



**Oklahoma County  
Zoning and Subdivision Regulations Update  
Diagnostic Evaluation**

**Public Review Draft  
November 29, 2018**

Prepared by:



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## Introduction

Oklahoma County has recognized the need for updated zoning and subdivision regulations, which regulate development in the unincorporated portions of the County. Changing conditions – such as market demand, water availability, State law, development practices, and community preferences – have prompted the need for this update. The County's elected and appointed leaders and County staff members have initiated efforts to update, reorganize, and simplify the County's regulations through this process.

The purpose of this Diagnostic Evaluation is to outline issues with the current regulations and practices and propose solutions. This report has been drafted as the first step in the Board of County Commissioners' directive to update the regulations. The consensus achieved during the development of this report will guide the update of the zoning and subdivision regulations.



## Background

Oklahoma County is the most populous county in the State and continued development and population growth are anticipated to occur. Deer Creek township, located in the northwestern portion of the County, represents the most densely-populated area within the unincorporated County; development pressures have remained steady in this area, while ensuring access to safe drinking water is becoming more challenging. In the eastern portion of the County, the upcoming Eastern Oklahoma County Turnpike will provide a 21-mile link between I-40 and I-44, which is expected to spur development in this currently rural region. Additionally, other factors – such as Tinker Air Force Base and highly-rated school districts – contribute to the demand for new homes and businesses in the unincorporated areas of the County.

Title 19 of the Oklahoma State Statutes (Sections 19-868.1 through 22) provides counties with the authority to establish a planning commission and a board of adjustment, as well as to develop subdivision and zoning regulations. These regulations apply only within the unincorporated portions of the County; the County's regulations do not apply within incorporated city limits. The regulations address development characteristics such as minimum lot size, permitted uses, infrastructure provisions, and signage.

## Community Input

This report is based on several sources of community input, in addition to the Consultant team's independent review of the existing regulations for planning, water planning, infrastructure, low-impact development, stormwater, and transportation. The following sections outline the general direction provided by each form of input.

### 2018 Planning Commission and County Staff Interviews

On August 16, 2018, Freese and Nichols, Inc. (FNI) interviewed individuals from the Board of Commissioners, Planning Commission, Planning Department, and Engineering Department. An emerging theme from these meetings included the desire for transparency and open communications. Another theme was the need to balance property rights with neighbors' property rights – minimizing the impact of regulations on private property owners, while respecting the property values and quality of life for adjacent property owners.

## 2018 Community Survey

Between August 30 and September 13, 2018, FNI conducted an online survey that received 1,505 responses. The survey was advertised on the County’s website, on various public and personal Facebook pages, through emails from local school districts, in the Luther Register newspaper and social media page, and on KFOR-TV news.

### Participation by Geography

Participants were asked to identify their home, work, and/or school locations on a map; the purpose of this request is to understand whether participants are adequately representing the unincorporated portions of the County and each of the three districts. As shown in the table below, most responses were received from District 3 and from within incorporated cities; however, 1,013 responses were received from the unincorporated areas.

#### Data Points by Location

	District 1	District 2	District 3	Total
Unincorporated County	28	145	840	1,013
Incorporated Cities	324	272	1,054	1,650
Total	352	417	1,894	2,663

*(Note that responses include 2,663 data points, which exceeds the number of participants who responded to the survey because respondents could provide separate locations for their home, work, and/or school locations.)*

### Top Priorities

The survey asked participants to select their top five priorities from a list of eight items:

- Tree preservation,
- Sidewalks,
- Sustainable development,
- Drainage and flooding,
- Large lots,
- Road maintenance,
- Water supply and quality, and
- Rural feel.

The most **commonly-selected** (i.e., the most frequently picked) priorities include the following:

1. Road maintenance,
2. Water supply and quality, and
3. Drainage and flooding.

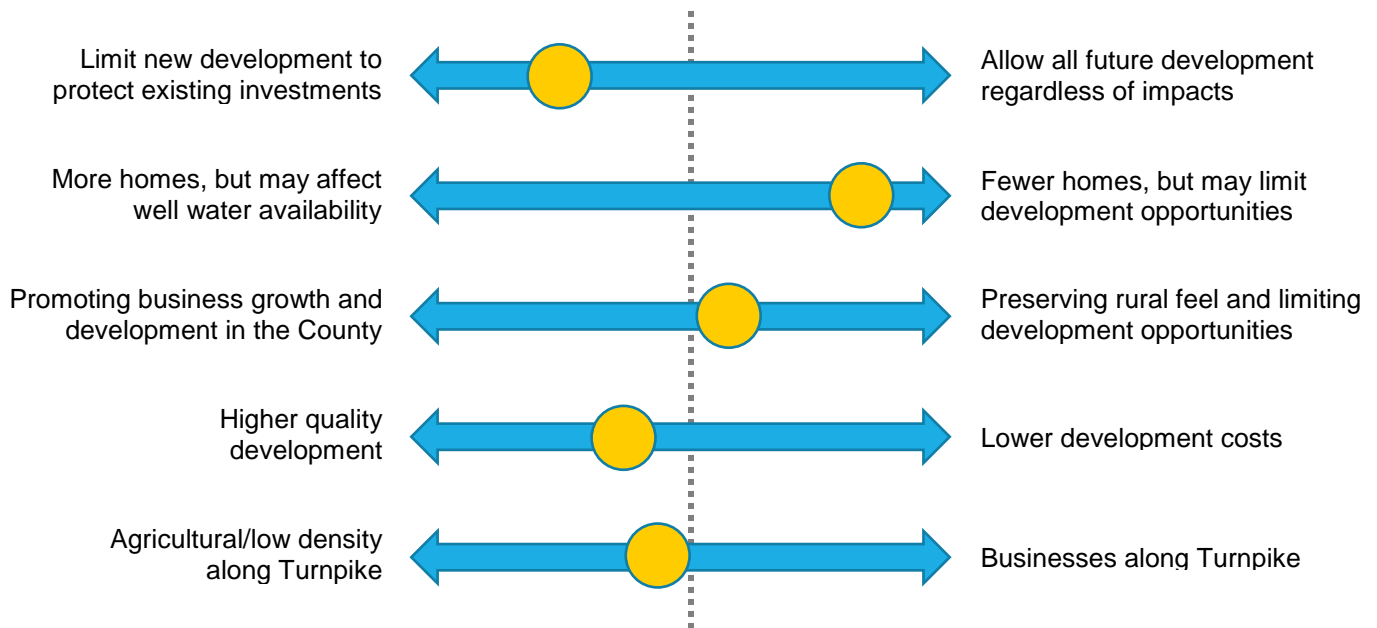
The **highest-rated** (i.e., the highest ranked) priorities include the following:

1. Rural feel,
2. Road maintenance, and
3. Water supply and quality.

### Tradeoffs

Participants were also asked to rate “tradeoffs”. (For example, higher quality development typically means increased cost of development, whereas lower quality development is more affordable to build.) As shown in the screenshot below, response options included five buttons, allowing participants to select which scenario they prefer and how strong their preference. Key results include the following:

- Most participants (69%) favor higher quality development compared to unrestricted growth.
- Three-quarters of respondents (75%) prefer low residential densities to traditional suburban development.
- Economic development is a lower priority within the unincorporated portions of the County, with a larger percentage (56%) choosing rural or agricultural land over commercial businesses.
- The majority of respondents (70%) support higher development costs compared to lower quality development.
- Nearly half of respondents (48%) prefer that future land use along the Eastern Oklahoma County Turnpike remain rural/agricultural land. (Note: 17% voted as neutral; 35% voted for commercial businesses.)



### Future Outreach Methods

The final survey question asked participants about the best way to advertise future surveys or input opportunities. Most respondents noted that email and social media (mainly Facebook; some mentioned Nextdoor) were the best communication methods. Other responses included local newspapers and news stations, announcements from school districts, traditional postal mailings. Participants were also invited to provide an email address for future updates; 664 respondents provided an email address.

## 2013 Community Survey

The County conducted a 12-question community survey in 2013 to assess public opinion regarding several similar topics, specifically lot minimum size, desired population density, quality of life, and the appropriateness of development regulations. The results of the survey are consistent with the 2018 survey.

The following results should be noted in relation to this project effort:

- The majority of respondents (76%) object to more dense subdivisions in the County.
- Only 29% of respondents object to increasing the minimum lot size from 2 acres to 5 acres.
- Over half of respondents (53%) object to more commercial development in the County; however, within District 1, only 42% object.



## Diagnostic Issues

This section outlines the identified issues and proposed resolutions for the regulations update organized by the following topic subsections:

- General
- Subdivision Regulations
- Zoning Regulations
- Additional Items for Consideration

### General

#### 1. Improve Overall User-Friendliness of the Document Format

**Issue** | The current zoning and subdivision regulations can be difficult to use and understand. The text is difficult to scan and quickly locate the desired information.

**Resolution** | Update the existing regulations to incorporate the following elements:

- Subheadings to improve scan-ability,
- Utilize bullet points or graphics when possible, and
- Use automatic cross-references to simplify document navigation.

#### 2. Add Flow Charts to Illustrate Development Processes

**Issue** | The current development processes (i.e., how to develop land) can be difficult to understand in the existing regulations.

**Resolution** | Provide flow charts to illustrate general steps of the development process.

#### 3. Review and Revise the Definitions

**Issue** | The current definitions sections include conflicts and lack definitions for modern terms.

**Resolution** | Review the zoning and subdivision definitions for consistency. Add modernized terms. Review for unused terms that can be removed.

#### 4. Protect the Groundwater Supply

**Issue** | Groundwater supply may be insufficient to provide water for future growth. Within Oklahoma County and across the country, local governments are evaluating the availability of safe drinking water and their ability to provide adequate supply to the existing and future populations.

**Resolution** | Implement stormwater control measures that promote infiltration/recharge to the groundwater table (rain gardens, bioretention ponds, infiltration trenches, bioswales, disconnected impervious cover, etc.). Reduce demand on the water supply by implementing water conservation measures such as rainwater harvesting, irrigation system monitors, and native landscaping. Provide credits and/or rebates to implement such measures.

