

Land Use Education & Communication Committee (LUEC)

June 16, 2009

Mayor Kathy Taylor
City Hall at One Technology Center, 15th Floor
Tulsa, Oklahoma 74103

Re: *Committee Recommendations*

Dear Mayor Taylor:

Thank you for the opportunity to serve the community, and to work alongside outstanding citizens and public servants to help improve communication among all of the participants in our city's development.

As described in your memo of March 2nd, our mission was *"to review and recommend revamped processes for education and communication regarding city land use processes."*

We have met a dozen times over the last three months, heard thirteen outstanding presentations from a broad range of interested parties, and debated nearly a hundred distinct ideas and suggestions. From all of this, we have narrowed our recommendations to the attached list, representing the Committee's assessment of the most critical measures needed to improve land use education and communication in the City of Tulsa.

Our recommendations are organized according to implementing agency, in the following categories: Training, Knowledge Management, Codes, General Recommendations, Legal Issues, and Inspections. Some of the recommendations are already underway, some can be implemented administratively, and some may require additional resources.

In the course of our deliberations, we also identified several long term issues that – while not directly within the scope of your charge to our Committee – demand further attention.

We heard from several presenters that City task forces have made similar recommendations in the past, only to see them ignored or neglected. For example, the 1999 Infill Development Task Force recommended, among other suggestions, creating ombudsman and project mediator positions, holding regular planning workshops, making website improvements, and "sponsoring pre-development

meetings involving the owner/developer and the neighborhoods in which the proposed project is located.”

We know you share our commitment to implementing meaningful process improvements. To that end, we request authorization to reconvene in 30-45 days to hear reports from implementing agencies, and then to meet at least quarterly, thereafter, to evaluate progress.

Thank you again for your foresight and your commitment to improving the quality of life for Tulsa residents and those seeking to invest in the development of our community.

Sincerely,

Committee Members:

Bill Christiansen, Chairman

Nancy Siegel

Steve Alter

Bruce Bolzle

Lauren Brookey

Julie Hall

Suliman Hawamdeh

Paul Kane

Bill Leighty

Encl. as stated

cc: Rich Brierre, INCOG/TMAPC
Jack Page, Development Services

Land Use Education & Communication Committee (LUEC)

Recommendations

LAND USE EDUCATION & COMMUNICATION COMMITTEE:

- Extend the term of the Land Use Education and Communication Committee for one additional year to allow for the receipt and review of the reports required under these recommendations;
- Expand the focus of the current Land Use Education and Communication Committee to allow its review, discussion and further recommendations on Long Term issues.

TMAPC & INCOG Staff-City of Tulsa

Research, review, clarify, prepare materials, as required, and report back to LUEC on each of the following:

Training:

- Conduct annual Zoning 101 training for City Councilors and other affected City employees. Schedule immediately following elections. Coordinate with other training (permitting, budget, etc.);
- Conduct annual Zoning 101 training for citizens, owners associations, realtors and Planning Commission and Board of Adjustment members;
- Work with associations (Architects, Engineers, Realtors) to gain CE credits opportunities for Zoning 101;
- Support continuing education for City employees and contractors by working with area public colleges and universities to create certification programs in the form of (Citizen Planning Academies).

Knowledge Management:

- Redesign proposed new form agendas, notices, signs, maps, etc which:
- 1) Use simple, plain language and layman terms;
 - 2) Improve readability;
 - 3) Includes contact information for applicant, assigned staff and others as required;
 - 4) Includes project overview and relationship to code allowances;
 - 5) Includes direct web address for case information.

Design new applicable INCOG web-sites enhancements which:

- 1) Meets simple, plain language standards;
- 2) Allows Plats to be accessible on-line;
- 3) Maximizes use of current technology, including GIS, Power Point, Flash or other visualization and rendering techniques;
- 4) Archives TMAPC and BOA cases with access by case number or other criteria;
- 5) Allows citizens to provide input on individual cases (comment form) and instruct INCOG to include a summary of such feedback results with Staff Recommendation on cases before the Planning Commission.

