



## **Bartlesville City Planning Commission PLANNED UNIT DEVELOPMENT PROCEDURE**

Planned Unit Development (PUD) sites are intended to be developed as integrated project units giving special consideration of their impacts upon the community and therefore, special attention for their development and expansion. The PUD regulations are aimed at providing this special attention, yet still to encourage the flexibility and innovation in the development of land.

PUDs are required on tracts located within a district or districts having the supplemental district designation PUD as identified on the official zoning map for the City of Bartlesville. Additionally, a supplemental PUD is **required** when requesting a rezoning of land to an office, commercial, or industrial zoning district designation.

If you desire or are required to develop your property as a PUD, the procedure is as follows:

1. If the site is already appropriately zoned for your proposed use, a PUD site development plan must be prepared for consideration by the Bartlesville City Planning Commission (BCPC). A public hearing will also be held by the MAPC during review of your PUD site development plan.
2. If the site is not properly zoned for your proposed use, and if a supplemental PUD is required for your requested rezoning, the PUD site development plan along with the rezoning request must also be presented for consideration and final approval or denial by the City Council at which time a second public hearing will be held during review of your rezoning request and proposed PUD site development plan. For further information on rezoning of a site, please refer to information contained in a separate document entitled Rezoning Procedure.
3. The PUD site development plan shall provide the following information either on the plan itself or in written text that accompanies the plan:
  - A. Existing topographic character of the land including floodplain areas,
  - B. A specific list of proposed land uses for this PUD, including public uses, park land and open space,
  - C. The location of all proposed and/or existing buildings and other structures, including height, setback, and size and usage of all such buildings in square footage, off-street parking and loading areas, and external lighting and signage,
  - D. A description of the character of the development and the proposed density of the development. Density shall be expressed in number of dwelling units for residential area and in floor area ratio for area of each identifiable segment of the development,
  - E. The location of thoroughfares which provide access to the development, proposed ingress and egress, anticipated traffic flows to and from the site based upon actual traffic counts for the proposed users or, in the absence of such, rates contained in the ITE publication Trip Generation,

- F. The location of all existing and proposed public service facilities and related existing and proposed easements, including but not limited to water supply facilities, sanitary sewers, fire protection services, and stormwater and groundwater detention facilities, both on and off-site,
  - G. Sufficient surrounding area to demonstrate the relationship of the development to adjoining users, both existing and proposed,
  - H. A detailed landscape plan, including proposed screening and buffering of the development from adjoining residential areas,
  - I. The expected schedule of development, including information on any proposed multi-phasing of the development,
  - J. In addition, the Community Development Director may require the applicant to provide elevations and perspective drawings of proposed buildings as part of a Site Development Plan.
4. The City of Bartlesville Zoning Regulations require applicants for PUD to submit with their application a list of the names and addresses of all property owners of record within a three hundred (300) foot radius of the exterior boundaries of the subject property. This list must be certified as current and accurate by a registered professional engineer, an attorney, a bonded abstractor, or a registered land surveyor. The attached certification must be submitted with this list (see Exhibit A). In addition to the certified list of names and addresses, two sets of these names and addresses are to be provided with your application on self-stick mailing labels. The applicant is also required to construct and post a site sign on the property giving public notice of the proposed PUD site development plan. The attached information (see Exhibit B) further explains the applicant's responsibility in completing this requirement.
5. Complete the PUD application and bring it with *all required material*, including a \$100 filing fee to the Community Development Department at the address below. The staff will make your application is complete; **incomplete applications will not be accepted.**
6. Your application, along with the filing fee, must be filed at the Community Development Department before 5:00 p.m., Tuesday, thirty (30) days prior to the next Bartlesville City Planning Commission (BCPC) meeting. The BCPC generally meets on the fourth Tuesday of each month unless the schedule is altered by a holiday during that particular month. Applications, which do not meet this deadline schedule, **will not** be accepted.
7. After your application and required materials are filed, legal notice of the request will be published in the Bartlesville Examiner-Enterprise, as required by State law. Also at this time, every property owner within three hundred (300) feet of the exterior boundaries of your property is notified by letter of your request and invited to present comments at the BCPC public hearing.