Possible options for implementation may include:

- Require permanent stormwater controls for all new developments. For example, the City of Austin, Texas requires BMPs as a requirement for many new developments to meet the water quality criteria, which is enforced through the permitting process. (See Chapter 25-8, Subchapter A of the Land Development Code and Chapter 9-10 of the City Code.)
- Provide incentives, such as covering the cost of installation and materials, reduction of utility bills, and/or expedited permitting. Examples can be viewed at the following URLs:
  - EPA green infrastructure incentives throughout the US: [https://www.epa.gov/sites/production/files/2015-10/documents/gi\\_munichandbook\\_incentives.pdf](https://www.epa.gov/sites/production/files/2015-10/documents/gi_munichandbook_incentives.pdf)
  - State of Arizona - <http://waterawarenessmonth.com/rebates.php>
  - City of Austin, Texas - <http://www.austintexas.gov/department/rebates-tools-and-programs>
  - City of Rock Island, Illinois - <https://www.rigov.org/860/Rain-Gardens-for-Rock-Island-Program>
  - San Antonio River Authority - <https://www.sara-tx.org/lid-sustainability/low-impact-development/rebate-program/>
  - Montgomery County - <https://www.montgomerycountymd.gov/water/rainscapes/rebates.html>
  - San Antonio Water Systems - <http://www.saws.org/conservation/programs/>
  - Lower Colorado River Authority - <https://www.lcra.org/water/watersmart/Pages/rebates.aspx>
- Provide impervious cover credits to allow additional coverage in exchange for conservation measures. For example, the City of Bee Cave, Texas allows an increase in impervious cover if the site utilizes irrigation from roof runoff and permanent BMPs. (See Section 20.04.043.c.3.)

If such incentives are provided, it is recommended that reapplication is required every 1-2 years to ensure that the controls are maintained over time. Inspections should be required for commercial and subdivision developments due to the larger scale.

## 5. Reduce the Impacts of Fertilizers on Water Quality

**Issue** | The water quality of creeks throughout the County has been impaired/polluted due to over-fertilizing.

**Resolution** | Implement an Integrated Pest Management (IPM) Program to be submitted as part of each development. Notably, the County has offered volunteer programs, which have been successfully administered. Goals of the IPM Program include improved control, more efficient pesticide management, more economical crop protection, and reduction of potential hazards. It is critical that the development regulations and Stormwater Management Plan work together. For example, the IPM requirement could be included in construction specifications for reestablishing a disturbed site (i.e., in native seeding or planting specifications).

An IPM is triggered for City of Austin, Texas when:

- When land is developed in the [Barton Springs Zone](#) (required since 1992 under the Save Our Springs, SOS, Ordinance); homes and businesses built before the ordinance are grandfathered and do not require IPM plans although voluntary compliance is encouraged.
- When a City Board or the City Council requires an IPM plan (usually occurs when a developer request a variance from regulations).
- When the requirement is written into an agreement, such as for a PUD or to qualify for Green Building certification credits.
- Per the Environmental Criteria Manual (ECM), when specific water quality treatment systems are used on commercial properties, including wet ponds, retention/irrigation ponds, vegetative filter strips, biofiltration ponds, rainwater harvesting when used in conjunction with vegetation, disconnected impervious cover, and rain gardens.

- On intensive landscape management sites such as athletic fields and golf courses. These require customized IPM plans because the anticipated pests are more likely to be specialized.

Examples and additional information regarding IPMs can be found at the following URLs:

- <https://www.epa.gov/managing-pests-schools/key-factors-implementing-integrated-pest-management>
- <https://www.epa.gov/safepestcontrol/integrated-pest-management-ipm-principles>
- [https://www.nrcs.usda.gov/Internet/FSE\\_DOCUMENTS/stelprdb1046433.pdf](https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1046433.pdf)
- [https://cfpub.epa.gov/npstbx/files/Norming\\_Survey\\_LawnCare\\_NewEngland\\_July2010.pdf](https://cfpub.epa.gov/npstbx/files/Norming_Survey_LawnCare_NewEngland_July2010.pdf)
- [https://freshfromflorida.s3.amazonaws.com/BMP\\_Agrichemical\\_Handling.pdf](https://freshfromflorida.s3.amazonaws.com/BMP_Agrichemical_Handling.pdf)
- <http://www.austintexas.gov/ipm>

Developers - If an IPM plan is required, developers should be informed during the development review process. It is then the developer's responsibility to submit, and comply with, a plan. If the land is then sold, it is the developer's responsibility to communicate the need for the new land owner to abide by the plan.

Homeowners - If an individual parcel of land requires a site plan review and no developer or previous owner has submitted an IPM plan, then it is the current developer's/owner's responsibility to do so. If a property already has a plan, then it is the responsibility of future developers/owners to abide by the plan.

