



## STAFF REPORT

The City of Oklahoma City

Planning Commission

January 12, 2023

Item No. IV. 31.

(CPA-2022-00006) Consideration of a proposed map amendment to the Comprehensive Plan Amendment, changing the Land Use Typology Area (LUTA) by removing the Agricultural Preserve (AP) layer and changing the base LUTA designation from Rural-Low Intensity (RL) to Rural-Medium Intensity (RM) on an approximately 120-acre tract located east of N Cimarron Road and north of NW 10<sup>th</sup> street. Ward 3.

### I. GENERAL INFORMATION

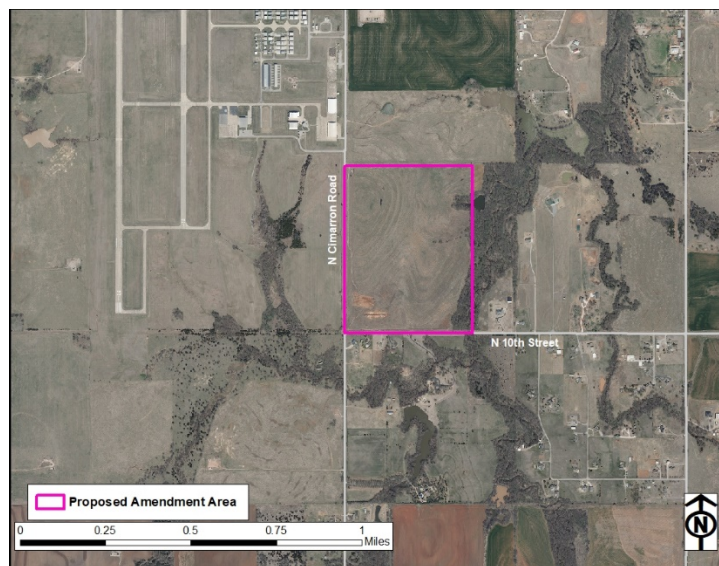
#### A. Applicant / Applicant's Representative

Poage Land Investment, LLC  
2215 S. County Line Road  
OKC, OK 73128

**B. Case History** - This is a new application. The application for the Comprehensive Plan Amendment and the supporting materials are attached to this staff report.

**C. Associated Zoning** - PC-10858 a request to rezone from AA to RA. Minimum lot sizes for RA and RA2 Districts are 30,000 square feet.

**D. Reason for Request** - The applicant requests to lift the Agricultural Preserve (AP) LUTA layer and change the base designation from Rural-Low to Rural-Medium Intensity to allow development of single-family residential on an approximately 120-acre tract of land.



*Site Location*

## **II. AMENDMENT REQUEST**

The comprehensive plan requires a completed amendment application that contains information supporting the request for a plan modification. The application should explain how the proposed amendment achieves the following:

- Supports planokc's initiatives and policies.
- Provides for City service efficiency, including response time for public safety operations, water, sewer, and availability capacity for nearby streets.
- For applications requesting a more intense Land Use Typology Area (LUTA), the application should evaluate whether City water and gravity sewer are immediately available and have enough capacity.
- Improves the functionality and quality of the surrounding area.

