the following occur:

- A. The conditions of the performance guarantee have been completed to the satisfaction of all agencies with jurisdiction over the improvements.
- B. Any required maintenance guarantee has been provided in accordance with [5-190](#);
- C. A final inspection has been conducted by the [insert official] or county engineer or other qualified professional selected by the [insert official] or county engineer and retained by the developer;
- D. Written evidence has been submitted that all owners of the infrastructure and improvements have accepted ownership of the improvements;
- E. The developer has provided as-built or record plans showing monuments, streets, curbs, sidewalks and all other infrastructure and public improvements as they were installed; and
- F. All required certifications of completion have been provided.

### **5-190 MAINTENANCE GUARANTEES AND SECURITY<sup>19</sup>**

Maintenance guarantees and financial security must be provided in accordance with applicable city or county regulations.

---

<sup>19</sup> New section.

**5-200 PERPETUAL MAINTENANCE OF COMMON AREAS AND PRIVATE IMPROVEMENTS<sup>20</sup>****5-200.1 Establishment of Legal Entity**

The perpetual maintenance of any common areas and private improvements (e.g., streets, stormwater facilities, open space, recreational facilities, or other infrastructure or improvements) within a development must be provided for by a legal entity that is established by the developer and approved by the planning commission.

**5-200.2 Property Owners Association**

If multiple property owners will be responsible for perpetual maintenance and control of common areas and private improvements, a property owners association must be established.

**5-200.3 Deed Restriction**

If the entire development is to remain under single ownership or if a trust or other legal entity is established for ownership and maintenance, the developer must file a deed restriction with the county clerk providing for the legal entity to be responsible for ownership and perpetual maintenance of common areas and private improvements.

**5-200.4 Declarations and Covenants**

The planning commission is authorized to require the establishment of declarations and covenants within property owner's association documents guaranteeing ongoing maintenance of common areas and private improvements. Among the declarations and covenants that may be required are provisions authorizing the city or county to correct maintenance deficiencies and to recover actual costs and any legal fees from the subject property owners if maintenance duties are not carried out.

**5-200.5 Documentation**

- A.** Documents providing for the establishment of the legal entity and any required declarations and covenants must be submitted to the city attorney's office or district attorney's office before approval and recordation of any required final plat. If a plat is not required, required documents must be submitted to the city attorney's office or district attorney's office before approval of required building permits.
- B.** The city attorney's and district attorney's review is limited to ensuring that the assigned entity has clear legal authority to maintain and exercise control over the common areas and facilities, including the power to compel contributions from property owners to cover their proportionate share of the costs associated with the maintenance of the common areas and facilities.

**5-210 SURVEYS AND MONUMENTS<sup>21</sup>**

**5-210.1** Monuments of suitable size and length must be placed as follows:

---

<sup>20</sup> This section is entirely new.

<sup>21</sup> These EXISTING regulations were inadvertently omitted from previous drafts.

- A. At each point in the boundary of a subdivision;
  - B. At each corner of each lot in the subdivision;
  - C. Along the centerline of each street within the subdivision; and
  - D. At all street intersections, points of curve, points of tangent, points of compound curve, points of reverse curve, center of cul-de-sacs and center of eyebrows.
- 5-210.2** If placement of a monument at its required location is impractical, a witness corner or reference monument must be placed, preferably on a line of survey, with the data given to show its location upon the ground in relation to the subdivision boundary or lot corner.
- 5-210.3** Monuments set must be in sufficient number and durability so as not to be readily disturbed, to assure together with monuments already existing, the perpetuation or re-establishment of any point or line of the survey.
- 5-210.4** Monuments shall be constructed of material capable of being detected with conventional instruments for finding ferrous or magnetic objects.
- 5-210.5** ~~Any monument set by a Registered Professional Land Surveyor to mark or reference a point on a boundary, land line, lot corner or centerline must be permanently and visibly marked or tagged with a durable marker or cap stamped with the registration number of the registered professional land surveyor in responsible charge preceded by the letters "RPLS". All set monuments must include a durable marker or cap bearing the license number of the land surveyor in responsible charge, or the Certificate of Authorization number of the firm performing the survey.~~

## **5-220 OIL AND GAS EXTRACTION SITES<sup>22</sup>**

### **5-220.1 General**

The general requirements of this subsection ([5-220.1](#)) apply in the city and county.

- A. The location of all existing active and inactive wells must be indicated on plats.
- B. All abandoned, inactive wells must be properly plugged.
- C. No building sites may be located within 125 feet of any existing active well or known well bore unless the planning commission approves a modification allowing a reduced setback after finding the reduced setback to be safe.
- D. Access must be provided to unplugged wells for the purpose of maintenance and rework. Such access must be indicated on the plat.

### **5-220.2 City Regulations**

Oil and gas wells and oil and gas well drilling operations within the City of Tulsa are subject to the regulations of [Title 42A](#) of the Tulsa Revised Ordinances.

---

<sup>22</sup> These EXISTING regulations were inadvertently omitted from previous drafts.

**5-220.3 County Regulations**

The regulations of this subsection apply in the unincorporated county.

- A.** Well sites are prohibited in residential subdivisions of less than 10 acres in area.
- B.** There may be no more than one well site within the boundaries of a subdivision plat for each 20 acres of land covered by the plat.
- C.** The county engineer must approve the methods of drilling prior to the commencement of drilling operations.
- D.** Developers who own both the surface rights and all mineral rights may designate future well sites if there are no existing oil, gas or mineral leases of record.
- E.** When developers do not own all mineral rights, or if there are recorded oil and gas leases on the subject property, written notice must be sent to all parties who have an oil, gas, or mineral interest or recorded oil or gas lease, as indicated in the records of the county clerk. The required notice must inform parties of the intent to subdivide the subject property.
- F.** Interested parties have 30 days from the date that mailed notices are postmarked by U.S. Postal Service to respond. Responses must be in writing to both the developer and planning commission of the intent to drill for oil or gas in the future.
- G.** The developer and owners of leases or owners of mineral interests have an additional 120 days to agree upon the location of the well sites.
- H.** If the parties cannot agree on the location of the well sites, the planning commission, after public hearing, is authorized to select the well sites.





## ARTICLE 10. REVIEW AND APPROVAL PROCEDURES

10-010	INTENT .....	10-1
10-020	GENERAL PROCEDURAL PROVISIONS .....	10-1
10-030	EXEMPT LAND DIVISIONS.....	10-4
10-040	SUBDIVISIONS .....	10-5
10-050	MINOR SUBDIVISIONS.....	10-13
10-060	LOT SPLITS AND ADJUSTMENTS.....	10-15
10-070	MODIFICATIONS.....	10-21
10-080	RESERVED.....	10-22
10-090	CHANGE OF ACCESS .....	10-22
10-100	PLAT VACATIONS.....	10-24

### 10-010 INTENT

The provisions of this article are intended to establish clear, consistent, predictable and time-efficient procedures for approval of land divisions and for administering these regulations.

### 10-020 GENERAL PROCEDURAL PROVISIONS

#### 10-020.1 Applicability

The general procedural provisions of this section apply to all the procedures in this article unless otherwise expressly stated.

#### 10-020.2 Pre-application Meetings

- A. Pre-application meetings provide an early opportunity for staff and applicants to discuss the procedures, standards and regulations affecting required approvals under these subdivision regulations.
- B. Pre-application meetings are required whenever the provisions of these subdivision regulations expressly state that they are required. They are encouraged in all cases.
- C. Pre-application meetings must be scheduled with the land use administrator.
- D. The land use administrator is authorized to establish guidelines for pre-application meetings, including information to be provided and any available alternatives to face-to-face meetings, such as telephone conversations and email correspondence.

*Editor's note: "review agencies" has been moved to definitions section.*

#### 10-020.3 Applications and Fees

##### A. Authority to Submit Applications

Applications for approval under the procedures of this section may be submitted only by the owner of the subject property or the subject property owner's duly authorized agent.

**B. Form of Application**

Applications required under these subdivision regulations must be submitted in a form and in such numbers as required by the land use administrator. Applications must include materials and information to assist authorized review and decision-making bodies in their consideration of the application, including at least the following:

- (1) A list of the names and addresses of all owners of record of the property that is the subject of the application; and
- (2) Maps, plats, surveys, dimensioned site plans, engineering documents, environmental reports, traffic studies, and other materials and information, as required by these subdivision regulations or application checklists established by the land use administrator. Application forms and submittal requirements must be made available to the public.