## 6. Protect Water Quality of Creeks

**Issue** | Impaired creeks exist throughout the County due to land use and community practices.

**Resolution** | Implement grow zones/riparian/erosion hazard setbacks along creek corridors to allow pollutants to drop out before entering the creek, allow room for the creeks to meander, and to have a stronger root zone along creek banks to reduce erosion potential. Implement "Scoop the Poop" campaigns to educate the public on the impact of pet waste on the streams.

## 7. Update Application Submittal Requirements

**Issue** | The current regulations require hard copy submittals or do not specify the method of application submittal. Additionally, many processes list the detailed submittal requirements. (For example, 10 copies of a site plan printed at 24"x36" must be submitted with a north arrow, using a scale of 1" = 200', etc.)

**Resolution** | The submittal requirements should specify that all submittal materials shall be provided in PDF and/or AutoCAD format, although the County reserves the right to require hard copy submittals. The specific submittal requirements should be moved into a checklist that is created and maintained administratively, which would allow for minor updates without requiring an amendment to the regulations.

### 8. Utilize Consistent Terminology

**Issue** | Throughout the zoning and subdivision regulations, many terms are used interchangeably, which can cause conflicts and confusion. For example, sometimes a General Plat is referred to as a Sketch Plat; “variance, exception, and modification” are sometimes used interchangeably.

**Resolution** | Ensure that terms are adequately defined and consistently used. The use of cross-references to the definitions will help ensure that consistent terms are used. Also, the terms should be reviewed for appropriateness. For example, the term “variance” is typically associated with zoning. The current subdivision ordinance uses the term “variance” instead of “waiver”, which might cause confusion regarding the requirements and processes (e.g., determining whether a hardship is required).

### 9. Clarify Flood and Floodway Definitions

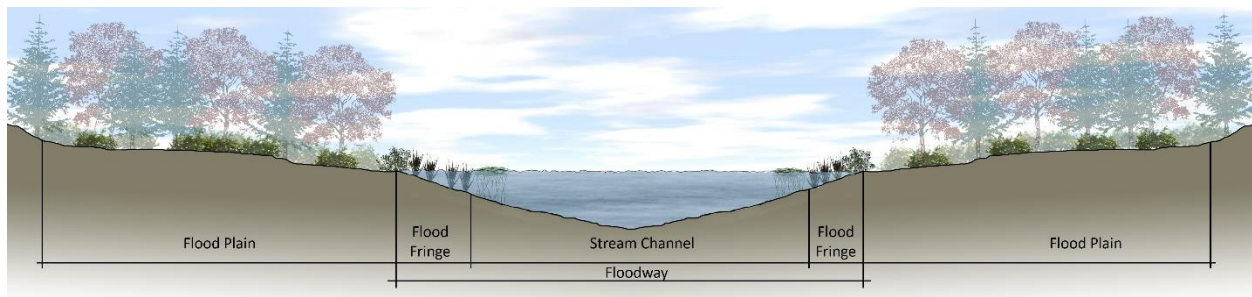
**Issue** | Clarify and revise definitions for “100-year Flood” and “Regulatory Floodway” in both the subdivision and zoning regulations definitions sections to be consistent with County Floodplain Regulations.

**Resolution** | Reference County Floodplain Regulations to ensure consistency. The following definitions should be included in the zoning and subdivision regulations per the Floodplain Regulations:

100-year Flood: The flood having a one percent (1%) chance of being equaled or exceeded in any given year (same as One Percent Chance Flood, Base Flood, and Regulatory Flood).

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

#### Example of an Illustration Indicating the Floodplain and Floodway



## Subdivision Regulations

### 10. Establish a Minimum Lot Size for Lot Splits

**Issue** | A lot split is the procedure required to divide one lot into two lots. The County allows administrative approval of lot splits to simplify the development process. However, this procedure is sometimes used repeatedly to create additional lots (e.g., 1 lot is split into 2 lots; those 2 lots are split into 4; those 4 lots are split into 8), sometimes resulting in disorderly development and inadequate public facilities to serve the lots.

**Resolution** | Establish a minimum lot size of five (5) acres for lot splits, which is consistent with State law and would apply to both the new lot and the residual lot. For comparison, both Rogers County and Creek County require a minimum of ten (10) acres for lot splits.

### 11. Update Notification Requirements to Reflect Practices and Legal Requirements

**Issue** | Prior to a public hearing, Section 3.2 requires mailed notice to all property owners within 300' of the subject property. 19-868.5 of the Oklahoma state statutes requires that prior to any county planning commission public hearing, published notice be provided in a newspaper of general circulation in the county.

**Resolution** | Revise the regulations to require publication of public hearing notices in a newspaper at least once each week for three consecutive weeks in Section 3.2 of the subdivision regulations. Note that the County currently provides published notice, however the practice is not reflected within the regulations.

### 12. Require Sidewalks within Subdivisions

**Issue** | Sidewalks are currently required to be installed only within one mile of a school, which negatively impacts neighborhood walkability, safety, connectivity, and overall access.

**Resolution** | Require developers to install sidewalks within the right-of-way internally within all subdivisions to promote walkable neighborhoods. Allow exemptions for lots over one acre or when topography/other natural features do not reasonably allow for the installation of sidewalks.

