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September 27, 1993)

Ordinance No. 18027

AN ORDINANCE AMENDING THE ZONING CODE OF THE CITY OF TULSA, OKLAHOMA, TITLE 42, TULSA REVISED ORDINANCES, BY ADDING A NEW CHAPTER 10; BY AMENDING SECTION 1800; REQUIRING LANDSCAPING AND PROVIDING FOR EXEMPTIONS; PROVIDING FOR ADMINISTRATIVE REVIEW AND APPROVAL OF LANDSCAPING PLANS; PROVIDING FOR APPEALS; PROVIDING DEFINITIONS; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY OF TULSA:

Section 1. That Title 42, Tulsa Revised Ordinances, be and the same is hereby amended by adding a new Chapter 10, as follows:

"CHAPTER10

LANDSCAPE REQUIREMENTS

- Section 1000. Purpose.
- Section 1001. Applicability and Exemptions.
- Section 1002. Landscape Requirements.
- Section 1003. Administration.

SECTION 1000. PURPOSES

The purposes of the landscape requirements are:

- A. To promote the beautification of the City of Tulsa and to enhance its aesthetic quality;
- B. To promote reasonable preservation and replenishment of valued trees and vegetation;
- C. To aid in stabilizing the ecological balance by contributing to air purification, oxygen regeneration, ground water recharge and storm water runoff retardation; and
- D. To achieve a meaningful urban forest while permitting economically feasible urban development to occur.-

SECTION 1001. APPLICABILITY AND EXEMPTIONS

The landscape requirements herein established shall be effective January 1, 1994, and shall be applicable to all land for which a building permit is sought; provided, however, the landscape requirements shall not be applicable to the following:

- A. Land used for single family or duplex dwellings where only one such structure is to be constructed on the lot;

B. Restoration of a building, constructed prior to January 1, 1994, which is damaged by fire, explosion, flood or other catastrophe;

C. Interior remodeling; and

D. Land for which a detailed landscape plan has been approved by the Planning Commission prior to January 1, 1994, pursuant to its review of a planned unit development or corridor development; provided, however, that landscaping is installed in accordance with the approved detailed landscape plan prior to January 1, 1995.

E. Construction of a structure, other than a building, which does not increase the developed area of a lot more than 30 sq. ft.

F. Developed area of a lot if all proposed new buildings and/or additions to buildings contain less floor area than the floor area of existing buildings which remain on the lot after completion of the new construction.

For the purposes of this section, "developed area" shall mean the area of a lot which on January 1, 1994, is covered by a structure, off-street parking or loading areas, paved access to off-street parking or loading areas, or other areas paved with an all-weather material, and "existing buildings" shall mean buildings completed and existing prior to January 1, 1994.

SECTION 1002. **LANDSCAPE REQUIREMENTS**

A. Frontage and Perimeter Requirements.

1. Not less than 15% of the street yard shall be established and maintained as landscaped area.

2. Within the lot, a landscaped area shall be established and maintained which is not less than five feet in width and which extends along the entirety of abutting street right-of-way, except at points of vehicular access.

3. Within the lot, off-street parking areas shall be separated from an abutting residential district or residential development area in a PUD, by a landscaped area which is not less than five feet in width.

4. In computing the landscaped area required in Subsection 1002.A.1, landscaped areas established as required by Subsections 1002.A.2 and 1002.A.3, if located within the street yard, shall be included in the computation.

5. The requirements set forth in Section 1002.A. shall not be applicable to properties where no street yard exists.

B. Parking Area Requirements. Within surface off-street parking areas which are not zoned Central Business District (CBD), landscaped areas shall be established and maintained as follows:

1. For lots 2.5 acres or less in size, no parking space shall be located more than 50 feet from a landscaped area containing at least 30 square feet, with a minimum width or diameter of three feet;

2. For lots greater than 2.5 acres in size, no parking space shall be located more than 75 feet from a landscaped area containing at least 100 square feet, with a minimum width or diameter of seven feet.

c. Tree Requirements.

1. Within the street yard, trees shall be preserved or planted and maintained or replaced as follows:

One tree for each 1,500 square feet, or fraction thereof, of street yard.