**C. Application Fees and Notification Costs**

All applications must be accompanied by the application fee that has been established by the planning commission and by an amount to cover the costs of required public hearing notices and publication.

**D. Application Completeness, Accuracy and Sufficiency**

- (1) An application will be considered complete and ready for processing only if it is submitted in the required number and form, includes all required information and is accompanied by the required application and notification fees.
- (2) The land use administrator must determine whether the application is complete within 5 business days of application submittal.
- (3) If an application is determined to be incomplete, the land use administrator must provide notice to the applicant along with an explanation of the application's deficiencies and identification of any actions that may be taken to keep the application in the same processing cycle. Notice of an incomplete application must be provided by email or personal service.
- (4) Unless otherwise approved by the land use administrator, no further processing of incomplete applications will occur. When an application's deficiencies are corrected, the application will be placed in the first available processing cycle.
- (5) Applications deemed complete must be promptly reviewed by staff and other review and decision-making bodies in accordance with applicable review and approval procedures.
- (6) The land use administrator may require that applications and required submittals be revised before being placed on an agenda for possible action if the land use administrator determines that:
  - (a) The application or required submittals contain one or more inaccuracies or omissions that hinder timely or competent evaluation of

compliance with applicable regulations; or

- (b) The decision-making body does not have legal authority to approve the application.

#### **10-020.4 Application Processing Cycles**

The land use administrator is authorized to promulgate reasonable cycles and timelines for processing applications, including deadlines for receipt of complete applications.

#### **10-020.5 Public Notices**

- A. Whenever the procedures of this article require mailed notices of public hearings or the submittal of an application, the notices must be sent by United States Postal Service first class mail.
- B. Notices mailed to property owners must be based on property ownership information from the county assessor's office. When required notices have been properly addressed and deposited in the U.S. mail, alleged failure of a party to receive the mailed notice does not constitute grounds to invalidate any action taken.
- C. All required notices must:
  - (1) Describe any property involved in the application by map, street address or legal description;
  - (2) Describe the action sought in the application;
  - (3) Indicate the date, time and place of any public hearings or meetings that will be held by the planning commission to consider the application; and
  - (4) Indicate where additional information on the matter can be obtained.
- D. Minor defects in required notices will not be deemed to impair the notice or invalidate proceedings pursuant to the notice. Minor defects in notice are limited to errors in a legal description or typographical or grammatical errors that do not impede communication of the notice to affected parties. If questions arise at any hearing regarding the adequacy of notice, the planning commission must make a formal finding about whether there was substantial compliance with the notice requirements of these regulations.
- E. When the records of the planning commission document the mailing of notices as required by this article, required notice will be presumed to have been given.

#### **10-020.6 Hearing Procedures**

- A. At required public hearings, interested persons must be permitted to submit information and comments, verbally or in writing. The planning commission is authorized to establish reasonable rules and regulations governing the conduct of hearings and the presentation of information and comments.

- B. Once commenced, a public hearing may be continued by the planning commission. No re-notification is required if the continuance is set for a specific date and time and that date and time is announced at the time of the continuance.
- C. If a public hearing for which notice was required to be given is continued for an indefinite period, public hearing notice must be given before the rescheduled public hearing in the same manner as required by these regulations for the originally scheduled public hearing. If the applicant requests and is granted a continuance requiring re-notification, the applicant must pay any costs of re-notification.

#### **10-020.7 Conditions of Approval**

When the procedures of this article authorize approval with conditions, review bodies, including staff, are authorized to recommend conditions and decision-making bodies are authorized to approve the subject application with conditions. Any conditions recommended or approved must relate to a situation likely to be created or aggravated by the proposed development and must be roughly proportional to the impacts of the use or development.

#### **10-020.8 Decision-Making Criteria; Burden of Proof or Persuasion**

Applications must address relevant review and decision-making criteria. In all cases, the burden is on applicants to demonstrate that all applicable review or approval criteria have been met.

### **10-030 EXEMPT LAND DIVISIONS<sup>23</sup>**

#### **10-030.1 Purpose**

The exempt land division determination procedures of this section are intended to result in written documentation that a proposed land division is exempt from the subdivision and lot split procedures of this article. While exempt land divisions are exempt from subdivision and lot split procedural requirements, they are not exempt from compliance with other applicable (non-plat) requirements of these and other applicable regulations.

#### **10-030.2 Applicability**

Applicants proposing land divisions to be created without following the subdivision or lot split procedures of this article must file an application for determination of exempt land division status in accordance with the procedures of this section. Exempt land divisions are those land divisions in which all lots to be created are more than 5 acres in area and no more than 4 lots are being created, including the parent tract and any remainders. In determining whether a proposed land division meets the criteria for an exempt land division, the calculation of the number of lots being created must include the cumulative total of all lots partitioned, split or divided from the parent tract in the 5-year period immediately preceding the submittal date of the lot exempt land division application.

---

<sup>23</sup> Entirely new administrative (staff-only) process.

### 10-030.3 Application Submittal

A complete application for exempt land division determination must be submitted to the land use administrator.

### 10-030.4 Land Use Administrator Review and Action

- A. Following receipt of a request for a determination of exempt land division status, the land use administrator must determine whether the proposed land division is exempt from the subdivision and lot split procedures of this article. The land use administrator may rely upon information provided by the applicant and the applicant's engineer or surveyor in determining the number and size of the parcels proposed to be created.
- B. If the land use administrator determines that the proposed land division is exempt from following the subdivision and lot split procedures of this article, the land use administrator must certify the proposed land division as exempt and include the following statement on the lot split deed:

*I, [insert name], Land Use Administrator for the Tulsa Metropolitan Area Planning Commission (TMAPC), certify that this conveyance does not constitute a land division requiring review under otherwise applicable subdivision or lot split procedures of the TMAPC. Because of its "exempt" status, the TMAPC has not reviewed this land division for compliance with applicable zoning and subdivision regulations. Prospective purchasers should be aware that plans for building and development may be denied for lots that do not meet applicable zoning, subdivision or building regulations. This approval expires if not recorded before [insert date].*

- C. If the land use administrator determines that the proposed land division constitutes a land division that requires review and approval in accordance with the subdivision or lot split procedures of this article, the applicant must be informed of that determination in writing.

## 10-040 SUBDIVISIONS

### 10-040.1 Applicability

The subdivision review and approval procedures of this section (10-040) must be followed for all land divisions that will result in the creation of 5 or more lots.

### 10-040.2 General Process

- A. The subdivision review and approval process is a multi-step process requiring:
  - (1) Pre-application meeting;
  - (2) Preliminary Subdivision plat (with conceptual infrastructure plans);
  - (3) Infrastructure Plans; and
  - (4) Final plat.

### 10-040.3 Pre-application Meeting

A pre-application meeting is required to be held before or concurrently with the submittal of an application for preliminary subdivision plat approval. (See [10-020.2](#) for additional information on pre-application meetings).

### 10-040.4 Preliminary Plat

#### A. Application Submittal

Applications for preliminary subdivision plat approval, including a preliminary subdivision plat and conceptual infrastructure plans, must be submitted to the land use administrator.<sup>24</sup>

#### B. Review and Distribution to Review Agencies—Land Use Administrator

- (1) Upon receipt of a complete application for preliminary subdivision plat approval, the land use administrator must review the preliminary subdivision plat and conceptual infrastructure plans for compliance with these and other applicable regulations.
- (2) The land use administrator is authorized to distribute relevant application documents to review agencies and specify a date by which review agency comments must be received if they are to be incorporated into the comments provided to the applicant and the planning commission.
- (3) The land use administrator must notify the applicant, via email, of all review agencies on the preliminary subdivision plat distribution list.

#### C. Agency Review Meeting<sup>25</sup>

- (1) The land use administrator must work with review agencies to integrate all review comments into a single comprehensive written summary, including the name of agency contact from whom the comment was received. The written summary must be submitted to the applicant at least 24 hours before the agency review meeting at which the matter will be discussed.
- (2) An agency review meeting must be held to allow applicants the opportunity to discuss review comments and recommendations with representatives from reviewing agencies.
- (3) Following the agency review meeting, the land use administrator must prepare a recommendation and provide the recommendation and agency review comments to the planning commission.