These owners, and any other citizen, may protest your proposed PUD site development plan at the public hearing if they so desire. Should the owners of fifty percent (50%) of the land within the notice area protest your request, it will take an affirmative vote of four of the five members of the City Council to approve your application.

In order to promote public participation in the development review process, the applicant is required to provide for citizen participation activities prior to the BCPC public hearing. Information concerning this requirement is attached hereto as **Exhibit C.**

8. The staff will research and analyze your request and prepare a staff report with a recommendation, which will be mailed to each BCPC member, as well as to the applicant. This staff report will also be made available to the applicant or his representative and to any member of the public on the Friday before the BCPC meeting at the Community Development Department. You are welcome to pick up a copy of the staff report on this Friday from the Community Development Department if you so desire.

The Staff's recommendation will be based on the following factors (to include, but not limited to):

- a. Compatibility of the request with the Comprehensive Plan and policies adopted by the BCPC, and City Council.
- b. The compatibility of the proposed development with adjoining land uses.
- c. The compatibility of the proposed zoning/development with abutting zoning districts (Is the request an extension of an existing district?).
- d. Whether or not there is a need for additional land to be rezoned as requested.
- e. Whether the change represents a public need or is merely for the convenience of the owner.

9. At the next scheduled BCPC meeting, your request will be considered at a public hearing. You will be sent notice of this meeting and you or your representative must be present. The staff will introduce your request, and you and any interested citizen will have the opportunity to speak to the Commission concerning your request. Information concerning presentations before the BCPC is provided in **Exhibit D**.

10. At the conclusion of this public hearing the BCPC, by majority vote, will take action to approve, approve with conditions, deny or table the proposed PUD site development plan. (If a rezoning of the site is required as part of your PUD application, this action will take the form of a recommendation, and will be transmitted to the City Council, along with your application and related materials, for final approval or denial).

11. Once action on your PUD site development plan is taken by the BCPC, the applicant, any property owner within 300-feet or any other aggrieved citizen, may appeal the decision of the BCPC to the City Council for consideration at a second public hearing.

12. When the BCPC has approved an application for PUD site development plan (and when no rezoning of the site is required), you are authorized to submit building plans for administrative approval in anticipation of construction. The average PUD case (where no rezoning of the site is required) takes about 40 to 55 days from the time your application is received until final approval.

13. Also included in this information packet is an application for an amendment of a previously approved PUD site development plan or for abandonment of a previously approved PUD site development plan. Regulations concerning an amendment to a PUD or abandonment of a PUD are contained in Section 7.6 of the Zoning Regulations. Information concerning rezoning of property is contained in a separate information packet entitled Rezoning Procedure.

14. The BCPC and City Council meetings are held in the City Council Chambers of the Bartlesville City Center Building, 401 S. Johnstone, Bartlesville, Oklahoma. If you have any further questions, please call the Community Development Department at 918-338-4237.

8.2015



Case No:	
Date Received:	
BCPC Hearing Date:	
City Council Hearing Date:	

## APPLICATION FOR PLANNED UNIT DEVELOPMENT

**NAME OF APPLICANT:** \_\_\_\_\_ **DAYTIME PHONE:** \_\_\_\_\_

**GENERAL INFORMATION AND REQUIREMENTS: ATTACH THE FOLLOWING INFORMATION WITH THE APPLICATION EITHER IN SUPPLEMENTAL TEXT OR DRAWING FORM:**

- |  |   |
|--|---|
| <input type="checkbox"/> Acres                                       | <input type="checkbox"/> Character of Development |
| <input type="checkbox"/> General Surrounding Area                    | <input type="checkbox"/> Schedule of Development  |
| <input type="checkbox"/> General Location of Streets                 | <input type="checkbox"/> Density of Development   |
| <input type="checkbox"/> Proposed Land Uses, Building and Structures | <input type="checkbox"/> Topographic Information  |