2. For surface parking areas located outside the street yard, which are in zoning districts other than CBD, one tree for each 12 parking spaces, with at least one tree in each required landscaped area, shall be preserved or planted and maintained or replaced.

3. For surface parking areas located in the CBD zoning district which are designed for 20 or more spaces and which parking areas are within 25 feet of a public street right-of-way, trees shall be preserved or planted and maintained or replaced as follows:

a. One tree for each 35 lineal feet of parking area located along and parallel to the street boundary which is within 25 feet of public street right-of-way; and

b. Required trees shall be located within ten feet of a public street right-of-way.

4. An existing or planted tree which is at least six inches in caliper shall be considered as two trees for the purpose of determining compliance with the requirement of Subsection 1002.C., provided there is no alteration of the soil grade under an existing tree's dripline.

5. Planted trees shall be planted in a pervious area not less than three feet in diameter.

6. Minimum tree sizes at time of planting shall be as follows:

a. Ornamental trees shall be not less than six feet in height and one inch in caliper;

b. Conifers/Evergreen trees, such as pine, spruce or cedar, shall be not less than five feet in height; and

c. Canopy trees shall not be less than eight feet in height and 1-1/2 inch in caliper.

D. Miscellaneous Requirements.

1. Required landscaping shall not **include** artificial plants, trees or other artificial vegetation.

2. Required landscaping shall be irrigated by one of the following methods: —

a. An underground sprinkling system;

b. A drip system; or

c. A hose attachment within 100 feet of all landscaped areas.

3. **All** landscaped areas which are adjacent to pavement shall be protected with curbs or equivalent barriers.

4. Landscaping shall not obstruct traffic visibility at street intersections or at access points to streets.

5. Required landscaping shall be maintained in a live and **healthy** condition and shall be replaced as necessary to comply therewith.

6. Required landscaped areas shall be maintained free of debris and litter.

7. Required landscaping shall be installed in accordance with an approved landscape plan as set forth in Section 1003.

E. Incentive Credits. To encourage preservation of existing mature trees and/or the planting of larger trees, each square foot of landscaped area which is permeable and within the dripline of a tree at least six inches in caliper, shall constitute 1.5 square feet of landscaped area for the purpose of meeting the requirement of 15% street yard landscaping and/or parking area landscaping, provided, **however**:

1. Overlapping dripline areas shall only be counted once;

2. At least one-half of the dripline area shall be permeable;

3. The original grade of the dripline area shall not be changed; and

4. The 1.5 square foot incentive credit **shall not** constitute more than 25% of the landscape requirement.

F. Parking Credits. For all nonresidential development on lots of record as of December 31, 1993, which are one acre or less in size, the following parking credit shall apply:

For each 300 square feet of **street** yard which is required to be landscaped by Subsection 1002.A.1, the required number of off-street parking spaces shall be reduced by one space.

SECTION 1003. ADMINISTRATION

A. Landscape Plan. An application for a building permit for uses requiring landscaping, as set forth in Section 1001, shall include a landscape plan which **provides** the following:

1. The date, scale, north arrow, project name and name of the owner;

2. The location of **property lines** and dimensions of the tract;

3. The approximate center line of existing watercourses, the approximate location of significant drainage features, the location and size of existing and proposed streets and alleys, existing and proposed utility easements and overhead utility lines on or adjacent to the lot, and existing and proposed sidewalks on or adjacent to the lot;

4. The location, size and type (tree, shrub, ground cover, or grass) of proposed landscaping and **the** location and size of the proposed landscaped **areas**;

5. Planting details and/or specifications;

6. The method of protecting the existing trees which are to be retained from damage during construction;

7. The proposed irrigation system, including a drawing of the nature and location of the irrigation system; and

8. The schedule of installation of required landscaping and appurtenances, which shall specify installation of all required landscaping and appurtenances, except trees, prior to the issuance of a certificate of occupancy and further specify installation of required trees within the landscape plan within 120 days after issuance of the occupancy permit.