---

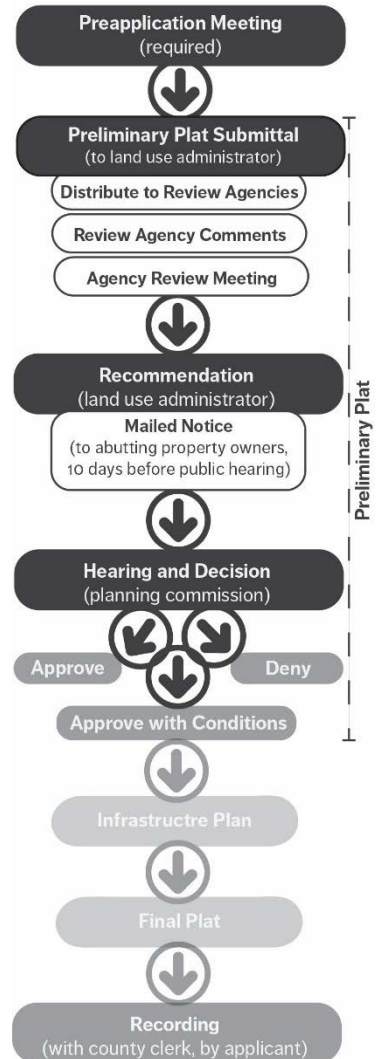
<sup>24</sup> Does this provision need to reference proof or IDP application or require IDP number?

<sup>25</sup> Equivalent of TAC meeting.

**D. Hearing and Decision—Planning Commission**

- (1) Following receipt of a recommendation and agency review comments from the land use administrator, the planning commission must hold a public hearing on the preliminary subdivision plat application.
- (2) Notice of the planning commission’s required public hearing on a preliminary subdivision plat must be mailed at least ~~15-10~~<sup>26</sup> days before the date of the hearing to all owners of property abutting the property that is the subject of the preliminary subdivision plat application (see [10-020.5](#) for additional information on mailed notices).
- (3) Preliminary subdivision plats may be approved by a simple majority vote, except that approval requires an affirmative vote of at least two-thirds of the entire membership of the planning commission when the governing body of any city or town in Tulsa county whose corporate limits are located within 3 miles of property included in the preliminary subdivision plat files a written objection to preliminary subdivision plat approval with the land use administrator at least 3 days before the public hearing.
- (4) The planning commission’s action must be based on whether the proposed preliminary subdivision plat complies with all applicable regulations, other than those regulations for which a modification is expressly approved by the planning commission in accordance with [10-070](#).
- (5) If a modification is approved or conditionally approved, the planning commission must state the reasons for approval of the modification and include the reasons in the official minutes of the meeting.
- (6) If the preliminary subdivision plat is approved with conditions, the final plat and any other required submittals related to the subdivision review process must demonstrate compliance with the imposed conditions. The planning commission is also authorized to require the applicant submit a

**Figure 10-1: Preliminary Plats**



<sup>26</sup> This proposed change will allow the agency review (TAC) meeting to occur before notices are sent.

revised preliminary subdivision plat that complies with the imposed conditions.

**E. Effect of Approval**

Upon approval of the preliminary subdivision plat, the applicant may proceed with submittal of the required final plat.

**F. Lapse of Approval**

- (1) Except as otherwise expressly stated in these regulations, an approved preliminary subdivision plat remains valid and effective for ~~one~~2 years from the date of approval by the planning commission. If final plat approval has not occurred within this ~~one~~2-year period, preliminary subdivision plat approval lapses and is of no further effect, unless the subdivision is to be built in phases, and a phasing plan was approved by the planning commission as part of the preliminary subdivision plat approval. If a phasing plan is approved, the expiration date of the preliminary subdivision plat will be governed by the time periods approved by the planning commission as part of the phasing plan.<sup>27</sup>
- (2) The planning commission is also authorized to rescind approval of a preliminary subdivision plat prior to approval of a final plat if the commission determines that information provided by the applicant and upon which the approval or conditional approval was based, was false or misleading.

**G. Extension of Preliminary Plat Approval<sup>28</sup>**

- (1) The planning commission is authorized to approve one or more extensions of preliminary subdivision plat approval for a maximum of one year per extension.
- (2) Applicants must file extension requests with the land use administrator before the preliminary subdivision plat approval lapses.
- (3) Notice of the planning commission's public hearing must be provided in accordance with the notice requirements that apply to preliminary subdivisions (See [10-040.4D\(2\)](#)).
- (4) The planning commission's decision on a preliminary subdivision plat extension request must be based on the following criteria:
  - (a) Whether circumstances affecting the timing of final plat approval have changed and are beyond the control of the applicant;
  - (b) Whether the applicant can meet the new deadline despite the changed circumstances;

---

<sup>27</sup> The current one-year lifespan seems unusually short, especially since it requires final plat *approval* (not just submittal) within one year.

<sup>28</sup> This is new; establishes a more formalized and transparent process for approval of preliminary plat extensions.



- (c) Whether all aspects of the planning commission’s original decision to approve the preliminary subdivision plat will continue to be valid if the extension is granted;
  - (d) Whether any significant changes in or near the area included in the preliminary subdivision plat have occurred or are expected to occur within the extension period that would change the evaluation of the preliminary subdivision plat; and
  - (e) Whether planning and provision of public facilities and services in the area will be disrupted if the extension is granted.
- (5) In approving an extension request, the planning commission is authorized to impose conditions and to require modifications of engineering and construction requirements as deemed necessary to protect the public interest.

#### **10-040.5 Infrastructure Plans**

##### **A. Application Submittal**

Before any construction occurs and before the final plat is approved, proposed infrastructure plans and engineering data addressing hydrology, hydraulics, grading, water distribution, sewage collection, stormwater management and paving must be submitted to the city or county for review and approval.

~~Infrastructure plans must reflect the approved preliminary plat, including any conditions imposed at the time of preliminary plat approval.~~

~~Infrastructure plans must be submitted before or at the same time as the application for final plat approval.~~

##### **B. Review and Approval**

- (1) Review agencies must review proposed infrastructure plans for compliance with the preliminary subdivision plat and all applicable regulations and standards. Applicants must revise and resubmit plans for review, as necessary to address review agency comments.
- (2) Once all applicable requirements have been met, the proposed infrastructure plans must be approved.

**10-040.6 Final Plat<sup>29</sup>**

**A. Application Submittal**

Applications for final plat approval, including the final plat must be submitted to the land use administrator following planning commission approval of the preliminary subdivision plat and before such approval lapses (see [10-040.4F](#)).

**B. Intake and Distribution to Review Agencies**

Upon receipt of a complete final plat application, the land use administrator must certify the submittal date, identify the review agencies to whom the final plat application must be distributed and distribute application documents to those review agencies.<sup>30</sup> The land use administrator must notify the applicant, via email or personal service, of all agencies and individuals on the review agency distribution list.

**C. Review and Action—Land Use Administrator**

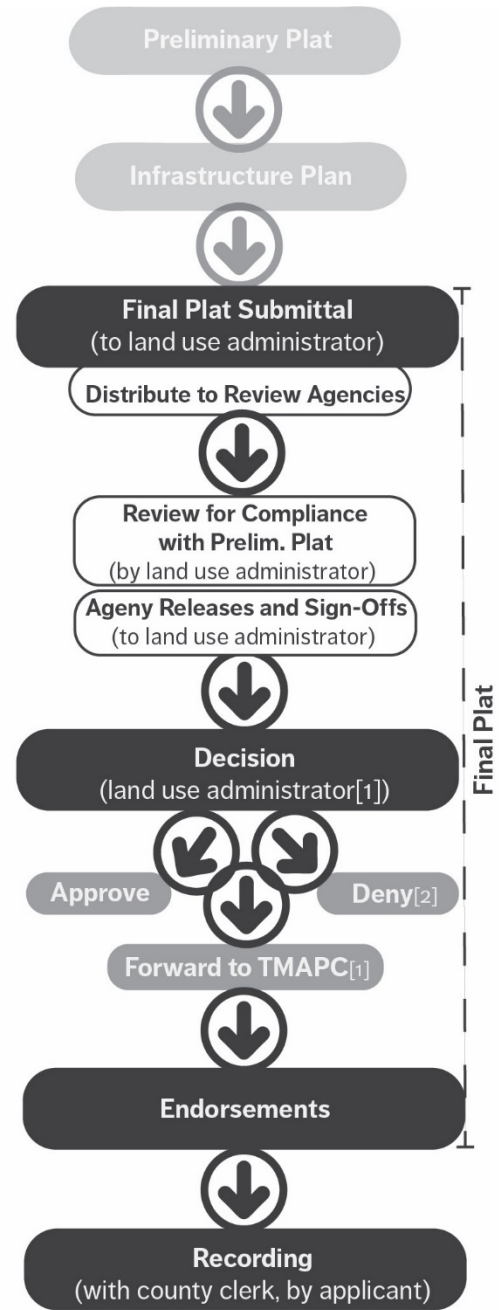
(1) The land use administrator must review the final plat to determine if:

(a) It is in conformance with the approved preliminary subdivision plat and any conditions of preliminary subdivision plat approval;

(b) It complies with these and other applicable regulations; and

(c) All applicable release letters, certificates and other documents evidencing review agencies' determination of final plat compliance or approval

**Figure 10-2: Final Plats**



[1] Applicants may request review by planning commission or land use administrator may forward to planning commission for final decision

[2] Applicants may request review by planning commission for reversal of land use administrator's decision.