### 13. Provide Crosswalks and Adequate Signage

**Issue** | Provisions for crosswalks at intersections promotes safe and effective movement of pedestrians in a space. Include appropriate advanced vehicular signage promotes compliance and pedestrian safety.

**Resolution** | Amend Section 6.7.3 to require crosswalk placement and ADA compliance at all cross streets within subdivision or as requested by the County Engineer. Utilize advance vehicular signage, warning of the presence of crosswalks.

### 14. Require ADA-Compliant Ramps

**Issue** | ADA-compliant curb ramps at intersecting roadways brings the improvements within compliance with the current accessibility standards.

**Resolution** | Amend Section 6.7.5 to require ADA-compliant pedestrian ramps as needed along all curbed roadways.



## 15. Specify Ramps Should be Perpendicular for Safe Crossings

**Issue** | Curb ramp direction affects pedestrian crossing angle and impacts the safety of the crossing.

**Resolution** | Amend Section 6.8.2.j to specify that pedestrian ADA ramps shall be as close to perpendicular as possible to promote safe crossings.

## 16. Specify Maximum Slope for Crosswalks

**Issue** | Providing roadway cross-slopes at intersections.

**Resolution** | Amend Section 6.8.2.b.viii to specify that slopes crossing a crosswalk at an intersection shall be at 2% or less to be within ADA compliance.

## 17. Extend the Timeframe of Erosion Control Requirements

**Issue** | Section 5.1.2 stipulates developer responsibility for Erosion Control for only one year following the final plat.

**Resolution** | Increase length of responsibility to clearly define who is responsible for maintenance. Consider whether a development permit should be required to ensure adequate site protections. Specify that the County reserves the right to hold the plat until the landscape has been stabilized.

## 18. Reflect the County's Freeboard Requirement to Reduce Flooding Impacts

**Issue** | Section 6.9.4 Drainage Facility Standards are the minimum FEMA requirement for placing habitable structures at the 100-year flood elevation. The County Floodplain Regulations require 2 feet of freeboard.

**Resolution** | The term "freeboard" means the vertical distance from the FEMA floodplain, which is intended to protect development from flood damage and reduce downstream flooding impacts. The County has adopted higher standards to include at least 2 feet of freeboard above the 100-year for habitable structures. Revise language to ensure consistency with the County Floodplain Regulations.

## 19. Define a Buffer Area Around Water Bodies and Floodplains

**Issue** | Section 6.12 Preservation of Natural Features and Amenities does not provide any specific guidelines or recommendations for defining the limits of preservation areas.

**Resolution** | Natural buffer areas can be provided around water bodies to improve water quality by reducing erosion and sediment from adjacent development. Furthermore, natural buffer areas around floodplains can reduce flood risk by increasing the distance between development and flood-prone areas, as floods can and do occur outside of the 100-year floodplain. For water quality purposes, the County should reference the ODEQ Water Quality Division General Permit OKR04, which is the General MS4 Permit for County areas in the State of Oklahoma. Permit OKR04 provides buffer guidance around water bodies, which are generally 50 or 100 feet. The County can define a buffer zone around the 100-year floodplain for open space preservation and flood risk reduction (e.g., 500 ft. from the floodplain edge).

## 20. Require Permanent Water Quality Controls

**Issue** | Stormwater Management requirements under Article VI of the subdivision regulations only addresses development impact to flooding.

**Resolution** | Include requirements to provide permanent water quality controls with concrete pollutant removal requirements to mitigate impacts posed by development. Encourage low impact development controls, where feasible, while recognizing that such features might not be suitable in clay-dominated soils of Oklahoma County. Continue to plan for a Countywide drainage master plan to utilize a regional approach to stormwater management.

## 21. Specify Storm Events for Evaluation

**Issue** | Stormwater Management requirements under Section VI of the subdivision regulations states that improvements shall be designed prevent increases in downstream flooding, but does not indicate which storms must be evaluated.

**Resolution** | Add tighter language to the regulations that multiple storm events (2-, 10-, 25-, and 100-year event) shall be checked to verify no adverse impact to downstream properties. It is critical to regulate the 2-year storm event, at a minimum, as this storm is considered similar to the channel forming event for streams. If it is not protected, it could lead to instability of open channels.

## 22. Encourage On-Site Stormwater Retention

**Issue** | Section 6.6.5 of the subdivision regulations states that “lots shall be laid out as to provide position drainage away from all buildings...” and does not promote retaining water on site.

**Resolution** | Add language to encourage and promote stormwater retention at a lot level and consider requirements or incentives to detain additional stormwater.

## 23. Integrate Complete Streets Principles to Support Stormwater Management

**Issue** | Section 6.8 of the subdivision regulations is focused on traffic circulation and does not address Complete Streets principles that encourage on-site control of stormwater.

**Resolution** | Add language to accommodate surface storage stormwater features within the roadway layout. Also add language to address who will be responsible for maintaining the stormwater features.

## 24. Define Minimum Standards for Adequate Public Facilities

**Issue** | There are no minimum requirements established for a developer to determine if adequate public facilities exist. This leaves the development open to interpretation and possibly multiple review iterations. There are no requirements established around Water Service.

