

New director will start to work on comprehensive plan

by Randy Bright <http://www.tulsabeacon.com/?p=5570>

History was made in Tulsa on November 7 when Dawn Warrick was named Tulsa's first director of planning and economic development. Warrick comes to us after acting as the assistant director of planning in design in Louisville, Ky., and, prior to that, she was an assistant zoning and development director in Fayetteville, Ark.

Since PlaniTulsa was approved by the City Council last year, there has not been a great deal of activity on the implementation of Tulsa's new comprehensive plan into a new zoning code. One of Warrick's most immediate tasks will be to begin work doing just that.

Unless the new zoning code has quietly been written over the past year, or unless we decide to adopt some pre-written code (both I consider unlikely events), the production of the new zoning code will probably not emerge quickly. It will most likely be written by an outside consulting firm, and could take a significant amount of time.

For example, it took the City of Denver about eight years to write their new zoning code, not including the time they used to develop their comprehensive plan. And it's a whopper - over a thousand pages long. The new zoning codes are far more specific and detailed in comparison to the one that we are accustomed to.

In regard to how the new zoning code would be implemented, the future of INCOG is still not certain. Last year questions were raised as to what INCOG's role would be after the comprehensive plan implied that its role would be diminished over time, as planning tasks shifted to the new planning director and in-house planning staff. When questioned about this last year, then-chief of staff to the mayor Terry Simonson was quoted, "that kind of decision belongs, first and foremost in the hands of a professional planner. Once we have a professional planner on board, we will ask he or she to do a comprehensive review of the planning landscape as we know it for the City of Tulsa and then make recommendations to the mayor on how or where planning functions should be changed..."

My concern regarding the comprehensive plan and the new zoning code has always been about how it would affect our property rights and freedoms, especially in regard to our churches. The comprehensive planning process clearly followed the same pattern as many other cities have taken, all of which have led to the formation of form-based codes that typically stress high-density development (especially in and around the downtown core, but also of the suburbs), planning that discourages the use of the car in favor of mass transit (especially light rail) and walking, and urban growth boundaries that create land shortages and skyrocketing land prices. Tulsa's comprehensive plan included all of that with one exceptional acknowledgement - Tulsans love their single family homes in the suburbs, and don't want that to change.

My hope is that our new director will come to us with an open mind and be willing to realize that while there may be a few influential people in Tulsa who want these kinds of things, Tulsa is a much different city than other cities in the country, and our new zoning code should reflect that. As it emerges over the coming months or even years, I will be looking for things that I would like to see in the code, or more specifically, what should not be in the code. Here are just a few: First and foremost, it should not be a form-based code. The argument for this kind of code is that it will allow more freedom to build mixed-use developments. I agree that our existing code is not conducive to mixed use, but trading one restrictive code for another is not the answer.

There should be no urban growth boundaries of any kind. These cause land shortages and artificially high land prices, and there is demonstrable evidence that urban growth policies - so-called "smart growth" - played a significant part in the current economic recession.

The use of eminent domain should never be an option outside of the original interpretation by our Constitution. City government should not take the Kelo decision as a license to violate private property rights, nor should it regard eminent domain as a means to enforce planning policies.

In regards to churches, RLUIPA (the Religious Land Use Act) should be respected in the new zoning code. My personal belief is that God will bless a city that respects his churches. As a rule, Tulsa has always been good to its churches, and I don't think the people of Tulsa want that to change.

So Ms. Warrick, we welcome you to Tulsa, and we wish you the very best. You have a tough job ahead of you, and a lot of power is being invested in your position. You have it within your ability to make or break this city. It is an awesome responsibility. Be a leader, not a follower.
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