<sup>29</sup> Final plat procedure has been revised to allow staff approval.

<sup>30</sup> This is a change. Move to electronic submittals should alleviate the need for applicants to distribute.

have been received.

- (2) If the land use administrator determines that the final subdivision plat shows no revisions or only minor deviations from the approved preliminary subdivision plat and complies with all applicable regulations, the land use administrator is authorized to approve the final plat on behalf of the planning commission. The land use administrator is also authorized to forward the final plat to the planning commission for review and final decision. Applicants may elect to request that the final plat be forwarded to the planning commission for a final decision, including reversal of the decision of the land use administrator.
- (3) Minor deviations from approved preliminary plats are deemed to be those that involve insignificant shifts in street and open space locations, minor changes to lot size, minor shifts in lot lines; and other changes that do not alter the general layout and intensity of the subdivision or have a significant impact on proposed or existing infrastructure. All other deviations from the approved preliminary subdivision plat, including revisions that are determined by the land use administrator to constitute a public interest, are deemed to be major revisions.
- (4) If the final plat includes major deviations from the approved preliminary plat, a revised preliminary subdivision plat must be submitted in accordance with the procedures of [10-040.4](#).

#### **D. Planning Commission Action**

- (1) The planning commission is not required to review and act on final plats unless:
  - (a) The applicant requests review and action by the planning commission or reversal of the land use administrator's decision on the final plat; or
  - (b) The land use administrator elects to forward the final plat to the planning commission, without acting on the plat.
- (2) Following receipt of a final plat application from the land use administrator, the planning commission must review the final plat and the report and recommendation of the land use administrator and act to grant final approval, conditional approval (upon receipt of applicable release letters and other documents evidencing review agencies' determination of compliance) or deny approval of the final plat.
- (3) The planning commission must act on final plats within 30 days of the date of the public meeting at which the final plat application was first considered unless the applicant agrees to an extension of time for planning commission action. If approval is denied, the planning commission must state

the reasons for denial, which must be included in the official minutes of the meeting.<sup>31</sup>

- (4) If the planning commission fails to act on the final plat application within the time required, including any extension agreed to by the applicant, the final plat is deemed approved.
- (5) Action on final plats requires a simple majority vote of the planning commission, except approval of a final plat requires an affirmative vote of at least two-thirds of the entire membership of the planning commission when the governing body of any city or town in Tulsa county whose corporate limits are located within 3 miles of property included in the final plat files a written objection to preliminary subdivision plat approval with the land use administrator at least 3 days before the public hearing.
- (6) The planning commission's action must be based on whether the final plat is in conformance with the approved preliminary subdivision plat, including any conditions of approval and whether it complies with all applicable regulations, other than those regulations for which a modification is expressly approved by the planning commission in accordance with ~~10-070~~.

#### **E. Endorsements**

- (1) A final plat is not deemed to have been finally approved and may not be recorded until all requirements of final plat approval have been met and the following endorsements are recorded on the face of the plat:
  - (a) The land use administrator on behalf of the planning commission;
  - (b) The city or county engineer;
  - (c) The city council chair or vice-chair and the mayor; or the chair or vice-chair of the board of county commissioners; and
  - (d) The city or county attorney.
- (2) If the applicant elects to install required improvements before recording the plat, approval of the improvements may not be endorsed on the plat until all conditions of the approval have been satisfied and all improvements satisfactorily completed. Evidence that required improvements have been satisfactorily completed must be provided in the form of certificates signed by the city or county engineer.
- (3) If the applicant elects to provide performance guarantees and security instead of installing required improvements before recording the plat, approval may not be endorsed on the plat until:
  - (a) All conditions of the approval pertaining to the final plat have been satisfied;

---

<sup>31</sup> This is a proposed change; currently, the 30-day shot clock begins after hearing is closed (2.3.3(c)).

- (b) An agreement to install required improvements has been executed and delivered to the planning commission; and
- (c) All applicable requirements of [5-180](#) have been met.

**F. Release of Final Plat; Recording**

After the final plat has received all required endorsements, the land use administrator must provide a signed copy to the applicant. The applicant is responsible for recording the official, signed final plat with the county clerk and for providing evidence of recordation to the land use administrator. No lot proposed to be created through the subdivision process may be sold or offered for sale until a final plat of the subdivision has been released by the land use administrator and recorded in the office of the county clerk.

**10-050 MINOR SUBDIVISIONS**

**10-050.1 Applicability**

- A. Property owners may elect to use the minor subdivision review procedures of this section ([10-050](#)) in lieu of the subdivision procedures of [10-040](#) for land divisions that do not require the approval of infrastructure plans or for which valid approved infrastructure plans exist.
- B. The land use administrator is authorized to allow proposed land divisions requiring no new streets and only minimal new infrastructure to be processed through the minor subdivision review procedures of this section ([10-050](#)) after an infrastructure plan predevelopment meeting has been held for the subject property and a recommendation regarding the project's infrastructure status has been received from review agencies.

**10-050.2 General Process**

The minor subdivision review and approval process requires a preapplication meeting and approval of a final plat. No preliminary subdivision plat review is required.

**10-050.3 Pre-application Meeting**

A pre-application meeting is required to be held before or concurrently with the submittal of an application for minor subdivision approval. (See [10-020.2](#) for additional information on pre-application meetings).

**10-050.4 Final Plat**

- A. **Application Submittal**  
Applications for minor subdivision approval, including the required final plat must be submitted to the land use administrator.
- B. **Intake and Distribution to Review Agencies**  
Upon receipt of a complete minor subdivision application, the land use administrator must certify the submittal date and identify the review agencies, if any, to whom the final plat application must be distributed. The land use administrator must notify the applicant, via email or personal service, of all agencies and indi-

viduals on the distribution list. Unless otherwise approved by the land use administrator in writing, the applicant is responsible for delivery of the final plat documents to the identified review agencies.

**C. Review and Recommendation—Land Use Administrator**

- (1) The land use administrator must review the final plat to determine if:
  - (a) It complies with these and other applicable regulations; and
  - (b) All applicable release letters, certificates and other documents evidencing review agencies' determination of final plat compliance or approval have been received.
- (2) Based on review of the final plat, the land use administrator must prepare a report and recommend that the minor subdivision be approved or disapproved.

**D. Planning Commission Action**

- (1) Following receipt of a recommendation from the land use administrator, the planning commission must review the final plat for the minor subdivision and the report and recommendation of the land use administrator and act to grant final approval or deny approval of the final plat.
- (2) The planning commission must act on the final plat within 30 days of the date of the public meeting at which the final plat application was first considered unless the applicant agrees to an extension of time for planning commission action. If approval is denied, the planning commission must state the reasons for denial, which must be included in the official minutes of the meeting.
- (3) If the planning commission fails to act on the final plat application within the time required, including any extension agreed to by the applicant, the final plat is deemed approved.
- (4) Final plats may be granted final approval by a simple majority vote, except that final approval requires an affirmative vote of at least two-thirds of the entire membership of the planning commission when the governing body of any city or town in Tulsa county whose corporate limits are located within 3 miles of property included in the preliminary subdivision plat files a written objection to final plat approval with the land use administrator at least 3 days before the public hearing.

**E. Review Criteria**

In order to be approved, applicants for minor subdivision approval must demonstrate that the proposed minor subdivision:

- (1) Complies with all applicable regulations;
- (2) Will not make any existing lot or structure nonconforming;
- (3) Will not impede transportation access or utility connections for any abutting properties

**F. Release of Final Plat; Recording**

After the final plat has received all required endorsements, the land use administrator must provide a signed copy to the applicant. The applicant is responsible for recording the official, signed final plat with the county clerk and for providing evidence of recordation to the land use administrator. No lot proposed to be created through the minor subdivision process may be sold or offered for sale until a final plat of the subdivision has been released by the land use administrator and recorded in the office of the county clerk.

