
MEMORANDUM

TO: TULSA METROPOLITAN AREA PLANNING COMMISSION

FROM: SUSAN NEAL, DIRECTOR OF COMMUNITY DEVELOPMENT, CITY OF TULSA
JOHN FREGONESE, FREGONESE, FREGONESE ASSOCIATES

SUBJECT: PLANiTULSA PUBLIC HEARING ISSUES AND COMMENT LOGS

DATE: MARCH 5, 2010

The following is a summary of the major items which a number of stakeholders, City and INCOG staff, and TMAPC members have submitted in their feedback. This memo is intended to capture the major elements that need discussion and frame potential actions to be addressed by the TMAPC.

Four logs are attached to this memo:

- A log of issues that require discussion and resolution by the TMAPC.
- A log of consent items (clean up and clarification items recommended for approval) – these are items that the PLANiTULSA team concurs with and believes do not need detailed review and discussion. The TMAPC may, at their discretion, move items from this log to the discussion log if they desire to discuss an item in more detail.
- A log of general comments not needing action. The PLANiTULSA team’s opinion is that these items do not need specific action. The TMAPC may, at their discretion, move items from this log to the discussion log if they desire to discuss one of these items.
- A log of public hearing input from the February 23, 2010 hearing.

New information presented at the March 10, 2010 TMAPC public hearing will be added to these logs.

Major Issues on PLANiTULSA Comprehensive Plan:

Item #1: Strategic Plan language in Final Draft of *Our Vision for Tulsa*

INCOG staff has commented that the Final Draft of *Our Vision for Tulsa* includes language that is “overly prescriptive regarding staffing and consolidation of functions” and should not be part of a Comprehensive Plan (*Our Vision for Tulsa*, Page 45)

To clarify the purpose and intent of the vision document, *Our Vision for Tulsa* is not a regulatory or policy document, but an executive summary highlighting the proposed

policies, strategies, implementation, and monitoring activities found elsewhere in several associated documents:

1. Our Vision for Tulsa (the Vision)
2. Policy Plan
3. Strategic Plan
4. Monitoring Plan

The Policy Plan includes the chapters on Land Use, Transportation, Economic Development, Housing, Parks, Trails and Open Space, and the associated Appendices. This document will be used by the TMAPC to implement PLANiTULSA.

The Strategic Plan and the Monitoring Plan are distinct from the Policy Plan in nature and purpose, and as parts of this consulting contract, are intended to aide in managerial and budgetary decisions related to the implementation of this plan.

The Strategic Plan is a work plan for Tulsa's Mayor and City Council to support a more effective planning program, including but not limited to PLANiTULSA. It deals with many topics that are germane to city management, including redevelopment, parking facilities, capital improvements, and organization and staffing of related activities. Likewise, the Monitoring Plan, to be developed once other documents have been adopted and approved, will be used to refine staffing and resource allocations.

It should be noted that state law gives the TMAPC final authority over the Comprehensive Plan and Tulsa's City Charter requires the Mayor to present the City's priorities and objectives to the City Council. To avoid a situation under which the TMAPC would provide directives to the Mayor and Council on how to staff and fund the plan, the Strategic Plan and Monitoring Plan will not be submitted as a part of the Comprehensive Plan for adoption by the TMAPC.

Currently, *Our Vision for Tulsa* outlines six proposed, complementary strategic actions (pages 4 and 40-45); parts of which the Commission may determine are beyond the scope of their work. Rather than remove one or more strategies, the Planning Commission could consider removing them all, noting that the City Council will consider them in their entirety as they review the Strategic Plan and Monitoring Plan.

Proposed Action:

To address this issue, the Team asks the Planning Commission to consider amending *Our Vision for Tulsa* to remove the Proposed Strategies section in its entirety from the Vision (pages 4 and 40-45).

Potential actions by the TMAPC

- Amend *Our Vision for Tulsa* to remove pages 4 and 40 – 45
- Retain Proposed Strategies in *Our Vision for Tulsa*
- Propose alternative amendments

Item #2: Areas of Stability and Change

The Areas of Stability and Change Map has been the subject of considerable discussion. The Home Builders Association has expressed concern that Areas of Stability will be used to prevent development or redevelopment in neighborhoods and potentially serve as a de facto conservation district.

Areas of Stability, as identified in the plan, are primarily stable residential neighborhoods in which no significant land use changes are expected over the next ten to twenty years. The majority of new development will be directed to Areas of Change - areas that will benefit from and thrive on an infusion of population, economic activity and investment. The purpose of this designation is to assure the public that the plan's ambitious growth can occur in Areas of Change without major disruption in Areas of Stability.

Secondarily, the plan clearly anticipates that small scale infill development will continue to occur in Areas of Stability, and outlines ways that can ensure that this can be done more predictably and with less controversy than in the past. The plan recognizes that the key for successful development and redevelopment in Areas of Stability is to maintain the character of the neighborhoods in which this development occurs, for this is the very essence of their stability.

The Team asks that the Commission consider retaining the Areas of Stability and Change Map, as presented in the plan. Removing the Area of Stability component of the map will render the map useless for the purposes of guiding growth and development under the plan.