**SITE LOCATION** \_\_\_\_\_

**SITE ADDRESS** \_\_\_\_\_

**LEGAL DESCRIPTION** \_\_\_\_\_

**RECORD OWNER** \_\_\_\_\_

**PRESENT ZONING** \_\_\_\_\_ **PROPOSED ZONING** \_\_\_\_\_

**PRESENT USE** \_\_\_\_\_ **PROPOSED USE** \_\_\_\_\_

**AS APPLICANT, WHAT IS YOUR INTEREST IN THIS PROPERTY?**

- Present Owner     Purchaser     Attorney for Owner     Other

**I certify that the submitted information is true and correct.**

**NAME:** \_\_\_\_\_

**ADDRESS** \_\_\_\_\_

**SIGNATURE (APPLICANT)** \_\_\_\_\_

**SIGNATURE (PROPERTY OWNER IF NOT APPLICANT)** \_\_\_\_\_

**THE FOLLOWING ITEMS ARE ATTACHED:**

**Attached**

- |   |                          |
|---|--------------------------|
| 1. Application fee of \$100.00  | <input type="checkbox"/> |
| 2. Name and address of legal owner(s) of property to be included within the PUD   | <input type="checkbox"/> |
| 3. Two (2) sets of self-stick mailing labels, either typed or legibly printed, of names and addresses of all property owners within 300-feet of | <input type="checkbox"/> |



Case No:	
Date Received:	
BCPC Hearing Date:	
City Council Hearing Date:	

## APPLICATION TO AMEND OR ABANDON A PREVIOUSLY APPROVED PLANNED UNIT DEVELOPMENT

NAME OF APPLICANT: \_\_\_\_\_ DAYTIME PHONE: \_\_\_\_\_

**GENERAL INFORMATION AND REQUIREMENTS: ATTACH THE FOLLOWING INFORMATION WITH THE APPLICATION EITHER IN SUPPLEMENTAL TEXT OR DRAWING FORM:**

- |  |   |
|--|---|
| <input type="checkbox"/> Acres                                       | <input type="checkbox"/> Character of Development |
| <input type="checkbox"/> General Surrounding Area                    | <input type="checkbox"/> Schedule of Development  |
| <input type="checkbox"/> General Location of Streets                 | <input type="checkbox"/> Density of Development   |
| <input type="checkbox"/> Proposed Land Uses, Building and Structures | <input type="checkbox"/> Topographic Information  |

REASON FOR PROPOSED AMENDMENT OR ABANDONMENT: \_\_\_\_\_

SITE LOCATION \_\_\_\_\_

SITE ADDRESS \_\_\_\_\_

LEGAL DESCRIPTION \_\_\_\_\_

RECORD OWNER \_\_\_\_\_

PRESENT ZONING \_\_\_\_\_ PROPOSED ZONING \_\_\_\_\_

PRESENT USE \_\_\_\_\_ PROPOSED USE \_\_\_\_\_

**AS APPLICANT, WHAT IS YOUR INTEREST IN THIS PROPERTY?**

- Present Owner     Purchaser     Attorney for Owner     Other

**I certify that the submitted information is true and correct.**

NAME: \_\_\_\_\_

ADDRESS \_\_\_\_\_

SIGNATURE (APPLICANT) \_\_\_\_\_

SIGNATURE (PROPERTY OWNER IF NOT APPLICANT) \_\_\_\_\_

**THE FOLLOWING ITEMS ARE ATTACHED:**

- |  | <u>Attached</u>          |
|--|--------------------------|
| 1. Application fee of \$100.00   | <input type="checkbox"/> |
| 2. Name and address of legal owner(s) of property to be included within the PUD  | <input type="checkbox"/> |
| 3. Two (2) sets of self-stick mailing labels, either typed or legibly printed, of names and addresses of all property owners within 300-feet of the property | <input type="checkbox"/> |

**EXHIBIT A**  
**CERTIFICATE**

STATE OF OKLAHOMA )

)ss

WASHINGTON COUNTY)

The undersigned, \_\_\_\_\_, in and for said County and State, does hereby certify:

That the attached is a complete and correct list of property owners within 300-feet of the property described below as reflected by the tax rolls in the office of the County Treasurer for Washington County, Oklahoma and the last recorded conveyance in the office of the County Clerk for Washington County, Oklahoma

Dated at Bartlesville, Oklahoma this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Typed or Printed Name**

Legal description of property:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## **EXHIBIT B**

# **Bartlesville City Planning Commission SITE POSTING REQUIREMENTS**

### For all Planned Unit Development (PUD) and Rezoning Cases

To provide adequate notice to the community, you are required to post your site at least 20 days prior to the first public hearing date and to maintain the posting until the City Council or County Commission decision on the request. If you are requesting a rezoning of property, the site sign must specifically state the present zoning classification and the proposed zoning classification of the property within the sign subject identified as "REQUEST."