**10-060 LOT SPLITS AND ADJUSTMENTS<sup>32</sup>**

**10-060.1 Applicability**

- A.** The lot split and adjustment procedures of this section may be used instead of the subdivision procedures for all:
- (1)** Lot splits, which are non-exempt land divisions of platted or unplatted property resulting in the creation of no more than 4 lots, including the parent tract and any remainders; and
  - (2)** Lot line adjustments, which combine multiple, existing abutting lots into a single lot or alter the boundary between or reconfigure the shapes of existing abutting lots without creating more lots than existed before the lot line adjustment occurred.<sup>33</sup>
- B.** The lot split and adjustment procedures of this section may not be used and no lot split/adjustment application may be approved by the land use administrator or the planning commission if the requested lot split/adjustment would result in the creation of 5 or more lots from the parent tract, as calculated cumulatively for the 5-year period immediately preceding the submittal date of the lot split/adjustment application.

**10-060.2 Application Submittal**

Lot split and adjustment applications must be submitted to the land use administrator.

---

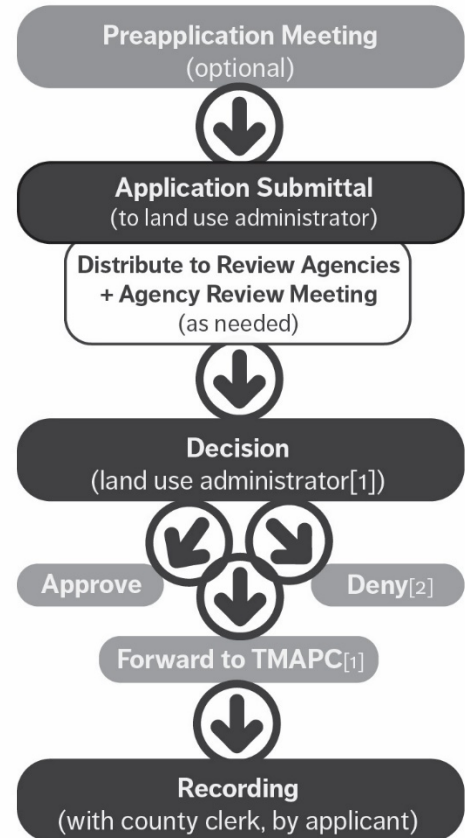
<sup>32</sup> Updated procedures have been revised to allow staff approval in many cases.

<sup>33</sup> The lot line adjustment procedure of this section is new. It is intended to address situations that now require processing of a lot split and a lot combination. Since the lot line adjustment procedure can be used to combine or consolidate lots, the existing lot combination procedure has been eliminated.

### 10-060.3 Review of Application

- A. Upon receipt of a complete application for lot split/adjustment approval, the land use administrator must review the proposal to determine whether it complies with these and other applicable regulations.
- B. The land use administrator is authorized to distribute relevant lot split/adjustment application documents to review agencies and specify a date by which review agency comments must be received if they are to be considered in the action on the proposed lot split/adjustment.
- C. The land use administrator must notify the applicant, via email, of all review agencies on the lot split/adjustment distribution list.
- D. The land use administrator is authorized to call an agency review meeting to allow applicants the opportunity to discuss review comments and recommendations with representatives from reviewing agencies. The land use administrator must work with review agencies to integrate all review comments into a single comprehensive written summary. The written summary must be submitted to the applicant at least 24 hours before any agency review meeting at which the matter will be discussed.

Figure 10-3: Type 1 Lot Splits/Adjustments



[1] Applicants may request review by planning commission or land use administrator may forward to planning commission for final decision

[2] Applicants may request review by planning commission for reversal of land use administrator's decision.

### 10-060.4 Type 1 Lot Splits/Adjustments (Land Use Administrator Action)

- A. Type 1 lot splits/adjustments are those that do not include any modifications of these regulations,
- B. The land use administrator is authorized to review and take final action on type 1 lot split/adjustment applications, in accordance with the procedures of this subsection (10-060.4).
- C. If, after review of a proposed type 1 lot split/adjustment, the land use administrator determines that the proposed lot split/adjustment complies with all applicable regulations and approval criteria and requires no modifications, the land use administrator must approve the lot split/adjustment application. Otherwise, the land use administrator is authorized to deny approval of the type 1 lot



split/adjustment application. ~~The land use administrator's decision must be forwarded to the planning commission for ratification in a public meeting.~~

- D. In lieu of acting on a type 1 lot split/adjustment application in accordance with [10-060.4C](#), the land use administrator is authorized to forward the lot split/adjustment application, a recommendation and any agency review comments to the planning commission for final review and decision in a public meeting.
- E. The planning commission is not required to review and act on type 1 lot split/adjustment applications unless:
  - (1) The applicant requests review and action by the planning commission or reversal of the land use administrator's decision on the lot split/adjustment; or
  - (2) The land use administrator elects to forward the lot split/adjustment to the planning commission, without acting on the application.
- F. Lot split/adjustment applications requiring review and action by the planning commission must be processed in accordance with the type 2 lot split/adjustment procedures of [10-060.5](#).

#### **10-060.5 Type 2 Lot Split/Adjustments (Planning Commission Action)**

- A. The type 2 lot split/adjustment procedures of this section must be followed for all lot split/adjustment applications that:
  - (1) Include one or more requested modifications of these regulations; and
  - (2) Lot split/adjustment applications that are forwarded to the planning commission in accordance with [10-060.4E](#).
- B. Type 2 lot split/adjustment applications require review and action by the planning commission in a public hearing, in accordance with the procedures of this subsection ([10-060.5](#)).
- C. Following receipt of a recommendation from the land use administrator, including any agency review comments, the planning commission must hold a public hearing on the lot split/adjustment application.
- D. Notice of the planning commission's required public hearing on a type 2 lot split/adjustment must be mailed at least ~~15~~ 10 days before the date of the hearing to all owners of property abutting the property that is the subject of the lot split/adjustment application (see [10-020.5](#) for additional information on mailed notices).<sup>34</sup>

~~Notice of the planning commission's required public hearing must also be mailed or delivered by personal service at least 15 10 days before the date of the hearing~~

---

<sup>34</sup> This is a change; currently requires notice 10 days before hearing.

~~to the clerk of each municipality whose corporate limits are within 3 miles of the subject property.~~

- E. Following the public hearing, the planning commission must act to approve the lot split/adjustment, approve the lot split/adjustment with conditions or deny approval of the lot split/adjustment. If approval is denied, the planning commission must state the reasons for denial, which must be included in the official minutes of the meeting.
- F. Approval of type 2 lot split/adjustments involving modifications of these regulations requires an affirmative vote of at least two-thirds of the members of the planning commission who are present and voting. Approval of all other type 2 lot split/adjustments requires an affirmative vote of a simple majority of the members of the planning commission who are present and voting.
- G. The planning commission's action must be based on whether the proposed lot split/adjustment complies with all applicable regulations, other than those regulations for which a modification is expressly approved by the planning commission in accordance with [10-070](#).
- H. If a modification is approved or conditionally approved, the planning commission must state the reasons for approval of the modification and include the reasons in the official minutes of the meeting.
- I. If a type 2 lot split/adjustment is approved with conditions, the planning commission is authorized to require the applicant submit revised documents that demonstrate compliance with the imposed conditions.

**Figure 10-4: Type 2 Lot Splits/Adjustments**



**10-060.6 Review and Approval Criteria**

Review and final action on all proposed type 1 and type 2 lot split/adjustments must be based on whether the proposed lot split/adjustment complies with these and other regulations and the following, as applicable:

#### A. Zoning

- (1) All lots resulting from the lot split/ adjustment will comply with all applicable zoning district regulations or come closer to complying with applicable zoning district regulations and create no new nonconformities; and
- (2) The lot line adjustment will not result in a single lot being included in multiple zoning districts, unless expressly approved as a modification (see [10-070](#))

#### B. Access and Streets

~~When a proposed lot split includes property controlled by non-access provisions, the lot split may not preclude access to that lot.~~

- (1) Lot splits/adjustments must result in all lots to be created having at least the amount of street frontage as required by zoning, or the amount of street frontage approved through applicable zoning variance procedures.
- (2) When lots proposed to be split contain areas that do not comply with the street right-of-way requirements of the *Major Street and Highway Plan*, the lot split/adjustment may not be approved, except upon a finding that one or more of the following conditions are met:
  - (a) ~~Adequate assurances are in place to ensure that the needed right-of-way is dedicated;~~
  - (b) All utilities are already in place ~~and or~~ the additional right-of-way is not required for utility placement;
  - (c) The public has, by statutory easement or suitable roadway dedication, right-of-way sufficient to allow the placement of pavement of a width necessary to meet the standards of the *Major Street and Highway Plan* for the particular street and sidewalk involved; or

~~Development made possible by the lot split itself will not measurably increase the traffic volumes or congestion on an adjacent street to such an extent that it would adversely affect the health, safety, and welfare of the public~~

- (d) Existing structures are located within the right-of-way proposed by the *Major Street and Highway Plan*.