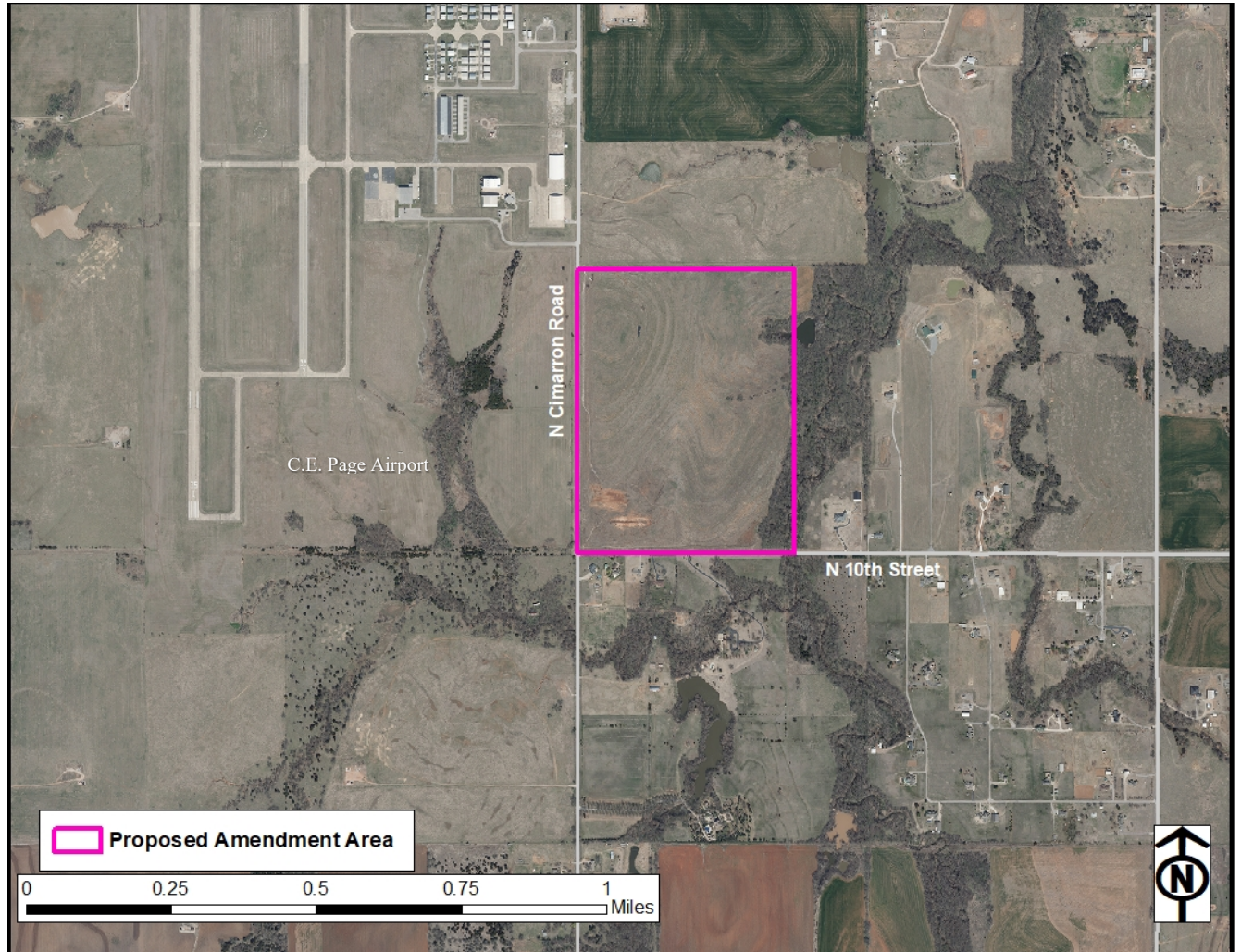
This application requests to lift the Urban Future layer from the Urban-Low Intensity base LUTA designation on the subject area. The applicant listed the following as justification for the proposed Comprehensive Plan Amendment:

- Avoid developing within or modification of 100-year floodplains or floodways.
- Large, one-acre tracts would sustain the rural character of the area.
- The subject property and surrounding properties are no longer utilized for agricultural purposes.

### **III. EXISTING CONDITIONS**

#### **A. Location**

The proposed amendment area consists of approximately 120-acres located on the northeast corner of N Cimarron Road and NW 10th Street.