B. Certification of Installation. Prior to the issuance of a certificate of occupancy, written certification shall be submitted to the City by an architect, landscape architect or engineer authorized to do business in the state of Oklahoma or the owner of the property that the installation of the landscaping and appurtenances, except trees, **are** in accordance with the approved landscape plan. Prior to or within 120 days of the issuance of the occupancy permit, written certification of an architect, landscape architect or engineer authorized for business in the State of Oklahoma or the owner of the property that all trees have been installed in accordance with the approved landscape plan shall be submitted to the City.

C. Administrative Review. After receipt of a landscape plan, the designated administrative official shall:

1. Approve the landscape plan as complying with the requirements of this chapter;

2. Approve the landscape plan with conditions which bring it into compliance with the requirements of this chapter; or

3. Reject the landscape plan as failing to comply with the requirements of this chapter.

D. Alternative Compliance, If the administrative official rejects the landscape plan, the applicant may request, after payment of a fee, that the Planning Commission review the plan and determine that, although not meeting the technical requirements of this chapter, it is equivalent to or better than the requirements of this chapter.

The Planning **Commission** shall submit its determination in writing to the Development Services Division of the City of Tulsa and the applicant.

E. Appeal From Planning Commission Action. In accordance with the provisions of Section 1605, an appeal to the Board of Adjustment may be taken by any person aggrieved by a determination of the Planning Commission as set forth in Subsection 1003.D above.

Section 2. That Title 42, Chapter 18, Section 1800, Tulsa Revised Ordinances, be and the same is hereby amended by adding the following definitions:

"Caliper shall mean the diameter of the tree trunk measured at 6" above ground level for a tree trunk having a diameter of 4" or less and the diameter of the tree trunk measured at 12" above ground level for a tree trunk having a diameter exceeding 4".

Dripline shall mean the periphery of the area underneath a tree which would be encompassed by perpendicular lines extending from the exterior edges of the crown of the tree.

Landscaped Area shall mean the unpaved area within a lot which contains grass, shrubs, flowers, ground cover, trees or native plant materials and which may include decorative fixtures such as rock, pools and planters.

Street Yard shall mean the minimum required yard (residential) abutting a public street or the area of a lot contained between the minimum required building setback line (nonresidential) and an abutting public **street**.

Tree shall mean a woody plant having one or more defined stems or trunks and having a defined crown and customarily attained a mature height of 8' or greater or a woody plant set forth within a list of trees certified by the Urban Forester of the City and adopted by resolution of the Planning Commission."

'section 3. SEVERAEILITY. If **any** section, subsection, paragraph, subparagraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shgll remain in full force and effect, and to this end, thir provisions of this Ordinance are hereby **declared to be Severable**.

Section 4. EMERGENCY CLAUSE. That an emergency is hereby declared to exist for the preservation of the public peace, health and safety, by reason whereof this Ordinance shall take effect 'immediately from and after its passage, approval and publication.

ADOPTED-by the Council this 11-11-day of Sept, 1993 A.D.

ADOPTED as an emergency measure this 11 day of Sept 1993, A.D.


Chairman of the Council

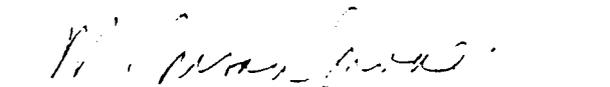
OFFICE OF THE MAYOR

Received by the Mayor this _____ day of _____, 1993 at _____ o'clock __. m.

M. Susan Savage, Mayor

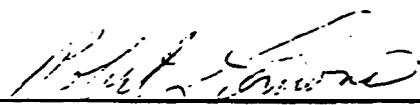
BY 
Secretary

20 APPROVED by the Mayor of the City of Tulsa, Oklahoma, this day of September, 1993 at 9 clock A.m.

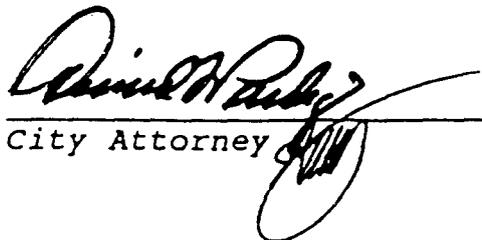

Mayor

(Seal)

ATTEST:


City Clerk

APPROVED:


City Attorney