TMAPC may elect to:

- Retain areas of stability and change
- Retain only areas of change
- Delete areas of stability and change

Item #3: Small Area Plans in Areas of Stability

The Small Area Planning process has been proposed as one of the main implementation tools for PLANiTULSA. Small area plans are intended to build upon the neighborhood planning capacity of the City of Tulsa by applying standard processes, products, and implementation and funding measures wherever they are implemented.

Small area plans have been the subject of discussion between members of the TMAPC, INCOG, City of Tulsa staff, Tulsa Home Builders Association of Greater Tulsa, and other stakeholders. One particular issue has been raised:

- Whether small area plans should be used in Areas of Stability, as well as Areas of Change

Areas of Change are those places that are expected to grow and need plans to set that growth in motion. Areas of Stability are not expected to grow as much, and allocating the same resources (staff time, workshops, mapping, design), comparatively, would not yield the benefits of Small Area Plans in Areas of Change. That is not to say that small area planning cannot or should never be conducted in Areas of Stability; instead, the Small Area Planning tool would be more beneficial if used in Areas of Change, where the contribution to the City's overall growth plan will be measurably more significant. To address concerns about using the small area planning process in Areas of Stability and Change, the Team suggests the following amendments to the Policy Plan:

Add to Land Use Chapter, page 62, intro to Small Area Planning process and Intro to Small Area Plan Appendix:

A citizen advisory committee is an appointed group of informed citizen stakeholders including, but not limited to landowners, residents, business owners, architects, developers, and builders who have an interest in the area. - - This advisory committee should represent a full range of interests who meet on a regular basis to critically review analysis and products at each step of plan formation.

Small planning areas usually have a cohesive set of characteristics, such as an existing or future corridor, center, or other element. Accordingly, small area plans should be used in areas of change and transition areas, focusing resources where change is anticipated and desired.

Potential actions:

- Accept the amendment to emphasize use of small area planning resources in Areas of Change
- Retain the existing text
- Propose alternative amendments for Small Area Planning process

Item #4: The Scale of Small Area Plans

The Home Builders Association and TMAPC members have asked for clarification on whether small parcels or developments will be required to complete a small area plan. To address these concerns and clarify how and when small area plans should be implemented, the Team offers the following amendments to the Policy Plan for the Commission's consideration:

Add to Land Use Chapter, page 62, intro to Small Area Planning process and Introduction to Small Area Plan Appendix:

Where Should Small Area Planning Take Place?

The small area planning process should be used in areas where significant change is expected and the development in question would be at the scale of a new neighborhood and include many landowners. For example, when there is a proposal to extend utilities and infrastructure to an undeveloped area that will support a large number of new households or jobs, a small area plan should be used to guide that development. Small

area plans may be conducted in Areas of Stability, but the time and resources are better put to use in Areas of Change.

Small area plans need not be used for more routine planning actions, such as developments or subdivisions of land under single ownership. In these instances, a subdivision, zone change, PUD or other process under the zoning code is sufficient. However, individual landowners of large tracts may elect to do a small area plan if they choose. Another instance where this process should be used is in already-developed areas where new growth or redevelopment is expected, such as neighborhoods along a corridor that will receive significant transit investment.

Furthermore the Team proposes to remove Land Use Policy 3.8 (Land Use Chapter, page 78), which currently reads:

3.8 In order to ensure that new development is compatible with *Our Vision for Tulsa*, zoning change decisions for developments over 5 acres on land currently zoned agriculture and shown as “New Neighborhood” should be based on small area plans to determine appropriate zoning and densities. Other building blocks may be appropriate, as well, given service levels and development patterns.

This policy may be seen as overly prescriptive in terms specifying how much land would be affected, and is not needed, given the more explicit description of when and how small area plans should be used.

Potential actions:

- Accept amendments to clarify scope and scale of small area planning
- Accept deletion of Land Use Policy 3.8
- Retain the existing text
- Propose alternative amendments for Small Area Planning process

Item # 5: Zoning and the Plan

The Home Builders Association and several members of the TMAPC expressed concern about language in the Land Use chapter that describes how development and redevelopment in Areas of Stability and in Existing Neighborhood plan categories should be conducted. The plan acknowledges that Areas of Stability and Existing Neighborhoods, while not expected to receive major amounts of growth or development, may receive some incremental infill or reinvestment. This may take the form of rebuilding existing homes, replacing dilapidated or otherwise unsalvageable homes, building on vacant lots, and small-scale infill projects, as allowed by the zoning code.

The Team proposes several language amendments based on these concerns. The intent of these amendments is to clarify that development and redevelopment in Areas of Stability and Existing Neighborhoods (as throughout the city) is regulated by the zoning code, not by the Comprehensive Plan, which is not a regulatory document. The proposed language

removes potentially subjective terms such as “character” and “rhythm and proportion”, and replaces them with the following objective language:

"Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code."

Instances where text changes are proposed, Land Use Chapter:

Page 33, paragraph 2, sentence #3
Page 56, paragraph 3, first sentence
Page 75, Policy 2.9, bullet #4
Page 81, Goal 13

Potential actions:

- Accept the amendments
- Retain the existing text
- Propose alternative amendments for Small Area Planning process

If you have question regarding this transmittal or need additional information, please Martha Schultz or Theron Warlick at the following numbers.

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