**Resolution** | Utilize water and sewer minimum standards from ODEQ to establish the minimum requirements in Section 6.2.2 to determine if adequate public facilities are available.

## 25. Clarify Rules for Utility Oversizing Reimbursement

**Issue** | The rules and policies in Section 6.2.3 for reimbursing a subdivider for line oversizing are not clear.

**Resolution** | Consider rules and a methodology for determining subdivider oversizing reimbursement and require an improvement agreement whenever oversizing occurs.

## 26. Revise Fire Hydrant Requirements to Meet State Standards

**Issue** | Fire hydrants are required to meet or exceed the State of Oklahoma Fire Marshal minimum standards.

**Resolution** | Section 6.10.3 should be revised to state that it must meet the minimum standards as established by ODEQ.

## 27. Include Language to Clarify Private Maintenance of Private Roads

**Issue** | Although public funds are not available for the operation and maintenance of private streets, explicitly stating this policy may help the County prevent confusion and establish an official policy of this practice.

**Resolution** | Include language in the subdivision regulations and continue to require language on plats to prohibit the use of public funds for the operation and maintenance of private streets. Define and clarify procedures for private streets to meet County standards to possibly be accepted by the County in the future.

## 28. Clarify Security Types

**Issue** | The types and procedures for required security (e.g., bonds) is unclear and may leave the County vulnerable to deteriorating or incomplete infrastructure.

**Resolution** | Establish the following three types of security to be required by the subdivision regulations:

- Performance Security: Ensures installation of adequate infrastructure if final plat is approved/filed.
- Maintenance Security: Protects existing infrastructure from damage during construction.
- Warranty Security: Guarantees quality of infrastructure for 2 years.

## 29. Update Paving Standards

**Issue** | County Staff is developing a list of desired updates to the existing County paving standards.

**Resolution** | County Staff should continue to work with the District Superintendents and others to finalize the list of desired updates.

## 30. Overall Layout and Access Management

**Issue** | Both temporary and permanent subdivision roadway layouts should allow for a primary entrance and secondary entrance in the event one entry is closed.

**Resolution** | Amend Section 6.6 to require secondary access in both permanent and temporary (staged) subdivision layouts. Consider adding a requirement for a construction entrance.

## 31. Requirements for Improvements and Design

**Issue** | Applicable Standards Section 6.1.f should be clarified.

**Resolution** | Add "State of Oklahoma, County Highway System Design Guidelines Manual" as being applicable along with any other standards and regulations adopted by the County.

### 32. Refine Traffic Impact Analysis Requirements

**Issue** | Evaluation of left and right turn-bays as part of the traffic impact analysis (TIA) to provide safety enhancements for vehicles turning to and from Section line or Arterial roadways.

**Resolution** | Amend Section 6.8.2.b to require study determination of the requirement for adding left or right turn-bays into the proposed development.

### 33. Inspection of Improvements/As-Built Record Drawings

**Issue** | Providing record drawings to Oklahoma County allows for better coordination and future project planning.

**Resolution** | Include Utility Improvements Record Drawings for subdivisions as a requirement in Section 5.5.2.

## Zoning Regulations

### 34. Update Use Types to Reflect Modern Uses

**Issue** | Some land use classifications in the use chart are not defined and many commonly-used modern uses are excluded.

**Resolution** | Ensure that each land use classification has a definition. Update the list of land use classifications to include more modern uses, such as wedding venues, wineries, vineyards, and CBD/medical marijuana sales and production.

### 35. Include Permitted Uses in a Use Chart

**Issue** | In the current zoning regulations, permitted uses are listed within each zoning district. This can result in inconsistent use classification terminology, difficulty in determining which zoning classification is required for each use type, and an unnecessarily lengthy document.

**Resolution** | Instead of listing the permitted uses, create a table that lists the permitted uses by row, and the zoning districts by column. This will allow readers to quickly determine where a particular use is permitted and ensures the use of consistent use classification terminology.

### 36. Review Permitted Uses in Each District

**Issue** | Some uses may not be appropriate or desirable in certain zoning districts.

**Resolution** | Review the permitted land use types to determine whether each use should be permitted by-right, by SUP, require conditions, or be prohibited within each district.

### 37. Review the Use of PUDs

**Issue** | During the diagnostic interviews, several interviewees mentioned the PUDs are used too frequently. Additionally, the current PUD section is focused on residential developments (e.g., housing density, usable open space requirement).

**Resolution** | Continue to evaluate the use of PUDs to determine whether the existing practice is desirable to allow additional review and discretion regarding proposed developments, or whether a more streamlined process is appropriate. Update the section to better accommodate nonresidential PUDs.

### 38. Streamline Special Exception Uses and Special Use Permits

**Issue** | The current designation for Special Exception Uses is confusing and very similar to a Special Use Permit. From Article II Section 3.B:

#### **3. Special Exception Uses Category (SE)**

The Special Exception Uses category refers to those uses which cannot be located in the district without a public hearing before the Oklahoma County Board of Adjustment to determine that the proposed use is appropriate for an area, and can be developed with the assurance that surrounding land uses will be protected (see ARTICLE V, Section 3 and ARTICLE IX.2.E).

