

CHAPTER 10B

NEIGHBORHOOD CONSERVATION

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SECTION 1070. PURPOSES

The purposes of this Chapter are:

- A. To identify physical, social, and economic resources within the urban environment that are worthy of conservation;
- B. To protect primarily single-family neighborhoods, built prior to the adoption of the current zoning code, from incompatible infill development;
- C. To preserve and enhance the environmental quality and economic value of Tulsa's neighborhoods; and
- D. To promote the efficient use of urban lands, including the encouragement of compatible infill development.

SECTION 1071. GENERAL PROVISIONS

- A. **Designation.** The Neighborhood Conservation District is a supplemental zoning district having the designation NCD.
- B. **Establishment, Amendment, and Repeal.** The City of Tulsa may establish, amend, or repeal a Neighborhood Conservation District (NCD), according to the following criteria and procedures, provided, however, that Guidelines for a proposed NCD shall be adopted prior to, or concurrent with, the mapping of the NCD.
- C. **Principal Uses.** The principal uses permitted in the NCD are those customarily permitted in the RS-Single Family Residential District that constitutes the underlying zoning, unless otherwise specified in the Guidelines that must accompany each NCD designation.

D. **Accessory Uses.** The accessory uses permitted in the NCD are those customarily incidental to the underlying zoning, unless otherwise specified in the Guidelines that must accompany each NCD.

E. **Initiation of NCD Guidelines and Zoning Map Amendments.** Notwithstanding any contrary provisions of Chapter 17 of this Code, an application for the adoption of NCD Guidelines, and for a zoning map amendment to recognize an NCD, may be initiated by the Planning Commission, the City of Tulsa's Planning Department, the City Council, or by a petition signed by at least fifty percent (50%) of the number of owners of property contained within a proposed NCD. The City of Tulsa's Planning Department shall assist neighborhoods with the development of NCD Guidelines.

F. **Notice Required.**

1. The Planning Commission shall give at least 20 days notice of public hearing on any proposed NCD zoning changes:

a. in a newspaper of general circulation in the City of Tulsa;
and

b. by posting on designated properties within the area affected by the proposed NCD designation, on signage of sufficient size so as to be clearly visible and legible from the public street or streets toward which it faces;
and

c. by mailing written notice to all property owners in the proposed NCD.

2. In each instance, said notice shall include:

a. the date, time, and place of the public hearing; and
b. the present zoning of the property and the supplemental NCD zoning sought by the applicant; and

c. a map of the area to be affected, indicating street names or numbers, streams, or other significant landmarks in said area; and

d. other information as may be necessary to provide adequate and timely public notice.

G. **Relationship to Other Applicable Regulations.** Property located within an NCD shall be subject to the provisions of both the general zoning

district and the NCD. Where the provisions of the NCD and the general zoning district are in conflict, the provisions of the NCD shall govern.

H. **Enforcement.** NCD Guidelines shall be enforced as other zoning requirements are enforced, pursuant to Chapter 15 of this Code.

SECTION 1072. NEIGHBORHOOD CONSERVATION DISTRICT CRITERIA

A. **Criteria for NCD Designation.** An area may be zoned NCD if it meets all of the following criteria.

1. The area must not be designated a Historic Preservation Zoning Overlay (HP) district.

2. At least seventy five (75%) of the existing houses within the area of proposed NCD must have been built prior to July 1, 1970.

3. The area must be contiguous, and must contain at least 30 single-family dwellings.

4. The area must have distinctive or unifying features, which are worthy of conservation, but which the underlying zoning regulations do not protect or accommodate, such as:

a. building features, such as scale, size, type of construction, or distinctive building materials; or

b. site planning features, such as lot platting, setbacks, street layout or alleys; or

c. special natural or streetscape characteristics, such as creek beds, parks, gardens, or street landscaping.

B. **Neighborhoods on the National Register.** Neighborhoods or residential districts that are listed in the National Register of Historic Places shall be deemed to satisfy the requirement of Section 1072(A)(4), above.

SECTION 1073. NEIGHBORHOOD CONSERVATION DISTRICT GUIDELINES

A. **Contents of NCD Guidelines.** The Guidelines for each NCD designated area may address any, but need not address all, of the following subjects:

1. density and/or intensity of land use, including minimum lot size,

minimum and maximum floor area, number of dwellings per acre, minimum lot area per dwelling, and other related provisions;

2. area and bulk restrictions, including setbacks, maximum lot coverage, height controls, roof pitch, number of stories, open space requirements, and other related provisions;

3. accessory structures and yard utilization regulations, including the placement, size, and orientation of garages and driveways, fencing, carports, and other related provisions;

4. exterior building wall materials.

B. Consistency with Predominate Neighborhood Features. NCD Guidelines must be consistent with predominant features of the NCD designated area.

C. Applicability. Once adopted by the City Council, in conjunction with a zoning map amendment, NCD Guidelines shall apply to all new construction, as well as property reuse, alterations, and additions, as provided in Chapter 14 of this Title.

SECTION 1074. NON-CONFORMING LOTS

A. New Construction on Non-Conforming Lots. Notwithstanding the provisions of Section 1404 of this Title, all new construction in an NCD must comply with the requirements described in the NCD Guidelines, *provided* that a detached, single-family dwelling may be constructed on a non-conforming lot, only if a detached, single-family dwelling existed upon that non-conforming lot prior to the establishment of the NCD.