#### C. Water Supply and Sewage Disposal

- (1) When a proposed lot split/adjustment abuts a public water or sanitary sewer connection, the lot split/adjustment may not create any lots that will be cut off from accessing that water or sewer connection, unless expressly approved by the [INSERT OFFICIAL].<sup>35</sup>

---

<sup>35</sup> This was proposed for deletion during tech team meeting, but the work group suggests that it is not an uncommon practice and should be retained.

- (2) Lot split/adjustments must comply with the water supply and sewage disposal regulations of 5-130, except that for lots within the corporate limits of the city that are not served by sanitary sewer, an easement may be required to be dedicated to provide for the future extension of the sewer. The applicant must obtain approval of the location and size of any easements from the [INSERT OFFICIAL] and submit evidence of required easement dedication before the lot split/adjustment receives final approval.

#### 10-060.7 Approval and Recordation

##### A. Lot Splits

- (1) If a lot split application is approved, a certification must be affixed to the instrument of transfer, as required by state statute. The certification must include notice of the conditions stated in 10-060.1B and be signed by the planning commission chair, another planning commission officer or the land use administrator.
- (2) The applicant is responsible for recording the certified instrument of transfer with the county clerk, as an official document that will be contained in the abstract of the subject property. The applicant must provide the land use administrator with evidence of recordation. The lot split approval lapses and is of no further effect if the conveyance is not recorded within 3 years of the date of approval of the lot split. ~~If the certified instrument of transfer is not filed for recordation with the county clerk within 90 days one year of the date of the planning commission's approval, the approval lapses and is of no further effect.~~

##### B. Lot Line Adjustments

- (1) If a lot line adjustment is approved, the land use administrator must issue a certificate of compliance for lot line adjustment and affix a certification to the lot line adjustment declaration. The property description on the certificate must describe the reconfigured parcel or parcels, which will then be recognized by the city or county as legal lots. The certification must be signed by the planning commission chair, another planning commission officer or the land use administrator.
- (2) The applicant is responsible for recording the signed certificate of compliance for lot line adjustment and certified lot line adjustment declaration with the county clerk, as an official document that will be contained in the abstract of the subject property. The applicant must provide the land use administrator with evidence of recordation. The lot line adjustment approval lapses and is of no further effect if the lot line adjustment declaration is not recorded within 3 years of the date of approval of the lot line adjustment.

### **10-060.8 Effect of Approval of Lot Line Adjustments<sup>36</sup>**

- A.** After approval and recordation of and executed lot line adjustment declaration, any combined lots will be considered a single lot for the purposes of complying with applicable zoning and subdivision regulations.
- B.** The owner of any combined lot resulting from a lot line adjustment may not sell, convey or mortgage any of the lots comprising the combined lot separate and apart from any of the other lots unless a land division is approved in accordance with these regulations.
- C.** Any attempted sale, conveyance or mortgage of lots within any combined lots separate and apart from any of the other lots within the combined lot is void.
- D.** The covenants within the lot line adjustment declaration run with the title to the subject lots and are binding on all parties having or acquiring any right, title or interest in any part thereof.
- E.** Lot line adjustments are for and inure to the benefit of the city or county, which has the right and standing to enforce the terms of the lot line adjustment declaration.

### **10-060.9 Amendment or Termination of Lot Line Adjustments**

Lot line adjustment declarations may be amended or terminated only by a written instrument executed by the subject property owner and approved by the **[INSERT OFFICIAL]** and duly recorded in the office of the county clerk. Any subsequent lot line adjustment involving the subject property constitutes an amendment or termination of the previously approved lot line adjustment.

## **LOT COMBINATIONS<sup>37</sup>**

### **10-070 MODIFICATIONS**

#### **10-070.1 Applicability**

All property owner requests for relief from strict compliance with the design and improvements regulations of [ARTICLE 5](#) must be processed as modification requests in accordance with the provisions of this section ([10-070](#)).

#### **10-070.2 Intent**

Modifications are intended to provide for regulatory relief when requiring strict compliance with applicable regulations would cause an undue hardship or practical difficulty because of unusual topographical or other exceptional conditions that apply to the subject property.

---

<sup>36</sup> These provisions (and 10-060.9) have been carried over from the current lot combination provisions, which have been deleted. They may require further revision to reflect the proposed lot line adjustment authority.

<sup>37</sup> Lot combination procedure has been deleted because of the addition of lot line adjustment procedures.

### **10-070.3 Process**

Modification requests must be submitted with the preliminary subdivision plat and processed concurrently with the preliminary subdivision plat application or lot split application. When requesting a modification, the applicant must identify each regulation for which a modification is sought and provide a written response to each of the required approval criteria listed in [10-070.4](#) for each requested modification.

### **10-070.4 Approval Criteria**

- A.** The planning commission is authorized to approve modifications of these regulations when they determine that the purpose of these regulations will be served to a greater or at least the same extent by an alternative proposal.
- B.** The planning commission may not approve modifications that will:
  - (1)** Be detrimental to the public safety health, or welfare,
  - (2)** Be injurious to other property or improvements; or
  - (3)** Impair the spirit, purposes, or intent of applicable zoning regulations or comprehensive plan policies.

### **10-070.5 Decision**

Modifications may be approved by the planning commission or approved with conditions only upon an affirmative vote of at least two-thirds of the members of the planning commission who are present and voting. The planning commission must state the reasons for approval of the modification, which must be included in the official minutes of the meeting.

## **10-080 RESERVED**

## **10-090 CHANGE OF ACCESS<sup>38</sup>**

### **10-090.1 Applicability**

The change of access procedures of this section must be followed whenever the owner of property seeks to remove or otherwise change recorded limits of access that apply to the subject property.

### **10-090.2 Pre-application Meeting**

A pre-application meeting is required to be held before or concurrently with the submittal of a change of access application. (See [10-020.2](#) for additional information on pre-application meetings).

### **10-090.3 Application Submittal**

Complete change of access applications must be submitted to the land use administrator.

---

<sup>38</sup> Revised to allow staff approval.

#### **10-090.4 Staff and Agency Review**

- A.** Upon receipt of a complete application, the land use administrator and the city traffic engineer or county engineer must review the application for compliance with these and other applicable regulations.
- B.** The land use administrator is authorized to distribute relevant application documents to review agencies and specify a date by which review agency comments must be received if they are to be considered in the action on the change of access application.
- C.** The land use administrator must notify the applicant, via email, of all review agencies on the review agency distribution list.
- D.** The land use administrator is authorized to call an agency review meeting to allow applicants the opportunity to discuss review comments and recommendations with representatives from reviewing agencies. The land use administrator must work with review agencies to integrate all review comments into a single comprehensive written summary. The written summary must be submitted to the applicant at least 24 hours before any agency review meeting at which the matter will be discussed.

#### **10-090.5 Review and Decision-making**

- A.** Unless the applicant files a written request for a final decision by the planning commission, the land use administrator is authorized to review and take final action to approve or deny change of access requests, after consulting with the city or county engineer.
- B.** Change of access requests forwarded to the planning commission, upon request of the applicant, must be reviewed and acted upon by the planning commission in a public meeting.
- C.** In reviewing and acting on change of access requests, review and decision-making bodies must consider whether the request will comply with applicable access management and driveway design regulations and all other applicable access-related regulations in effect at the time of approval, including zoning requirements.

#### **10-090.6 Approval and Recordation**

- A.** If a change of access application is approved, a change of access instrument acknowledging the approved change must be signed by the city traffic engineer or county engineer (as applicable) and the land use administrator.
- B.** The applicant is responsible for recording the official, signed change of access instrument with the county clerk, as an official document that will be contained in the abstract of the subject property. The applicant must provide the land use administrator with evidence of recordation.
- C.** Once the approved change of access instrument is filed of record, previously existing limits of access that were approved for removal are expressly held to be vacated, and any new limits of access become binding.

**PLAT WAIVERS**<sup>39</sup>

**10-100 PLAT VACATIONS**

Plats may be vacated in accordance with Oklahoma Statutes.