#### **4. Special Permit Use Category (SU)**



The Special Permit Uses category refers to those uses which cannot be located in the district without a public hearing before the Oklahoma County Planning Commission and Board of County Commissioners to determine that the proposed use is appropriate for an area and can be developed with the assurance that surrounding land uses will be protected (see ARTICLE V. Section 4).

**Resolution** | Convert all Special Exception Uses to Special Use Permits (SUPs) to streamline the process and reduce confusion between the two processes. Add provisions to allow SUPs with term limits, specifically focusing on manufactured home parks.

### 39. Alcohol Overlays Change to Uses

**Issue** | The three current Alcoholic Beverage Consumption (ABC) Overlay Districts are confusing.

**Resolution** | To simplify the regulations, these Overlay Districts should be reclassified as land use types subject to the conditions provided in the existing regulations.

### 40. Remove Content-Based Regulations in the Signage Section

**Issue** | The current sign regulations have some components that might be interpreted to be content-restrictive. According to caselaw from Reed et al. v. Town of Gilbert, Arizona et al., sign regulations should not contain any content-based restrictions.

**Resolution** | Review and update the sign regulations as needed to remove regulations that may be interpreted to be content-based. Ensure all requirements are regulating only size, height, and placement of the signs. Continue to prohibit billboards in the County.

### 41. Review Permitted Sign Types

**Issue** | Sign types are unclear in the current regulations. Additionally, the permitted types of signs should be reviewed.

**Resolution** | Update the sign regulations to include photos and illustrations to reflect the intended sign types and methods of measurement. Review the types of signs permitted in each zoning district and provide an easy-to-understand table indicating where each sign type is allowed. Consider restricting or prohibiting pole signs in certain districts.

### 42. Include Drainage and Stormwater Management Provisions in Site Plan Review

**Issue** | Site Plan Review design factors do not include provisions for drainage and stormwater management.

**Resolution** | Add "Drainage and Stormwater Management" design factor to Section Article V, Section 3.D. Recommended language: "The provisions of proper grading and drainage as well as collection and control of on-site and off-site stormwater."

### 43. Include Special Flood Hazard Area Provision in Site Plan Review

**Issue** | Site Plan Requirements do not include any identification of whether the property is located in the FEMA Special Flood Hazard Area (SFHA) and/or 100-year floodplain. (Article X, Section 2.B.1)

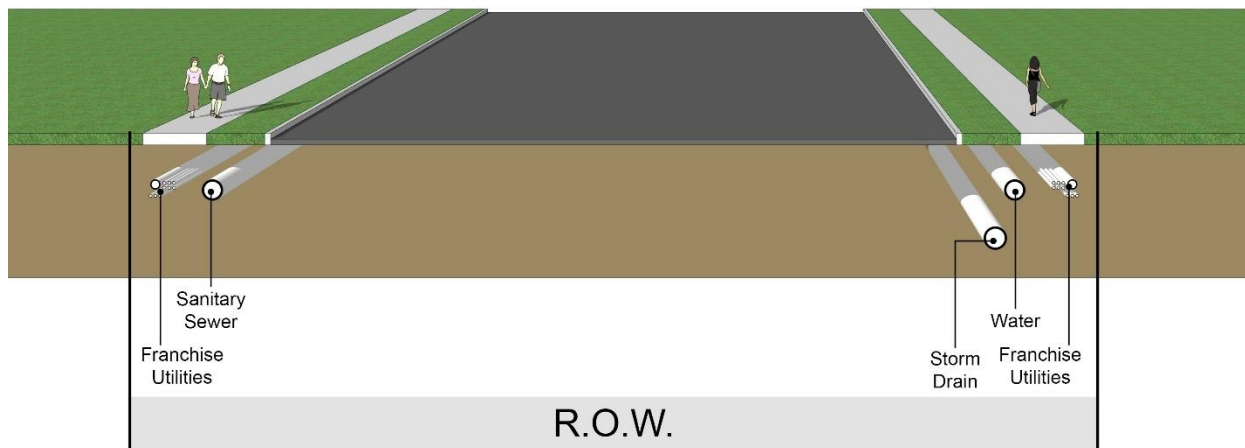
**Resolution** | Add language to include verification if property is in the FEMA SFHA (100-year floodplain). This will ensure the County is complying with the requirements set forth in the NFIP.

#### 44. Require County Engineer Approval for Utilities in the Right-of-Way

**Issue** | It shall be unlawful to locate, erect, or construct any building or structure on any lot without provisions for water supply and sewage disposal facilities approved by the County Engineer. There are no guidelines for where utilities should be located within the right-of-way (ROW).

**Resolution** | Include a typical street section in Article V – Section 11.A illustrating the preferred locations of utilities within the ROW in the design standards.