*Site Map*

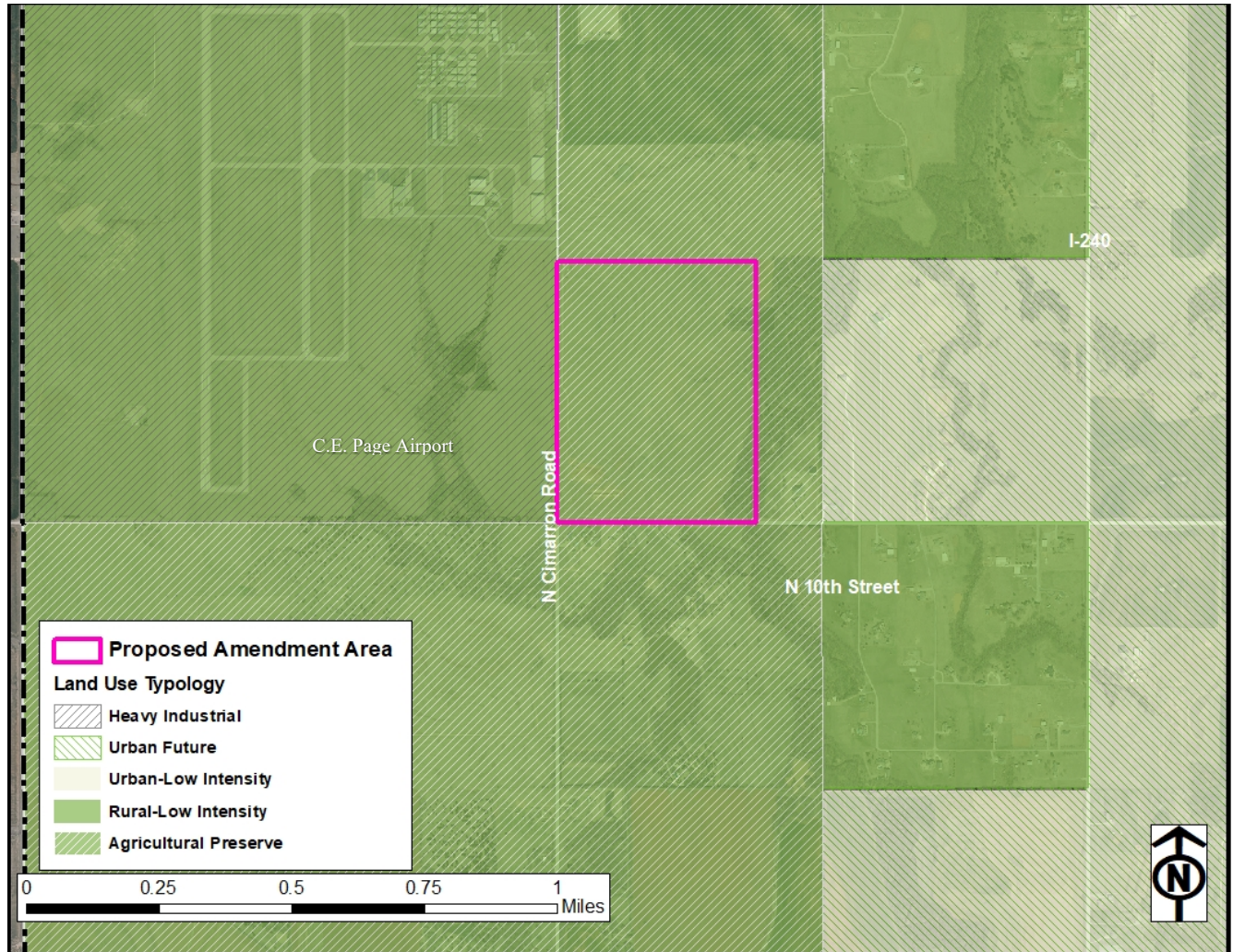
#### **B. School District**

The site is within the Banner Public School District.