### **SITE POSTING SPECIFICATIONS**

1. Sign shall be a minimum of 4' x 8' in size and painted yellow in color.
2. Sign shall be made of laminated plywood or heavyweight plastic.
3. Sign shall provide black vinyl lettering sized and lettered as per the attached diagram. Where not indicated on the attached diagram, lettering shall be no less than 1" in height.
4. Sign shall be attached with a minimum of 6 screws to 2 - 4" x 4" x 10' wood poles.
5. Sign may be created and posted by applicant or by a licensed sign contractor.
6. Sign shall be posted at least 20 days prior to the date of the first public hearing. Sign shall remain posted on the site until after the final hearing. Sign shall be removed from the site following final action on the request.
7. Within twenty (20) days prior to the date of the first hearing of the request by the MAPC, the applicant shall send to the Community Development Director a notarized affidavit of posting (attached) along with a photo of the sign posted on the site.
8. Applicant is responsible for the maintenance and care of the site sign during the term of the case.

**AFFIDAVIT OF POSTING**

Case No. \_\_\_\_\_

Location \_\_\_\_\_

Site Posting Date: \_\_\_\_\_

Applicant Name \_\_\_\_\_

In order to provide adequate notice to interested parties, the APPLICANT for any Planned Unit Development or rezoning hearings within the City of Bartlesville/Washington County Metropolitan Planning Area shall erect, not less than twenty (20) calendar days prior to the date of public hearing, notice of the date, time and place of each public hearing and a summary of the request. Such notice shall be clearly legible and wherever possible, placed adjacent to the right-of-way of a public street or road. IT SHALL BE THE RESPONSIBILITY OF THE APPLICANT TO ERECT AND TO MAINTAIN THE NOTICE OF THE SUBJECT PROPERTY until final disposition of the case. The number and location of notices shall be determined by the Director of Community Development.

I confirm that the site has been posted as indicated by the Director of Community Development for the case as listed above. **Polaroid picture/s of the site posting/s have been submitted.**

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

This instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by \_\_\_\_\_ . In witness whereof, I have hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_

**Return completed, notarized affidavit AND pictures to the Community Development Department  
AT LEAST 20 DAYS PRIOR TO PLANNING COMMISSION HEARING.**

## SITE POSTING SPECIFICATIONS

<b>PUBLIC NOTICE</b> -----	1" letters
<b>CITY OF BARTLESVILLE</b> <b>PUBLIC HEARINGS</b> -----	4" letters
<b>City Planning Commission: 5:30 p.m., DATE</b> -----	2" letters
<b>City Center, 401 S. Johnstone, Bartlesville, OK</b> -----	1" letters
<b>City Council: 7:00 p.m., DATE</b> -----	2" letters
<b>City Center, 401 S. Johnstone, Bartlesville, OK</b> -----	1" letters
<b>REQUEST:</b> -----	2" letters
<b>LOCATION:</b>	Remaining in 2" letters
<b>CASE NO.</b>	
<b>APPLICANT:</b>	
<b>PHONE NO.</b>	
<b>Case file available at the Department of Community Development (338-4237)</b>	
<b>Posting Date:</b>	Must specifically state the action requested; if zoning will change, must identify existing zoning classification and the proposed zoning classification (see note below)

### **NOTE:**

**Under the REQUEST category:** Information provided on sign should be similar to the following examples.

NOTE: If more than one request is being made, include all such requests under this category.