---

<sup>39</sup> The existing plat waiver provisions are proposed for elimination because the zoning code's requirement for platting/replatting has been eliminated. Since there is no longer a local (non-statutory) requirement for platting, there are no platting requirements that can be waived.



## ARTICLE 15. DEFINITIONS

15-010	GENERAL .....	15-1
15-020	TERMS BEGINNING WITH “A–C” .....	15-1
15-030	TERMS BEGINNING WITH “D–F” .....	15-2
15-040	TERMS BEGINNING WITH “G–I” .....	15-4
15-050	TERMS BEGINNING WITH “J–L” .....	15-5
15-060	TERMS BEGINNING WITH “M–O” .....	15-5
15-070	TERMS BEGINNING WITH “P–R” .....	15-6
15-080	TERMS BEGINNING WITH “S–U” .....	15-7
15-090	TERMS BEGINNING WITH “V–Z” .....	15-8

### 15-010 GENERAL<sup>40</sup>

Words and terms expressly defined in these regulations have the specific meanings assigned unless the context clearly indicates another meaning. Words and terms that are not expressly defined in these regulations have the meaning given in the latest edition of *Merriam-Webster’s Unabridged Dictionary*.

### 15-020 TERMS BEGINNING WITH “A–C”

#### **Abut or Abutting**

To touch or share a contiguous boundary or border, except that in the context of public meeting or hearing notice requirements, “abutting” includes properties that are contiguous or separated therefrom only by a minor street, alley or railroad right-of-way. For the purposes of providing notice, abut or abutting means contiguous or separated there from only by a nonarterial street.

#### **Adjacent**

Lying near or in the immediate vicinity.

#### **Agent**

A person duly authorized to act on behalf of the owner of the subject property owner.

#### **Alley**

A public right-of-way that affords a secondary means of access to abutting property. A service roadway providing a secondary means of public access to abutting property and that is not intended for general traffic circulation.

#### **Applicant**

The owner of the subject property or an agent authorized by the subject property owner to submit an application on the owner’s behalf.

---

<sup>40</sup> The “definitions” article is a work in progress. As work on the regulations continues, definitions will be added, deleted and/or revised to help provide needed clarity.

**Bioretention**

The use of soil and plants to remove pollutants from stormwater runoff.

**Block**

A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad right-of-way, shoreline of waterways, or boundary lines of municipalities.

**City**

The City of Tulsa, Oklahoma.

~~**City of Tulsa Public Works Director**~~

~~The Office of the Public Works Director.~~

**Comprehensive Plan**

~~The master plan for development of the Tulsa Metropolitan Area, prepared and adopted by the planning commission, approved by the City and County of Tulsa, pursuant to Section 863.7, Title 19, Oklahoma Statutes, and includes any part of such plan separately adopted and any amendment to such plan or parts thereof. The official comprehensive plan of the city or county, as adopted and approved pursuant to the master plan provisions of §19-863.7 of the Oklahoma Statutes.~~

**Construction Plan**

Same as “Infrastructure Plan.”

**County**

The County of Tulsa, Oklahoma.

**Covenant (Restrictive)**

Written covenants, running with the land that restrict or regulate the use of the property or the kind, character, and location of buildings or other structures that may be located on the subject property.

**Cul-De-Sac**

~~A local street with only one outlet having an appropriate terminal for the safe and convenient reversal of traffic movement that is permanently terminated at one end by a vehicle turnaround.~~

**Cut and Fill**

The excavating of material in one place and depositing of it as fill in an adjacent place.

**15-030 TERMS BEGINNING WITH “D–F”**

**Dedication**

The deliberate appropriation of land by an owner for general and public use reserving to the landowner no rights that are incompatible with the full exercise and enjoyment of the public use to which the property has been devoted.

**Detention Pond (or Basin)**

A constructed structure for the temporary storage of stormwater runoff with a controlled release rate.

**Developer**

The property owner or a party who with consent of the property owner is dividing property or applying for one or more forms of approval required under the review and approval procedures of ARTICLE 10.

**Development, Land**

Any human-made change to improved or unimproved real estate, including the construction of placement of buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.

**Development Plan, Mandatory**

As defined in Sec. 70-040 of the Tulsa Zoning Code.

**Drainage**

A general term applied to the removal of surface or subsurface water from a given area either by gravity or by pumping.

**Driveway**

A private accessway providing a connection from a lot to a street or highway and providing for vehicular circulation on the lot.

**Easement**

A grant by a property owner for the use property by a public authority or private entity for a specific purpose.

**Emergency and Service Vehicles**

Vehicles such as ambulances, police cars, or firefighting equipment used to respond to emergency situations and vehicles used to deliver or to pick up goods or to provide maintenance.

**Engineer, Licensed**

An engineer properly licensed in the State of Oklahoma.

**Erosion**

The process by which the soil and rock components of the earth’s crust are worn away and removed from one place to another by natural forces such as water, wind, ice and gravity.

**Floodplain**

The area adjoining the channel of a river, creek, stream or watercourse, or lake or any other body of standing water which may from time to time be covered by floodwater. The floodplain areas shall be those as described and delineated on maps contained within the offices of the city and county engineer.

**Floodway**

The channel of a river or other watercourse and the adjacent land areas that must be reserved to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

**Frontage**

That side of a lot abutting on a street to which access is available from said lot.

**Frontage Road**

A public or private marginal access roadway generally paralleling and contiguous to a street or highway and designed to promote safety by eliminating unlimited ingress and egress to such street or highway providing points of ingress and egress at more-or-less uniformly spaced intervals.

**15-040 TERMS BEGINNING WITH “G–I”**

**Governing Body**

The Tulsa City Council or the Tulsa County Commission.

**Grade**

The slope of a road, street or other public way, specified in percent (%) of vertical to horizontal measurements.

**Grade, Existing**

The grade or elevation of the ground surface at the time of application and before human alteration, such as grading, filling, or excavating.

**Grade, Finished**

The vertical location of the ground or pavement surface after site grading work is completed in accordance with an approved plan.

**Hazard**

Any natural or human-created condition that presents danger to the public health, safety, or welfare.

**Health Department**

The City-County or County Health Department of Tulsa, Oklahoma.

**Impervious Surface**

Any surface that prevents or impedes the natural infiltration of surface and storm water runoff into the soil.

**Improvement Agreement**

A contractual agreement to ensure the construction of improvements required by these regulations.

**Improvements, Private**

Private improvements are the same types of improvements as defined under public improvements, except that ownership and/or maintenance and repair is the responsibility of a private entity.

**Improvements, Public**

Any structure or facility constructed to serve the residents of a subdivision or the public, such as parks; streets or roads; sidewalks, curbs and gutters; street lighting; utilities; and systems for water supply, sewage disposal, and drainage.

**Infrastructure Plan**

The maps or drawings prepared by a registered engineer accompanying a subdivision plat and showing the specific location and design of improvements to be installed in the subdivision in

accordance with the requirements of the [insert official] or county engineer and the planning commission as a condition of the approval of the plat.

#### 15-050 TERMS BEGINNING WITH “J–L”

##### **Land Division**

The partitioning or splitting of a parcel of land into 2 or more lots or parcels or a change in boundaries between 2 or more lots or parcels or the consolidation of multiple lots or parcels into a fewer number of lots or parcels.

##### **Lot**

A tract, plot or portion of a subdivision or other parcel of land intended as a unit for the purpose, whether immediate or future, of transfer of ownership or for building development.

##### **Lot Combination**

~~One or more adjoining lots that are voluntarily combined to create a fewer number of lots with TMAPC approval for the purpose of complying with the bulk and area requirements of the Zoning Code and the Subdivision Regulations of the Tulsa Metropolitan Area.~~

##### **Lot, Flag**

A lot with two distinct parts: (1) The “flag,” which is located behind another lot; and (2) the “flag pole,” which connects the flag to the street and is at any point less than the minimum lot width required by zoning or other regulations.

##### **Low-Impact Development (LID)**

A site design strategy with the goal of maintaining or replicating the pre-development hydrologic regime using design techniques to create a functionally equivalent hydrologic site design. The use of LID techniques, hydrologic functions of storage, infiltration and ground water recharge, as well as the volume and frequency of discharges are maintained using integrated and distributed micro-scale stormwater retention and detention areas, reduction of impervious surfaces, and the lengthening of runoff flow paths and flow time. Other strategies include the preservation/protection of environmentally sensitive site features such as riparian resource areas, wetlands, steep slopes, mature woodlands, floodplains, and highly permeable soils.

##### **Lot Split**

The subdivision of tracts of land of less than ~~2~~<sup>2 1/2</sup> acres where not shown of record in the office of the County Clerk as separately owned per effective date of appropriate State Statute.