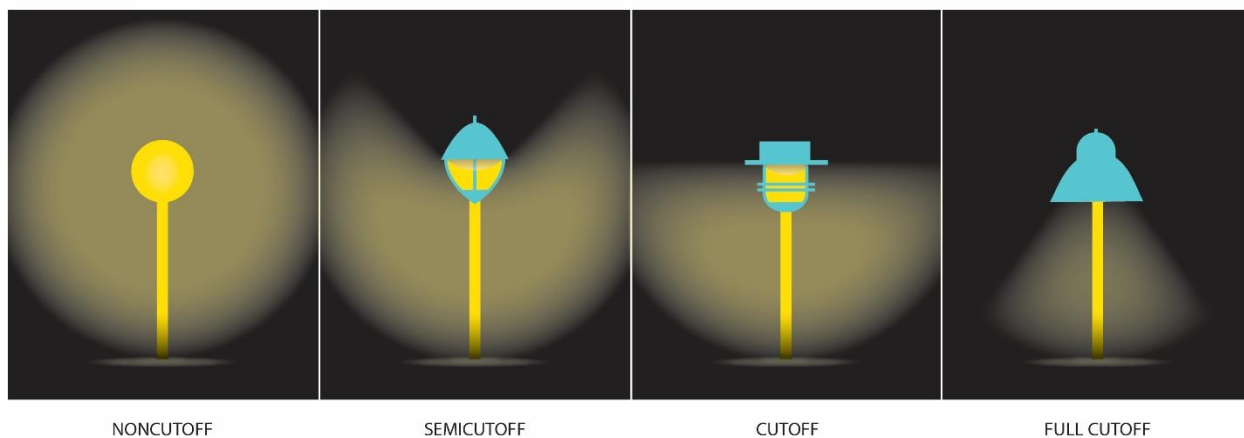
##### Example of an Illustration Indicating Utility Placement in the Right-of-Way



#### 45. Review Lighting Standards to Preserve the Night Sky

**Issue** | Many Oklahoma County residents have chosen to live in the County because they enjoy the natural atmosphere. The urban glow that is emitted from lights shining into the sky negatively impacts the natural atmosphere by reducing visibility of stars at night and affects the behavior of animals in the area.

**Resolution** | Require lights to be directed downward and utilize full cutoff shading.



## 46. Review Regulations for Recreational Vehicles

**Issue** | Recreational vehicles (RVs) are intended for temporary or seasonal occupancy, however the County has experienced issues with RV occupants living in the vehicles on a permanent basis.

**Resolution** | Permit RV parking only within an RV park or on the owner's property. Establish a maximum length of time for RVs to park within an RV park and consider limiting the length of time a RV can be occupied while parked on a property. Evaluate whether additional safety provisions are warranted.

## 47. Establish Provisions for Tiny Houses

**Issue** | Small dwellings, often referred to as "tiny houses", are becoming more popular across the country. Tiny houses are commonly intended to be portable dwelling units ("tiny houses on wheels"), although some may be placed on a permanent foundation like a traditional home.

**Resolution** | Classify tiny houses as a type of use to be allowed with a Special Use Permit. Establish dimensional standards for permanent tiny houses and placement standards for tiny houses on wheels. Specify additional requirements, such as whether tiny house can be primary and/or accessory dwellings, whether a permanent foundation and utility connections are required for tiny houses on wheels, whether additional safety provisions are warranted, and where such homes may be appropriate.

## 48. Provide Options for Alternative Compliance

**Issue** | The current regulations do not have any procedure established for County staff to review or approve minor deviances, which results in time-consuming procedures to be conducted for minor issues.

**Resolution** | Allow for alternative compliance, which would allow County staff to approve pre-determined minor deviations that result in a similar or improved development. This would reduce the caseload for the County's elected and appointed officials and expedite the development process for applicants.

## 49. Review Addressing and Street Naming Requirements

**Issue** | Some roads change names along various segments of the road. (For example, 220<sup>th</sup> Street is also called Coffee Creek Road.) This can cause confusion for visitors traveling in the County and for emergency responders searching for a particular address.

**Resolution** | Review the existing addressing and street naming requirements to ensure that best practices are utilized.

## Additional Items for Consideration

The following issues were noted during the input process, however are not included within the scope of the Zoning and Subdivision Regulations Update. The issues have been documented here for the County's future reference.

### 50. Encourage a Spokesperson for Large Groups

**Issue** | At public hearings, many residents sign up to speak on issues that are important to them. In order to allow everyone to speak and share their opinions, a time limit is typically imposed on individual speakers. This practice can result in repetitive comments and brief allotments of time for commenting.

**Resolution** | Develop a form for residents to appoint a spokesperson to speak on behalf of the group. Many communities allow the spokesperson a longer time limit in lieu of the individual time allotments.

### 51. Improve Website Organization

**Issue** | The County's website can be difficult to navigate. The website is scheduled for an update in the near future.

**Resolution** | The website contains useful information and links to PDF documents and might only need minor revisions to better reach visitors. The website could be reorganized into a question-based or topic-based format where users could either click on dropdown menus or click on topic areas such as "I want to download a map" or "Show me what type of permits I might need." Also, a flow chart of the development process may be helpful to include on the homepage.