- Rezoning from RS-10, Single-Family Residential to C-3, Commercial
- Rezoning from RS-10, Single-Family Residential to RM-3, Multi-Family Residential
- PUD Site Development Plan Approval
- Amendment to Existing PUD and its Restrictions
- Abandonment of Existing PUD

# EXHIBIT C

## CITIZEN PARTICIPATION

The City of Bartlesville Zoning Regulations requires the applicant provide for citizen participation and input prior to the Planning Commission public hearing as identified in the following section. In reference to Number 3 below regarding “the method of notification and details of techniques the applicant may use to involve the public,” **a copy of the Site Plan *must* be included as part of the required information distributed to property owners and neighbors.**

### **Section 12.1.4 B. Citizen Participation Activities Required.**

In order to encourage public participation in the development review process, the applicant of every application for zoning map amendment or other such application which requires a public hearing (such as a Planned Unit Development application) shall provide for citizen participation activities prior to the first public hearing.

1. The purpose of such citizen participation activities is to:
  - a. Ensure that applicants pursue early and effective citizen participation in conjunction with their applications, giving them the opportunity to understand and try to mitigate any real or perceived impacts their application may have on the community;
  - b. Ensure that the citizens and property owners of Bartlesville have an adequate opportunity to learn about applications that may affect them and to work with applicants to resolve concerns at an early stage of the process; and
  - c. Facilitate direct and ongoing communication between the applicant, interested citizens and property owners, City staff, and elected officials throughout the application review process.
2. The requirement for citizen participation is not intended to produce complete consensus on all applications, but to facilitate direct communication between affected parties, to encourage applicants to be good neighbors and to allow for informed decision making.
3. The level of citizen interest and area of involvement will vary depending on the nature of the application and the location of the site. Therefore, the target area for early notification and method of notification required for citizen participation activities will be determined by the Community Development Director after consultation with the applicant. The target area for early notification may include any or all of the following:
  - a. Property owners within 300 feet of the subject site as required by law;
  - b. Property owners within an extended area of the subject site but not to exceed 1000 feet of the subject site;
  - c. The head of any homeowners association or registered neighborhood within one-half mile of the subject site; and
  - d. Other interested parties who have requested that they be placed on the interested parties’ notification list maintained by the Community Development Department or as determined by the Community Development Director.

Further, required notification shall include information concerning the substance of the change, amendment or development proposed by the applicant and how affected or interested parties will be provided an opportunity to review and discuss the applicant's proposal with the applicant and express any concerns, issues, or problems they may have with the proposal in advance of the public hearing. As determined by the Community Development Director, the method of notification and details of techniques the applicant may use to involve the public may include any or all of the following:

- a. Mailing of letter from applicant to those within the target area providing required information concerning the application;
  - b. Door-to-door distribution of required information concerning the application to those within the target area;
  - c. Hosting of a neighborhood meeting with those within the target area providing required information concerning the application.
4. These requirements shall apply in addition to any notice provisions required by any applicable regulations.
  5. The applicant shall complete citizen participation requirements as determined by the Community Development Director and provide documentation of compliance with such requirements at least one week prior to public review of their application. Such documentation shall consist, minimally, of a written summary prepared by the applicant describing the results of their citizen participation activities, including a summary of concerns, issues and problems expressed during the process. This summary will be attached to the staff report when presented for public review of the application.
  6. Failure to comply with these citizen participation activity requirements may cause the automatic delay of an application for public review.

**Questions concerning the implementation of these Citizen Participation Requirements should be addressed to the Director of Community Development at 918-338-4237.**

# EXHIBIT D

## PUBLIC HEARINGS

### WHAT IS A PUBLIC HEARING?

**State Law requires a Public Hearing, also known as the Oklahoma Open Meeting Act, for all meetings of public bodies to be held at specified times and places which are convenient to the public and shall be open to the public.**

A public hearing is required when citizens or businesses apply for a special zoning permit to place a mobile home on a lot, build a carport, request a zoning change or a planned unit development. Applicants are required to attend the meeting, present their application and be prepared to answer questions. The public is always invited to attend as well.

Although public hearings are a required part of the process, the Community Development staff do their best to keep the process simple and customer friendly! We know public speaking is not for everyone, and many suffer anxiety at the thought of standing before a council, committee or board, and others in an audience, to answer questions or present information. Do not worry – everyone there are fellow citizens and neighbors!