#### 15-060 TERMS BEGINNING WITH “M–O”

##### **Maintenance Guarantee**

A financial guarantee posted by the developer and approved by the city or county, guaranteeing the satisfactory condition of required infrastructure and improvements required to be installed pursuant to these regulations.

**Major Street and Highway Plan**

~~The Tulsa City-County Major Street and Highway Plan, as adopted by the Mayor and Board of Commissioners of the City of Tulsa on April 29, 1969, Ordinance No. 11435, or as it may hereafter be amended by ordinance. The *Tulsa Metropolitan Area Major Street and Highway Plan*, which is adopted as a functional element of the comprehensive plan.~~

**Minor Subdivision Plat**

Subdivision Plat requiring no new streets and minimal infrastructure extension that is processed through an abbreviated process.

**Monument (Permanent Monument)**

A structure placed in the ground that is exclusively identifiable as a monument to a survey point expressly placed for surveying reference.

**Non-Motorized Transportation Facilities**

Improvements designed and intended primarily for the use, safety and comfort of pedestrians, cyclists, and other users of nonmotorized means of travel. Examples include sidewalks, trails, bike lanes, equestrian trails and related appurtenances, such as signs, signals and wheelchair ramps.

**15-070 TERMS BEGINNING WITH “P–R”**

**Parent Tract**

The parcel of land from which a new lot or tract of land is being taken from.

**Performance Guarantee**

A financial guarantee posted by the developer and approved by the city or county, guaranteeing that all improvements, facilities, or work required by these regulations will be completed in compliance with these regulations and the approved plans and specifications of a development.

**Phasing Plan**

A detailed plan for final platting and development of a subdivision in 2 or more phases.

**Planned Unit Development**

A discretionary type of development for a tract of land under single ownership or control, based upon an approved development plan permitting flexibility of principal land uses, lot sizes and accessory uses not otherwise available under conventional development standards.

**Preliminary Subdivision plat**

The preliminary drawing or drawings, described in these regulations, indicating the proposed manner or layout of the subdivision ~~to be submitted to the Planning Commission for approval.~~

**Plat**

A graphical representation of a subdivision showing the division of land into lots, blocks, streets, alleys, or other divisions and dedications.

**Required Improvement**

Improvement required by the planning commission as condition to approval of the plat.

**Resubdivision**

Subdivision of land that was previously subdivided.

**Retention Pond**

A basin for the permanent storage of stormwater. Retention ponds have a permanent pool of water that fluctuates in response to precipitation and runoff from the contributing areas.

**Review Agencies**

Local, state and federal agencies; utilities; and other agencies who have regulatory responsibility or directly related interests in proposed land divisions, as determined by the land use administrator based on the location and nature of the subject application.

**Rights-of-Way**

Land dedicated or acquired for use as a public way.

**Runoff**

That part of precipitation that flows off the land without filtering into the soil or being absorbed by plant material.

**15-080 TERMS BEGINNING WITH “S–U”**

**Sediment**

Solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water, or gravity as a product of erosion.

**Sedimentation**

The process of depositing materials from a liquid, especially in bodies of water.

**Setback**

The distance between a building and the street line nearest thereto.

**Spring**

A natural discharge of water from an aquifer of groundwater onto the land surface, or as a discrete flow of water into a body of surface water.

**Street**

The portion of a public or private right-of-way, other than an alley, that affords a primary means of vehicular access to abutting properties.

**Street, Collector**

A street intended to move traffic from local streets to major streets.

**Street, Half**

A street bordering one or more lot lines of a lot for which the developer has allocated only a portion of the ultimate and intended street or right-of-way width.

**Street, Loop**

A local street that begins and ends on the same street, generally used for access to properties.

**Street, Minor**

All classifications of streets not defined as major streets.

**Street, Major**

All classifications of streets shown on and defined by the major street and highway plan, except residential collector streets. Major streets include freeways and freeway service roads.

**Street, Stub**

A street that is temporarily terminated, but that is planned for future continuation.

**Subdivision**

Any division of land into one or more lots (5 lots require a subdivision), parcels, tracts, or areas, or any division of land for sale, development or lease, as a condition of zoning, involving the right-of-way or alignment of an existing or proposed street or highway (see also Title 19 OS 863). Any division of land resulting in the creation of 5 or more lots, parcels, tracts, or areas, or any division of land involving the right-of-way or alignment of an existing or proposed street or highway.<sup>41</sup>

**Subdivision for Lease or Rent**

A subdivision created by lease or rent, including a mobile home community or recreational vehicle park, is any tract of land divided by renting or leasing portions thereof. It is owned, however, as one parcel under single ownership (that can include individuals owning property in common).

**Surveyor, Licensed Land**

A land surveyor properly licensed in the State of Oklahoma.

**Traffic Calming Features**

Design features and strategies intended to reduce vehicle traffic speeds on a particular street, thereby encouraging safer, more responsible driving.

**15-090 TERMS BEGINNING WITH “V–Z”**

**Wetlands**

Areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

---

<sup>41</sup> This is the definition of subdivision from §19-863.9 of the Oklahoma Statutes.



# Proposed Amendment to Tulsa Zoning Code (Sec. 70.080)

## Section 70.080 Zoning Clearance ~~and Platting Requirements~~ Permits

### 70.080-A Applicability

Property owners or their authorized agent must obtain a zoning clearance permit from the development administrator before constructing, moving, or structurally altering any building or structure or establishing or changing the use of any building or lot.

### 70.080-B ~~Platting Requirement and Exceptions~~ Compliance with Development Regulations

#### 1. ~~Requirement~~ Purpose

~~The requirements of this section are intended in order to help ensure that rights-of-way, streets, sidewalks and other public improvements are in place and adequate to serve proposed developments in accordance with applicable regulations, a proper arrangement of streets and the adequacy of open spaces for traffic, utilities and emergency vehicle access, commensurate with the intensification of land use customarily incident to a zoning map amendment, a platting requirement is established.~~

#### 2. Requirement

Except as expressly stated in §70.080-B2, no building permit or zoning clearance permit may be issued until ~~that portion of~~ the subject lot or parcel for which the permit is sought has been ~~determined to be in compliance with all applicable design and improvement requirements of the Tulsa Metropolitan Area Subdivision and Development Regulations, as evidenced by submittal of included within a recorded~~ subdivision plat ~~or replat, submitted to and approved by the planning commission, and that is filed of record in the county clerk's office of the county in which the property is located or an ALTA/ACSM survey.~~ This ~~platting~~ requirement applies to any property for which:

- a. A property owner-initiated zoning map amendment was approved after July 1, 1970; or
- b. A special exception was approved for any of the following:
  - (1) Group living use;
  - (2) Public, civic or institutional use;
  - (3) Outdoor assembly and entertainment use;
  - (4) ~~Apartment/condo use/building~~ Household living involving 3 or more households on a single lot;
  - (5) Bed & breakfast;
  - (6) Marina;
  - (7) Gun club;
  - (8) Crematory; or
  - (9) Mausoleum.

#### ~~2. Exceptions~~

~~The planning commission, pursuant to its exclusive jurisdiction over subdivision plats, is authorized to:~~

- ~~a. Waive the platting requirement of §70.080-B1 upon a determination that the purposes have been achieved by previous platting, have or will be achieved by other actions, including any conditions prescribed by the planning commission, or could not be achieved by plat or replat;~~
  - ~~b. Allow the processing of a minor subdivision plat, upon a determination that no new streets will be built and that minimal public improvements will be required;~~
  - ~~c. Allow the accelerated release of a building permit, upon approval of a proposed preliminary plat, thereby enabling building permits to be issued prior to the filing of the final plat. All required street right-of-way dedications must occur before issuance of a building permit. Prior to allowing accelerated release of a building permit, the planning commission must determine that extraordinary or exceptional circumstances warrant the release and that compliance with the filing of the final plat is reasonably assured. In exercising its discretion to allow accelerated release of a building permit, the planning commission may:
    - ~~(1) Waive the requirement for street dedication as a condition of approval of a building permit being released prior to the filing of a final plat. Such waiver may only occur upon a determination that circumstances related to the particular project reasonably preclude the future use or improvement of the area for which dedication would be required;~~
    - ~~(2) Require that no final inspection of buildings or structures occur, that no certificate of occupancy be issued and that no building be occupied until the platting requirement is fully complied with; and~~~~
- ~~(3) Prescribe other conditions determined to be necessary to ensure the filing of the final plat.~~