Amend Zoning and BOA application forms and Exhibit standards which:

- 1) Meets simple, plain language standards;
- 2) Illustrates topography sufficiently to give authorities and citizens clear understanding of effectiveness of proposed screening and/or landscaping and its relationship to surrounding properties. Coordinate with Permitting.

Research the potential development of the following:

- 1) Enhanced software resources (zoning analyst, case tracking, etc.);
- 2) Interactive web applications, as proposed by Jim Beach (www.landrules.com);
- 3) Mapping of all "active" TMAPC and BOA cases on website.

Codes:

Clarify and propose amendments,, as required, related to the definitions of "visual separation of uses", "topography setback", "livability space" or others which in INCOG's experience create mis-understanding or confusion as to intent;

Clarify and propose amendments, as required, related to the definitions of "Minor Amendment" and "Major Amendment", including clarification of notice requirements of each;

Publish "Administrative Approval" rules;

Amend notice standards to provide for minimum notice of 15 individual owners up to a maximum radius of 1,000 feet (Oklahoma City code).

General:

Update Citizens Guide to Planning and Zoning, including new "information page" outlining citizen's rights throughout the process including initial inquiries, engaging public officials, hearings, right to request future notice, petitions including standards and appeals, etc.;

Research potential additional electronic notice options (Facebook, Twitter, etc);

Research moving TMAPC and BOA public hearings to evening times.

CITY OF TULSA:

Research, review, clarify, prepare materials, as required, and report back to LUEC on each of the following:

Legal:

Determine required process to clarify adjacent zoning for homebuyers through the title process.

Inspections:

Revise Zoning Violation forms to include inspector name and contact number;
Clarify zoning code enforcement standards and evaluate their adequacy.

Knowledge Management:

Create and fund Ombudsman whose role and corresponding job description complies with Wikipedia definition;
Research the potential development of District Advisory Boards.

LONG TERM: (those issues which require additional study, input and discussion)

TMAPC and INCOG Staff/City of Tulsa

Process:

Review, clarify and recommend changes, as required, regarding those applications which require additional public review (e.g.: PUD's, etc.);
Research process issues related to the separation of engineering issues from the TMAPC public hearing, and if required propose added standards.

General

Research adding or modifying provisions within the ordinance that would provide for expiration of PUD if not platted within specific time frame;
Research adding or modifying provisions within the ordinance that, notwithstanding specific approved PUD provisions to the contrary, PUD's must conform to current Code bulk and area, setback and other applicable provisions at the time of platting;
Research adding or modifying provisions within the ordinance related to lot splits within established residential neighborhoods and the non-conforming lot provisions of Section 1404 of the ordinance;
Review and make recommendations regarding enforcement of existing laws relating to land use and development, including legal authority, resources, and the potential for cross training and enforcement.

City of Tulsa

General:

- Review and clarify contract between City of Tulsa and INCOG;
- Review and mechanism(s) to enhance communication, flow of information and knowledge sharing between and among City departments, Agencies and contractors. It is recommended that a person who reports directly to the mayor can be charged with overseeing the communication and education aspects and make sure that these and subsequent recommendations are implemented (Knowledge Manager).
- Review and, if required, propose amendments to the ordinance and department procedures to insure reliability, minimize interpretation and staff “discretion”;
- Review the process by which earth change permits are granted on large projects and how they might impact adjoining properties where significant grade differentials exist, and consider the value, benefit or requirement for “change in use” approval in extreme cases;
- Review the exemption for earth change permits on parcels less than one acre and consider the standards and guidelines which would govern those cases;
- At the completion of the Comprehensive Plan update and approval, review and consider amendments to the Zoning Code to minimize the use of Planned Unit Developments by adding appropriate new zoning categories or districts to allow more “by right” applications. In that respect, consider public input sessions, such as those developed during the Mid-Town Redux study.