### Whom should you expect to see in a Public Hearing?

In most cases, the public entities involved in public hearings are the City Council, the Bartlesville City Planning Commission (MAPC), and the Board of Adjustment (BOA). These people are dedicated to preserving the integrity of your town, and are fair-minded and unbiased. It is a vital part of their responsibility to interpret and apply City regulations, ordinances and resolutions to each individual application.

Depending on the type of application, one of the following entities will hear it.

- The Bartlesville City Planning Commission (BCPC) considers requests for: Rezoning; Planned Unit Developments; Site Development Plans; Lot Splits; Sketch Plans; Preliminary Plats; and Text Amendments to City Regulations. The BCPC was established to oversee the development of land within the City of Bartlesville and preserve the integrity of the Comprehensive Plan and Zoning Regulations. The seven (7) members are appointed by the Mayor and City Council.
- The City Council hears recommendations from the Bartlesville City Planning Commission on the above listed applications, as well as a variety of other city matters. They make well researched and educated decisions, and by vote, make a final determination. The five (5) City Council members are voted upon by citizens.
- The City Board of Adjustment hears applications for special zoning permits, variances, nonconforming uses and appeals. This usually entails carports, mobile home placement, wireless communication towers, etc. They are also appointed by the Mayor and City Council and are comprised of five (5) members.



Seated in the audience will be any interested neighbors that have been contacted concerning the application. City regulations require that neighbors who live within a 300-foot radius of the property listed on the application must be notified of the proposed construction. Interested citizens and neighbors are always welcome and are given the opportunity to speak at a certain point in the hearing. The council, committee or board will listen to all public input before making their final decision

Community Development Staff will also be present. They have researched and prepared the information that will assist in the decision making process. A copy of the staff report is provided to the council, committee or board, as well as to the applicant, one week prior to the meeting. Copies of the staff report are available to the public, upon request, from the Community Development Department.

### **How are the hearings conducted? What is the procedure? What do I do?**

The hearings are conducted under Parliamentary Procedure. Parliamentary Procedure is simply a time proven method that keeps a meeting in order, allows everyone a chance to speak and ensures that motions and votes are made a part of the public record. An agenda is followed, with the chairperson or Mayor opening and conducting the meeting. A week prior to the hearing, an applicant will receive a copy of the agenda with their copy of the staff report. Notice of the meeting is posted in the local newspaper, and the agenda is posted at the City Center one week before the meeting for public information.

Upon entering the City Council Room, the council, committee or board will be seated at the front of the room. They have microphones for enhanced listening for the audience. The meeting will be taped and/or taken by transcription by a clerk or administrative assistant. Minutes are available to the public upon request.

A podium and microphone is placed directly in front of the council, committee or board. Each application will be heard in the order it appears on the agenda. The council, committee or board will listen to the staff report, then will ask the applicant to come forward and add any information to what has already been reported. At this time, the applicant should step up to the podium and state his/her name and address for the record. The applicant can then provide any additional information or simply wait for the council, committee or board to make inquiries. Once they have completed their questions, the applicant can then be seated. The Chairperson will open the hearing to the public, and at that time, anyone wishing to speak may do so. Citizens should also step up to the podium and clearly state their name and address for the record. All parties are given an opportunity to speak either in favor of or in opposition to the particular application.

Once the council, committee or board feels they have all the information necessary to make a decision, a motion is made to approve the application. It will be seconded and a roll call vote is taken. Once the vote has been taken and the application either approved or denied, the applicant and neighbors are welcome to take leave of the hearing. A formal letter will be forwarded to applicants the following day for their records with further instructions if necessary.

Public hearings are a good venue for citizens to participate in the decisions and development of their town. We invite you to attend and take an active part in your community!

### **FOR MORE INFORMATION:**

Inquiries about public hearings, or any city business, are welcomed. Please feel free to call us at 918-338-4238 between 8:00 a.m. and 5:00 p.m., Monday through Friday. We will be happy to answer your questions and provide assistance. Information can also be found on the City of Bartlesville website at [www.cityofbartlesville.org](http://www.cityofbartlesville.org). Zoning regulations, permit requirements, code enforcement, and much more can be found on this informative and easy to use website.