### C. Summary of Surrounding LUTAs

Site	North	East	South	West
Agricultural Preserve	Agricultural Preserve	Agricultural Preserve	Agricultural Preserve	Heavy Industrial



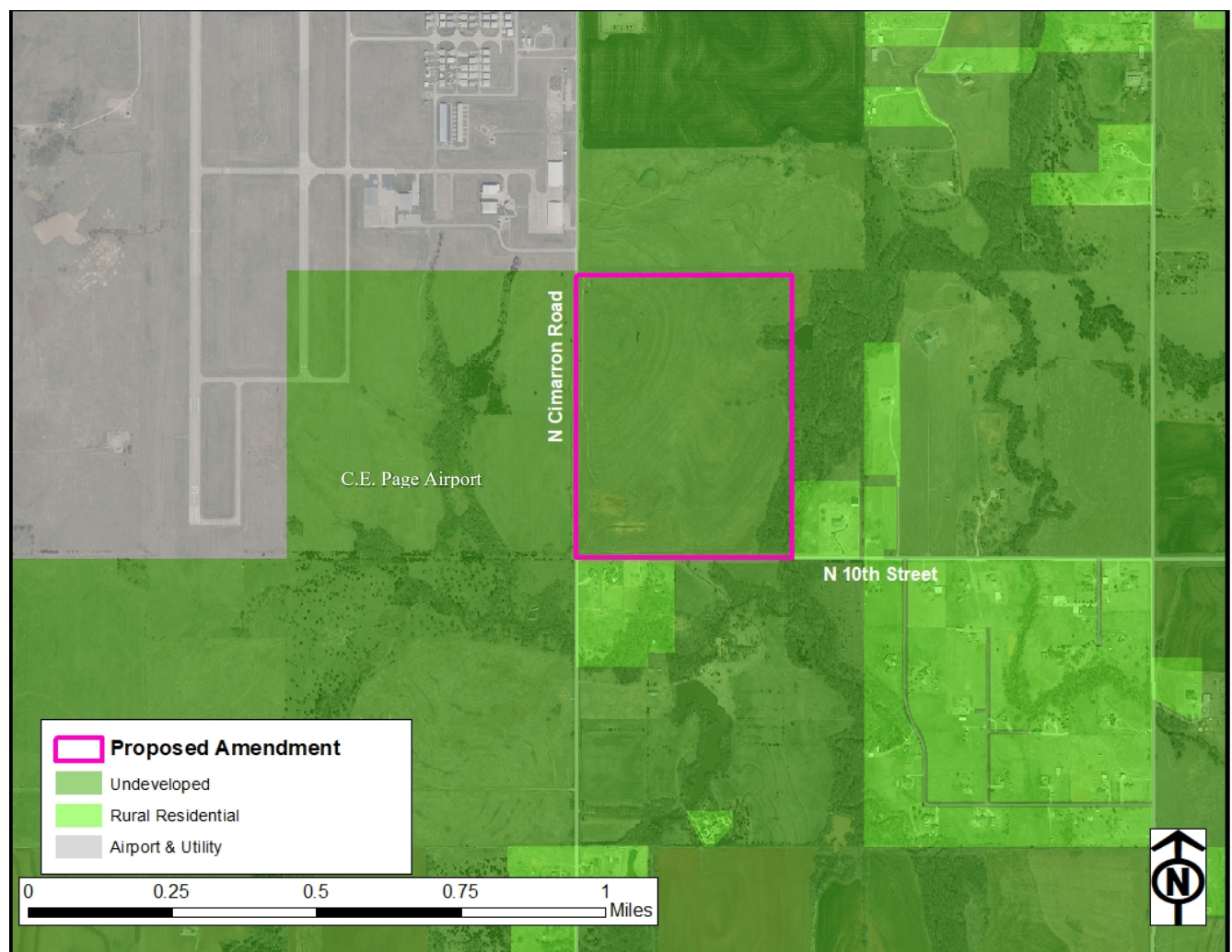
*Land Use Typology Areas*



### D. Summary of Adjacent Existing Land Uses

The predominant land use pattern in the area is undeveloped/agricultural land and low-density residential.

Site	North	East	South/SW	West
Undeveloped	Undeveloped	Undeveloped / Rural Residential	Undeveloped/ Rural Residential	Airport/ Undeveloped

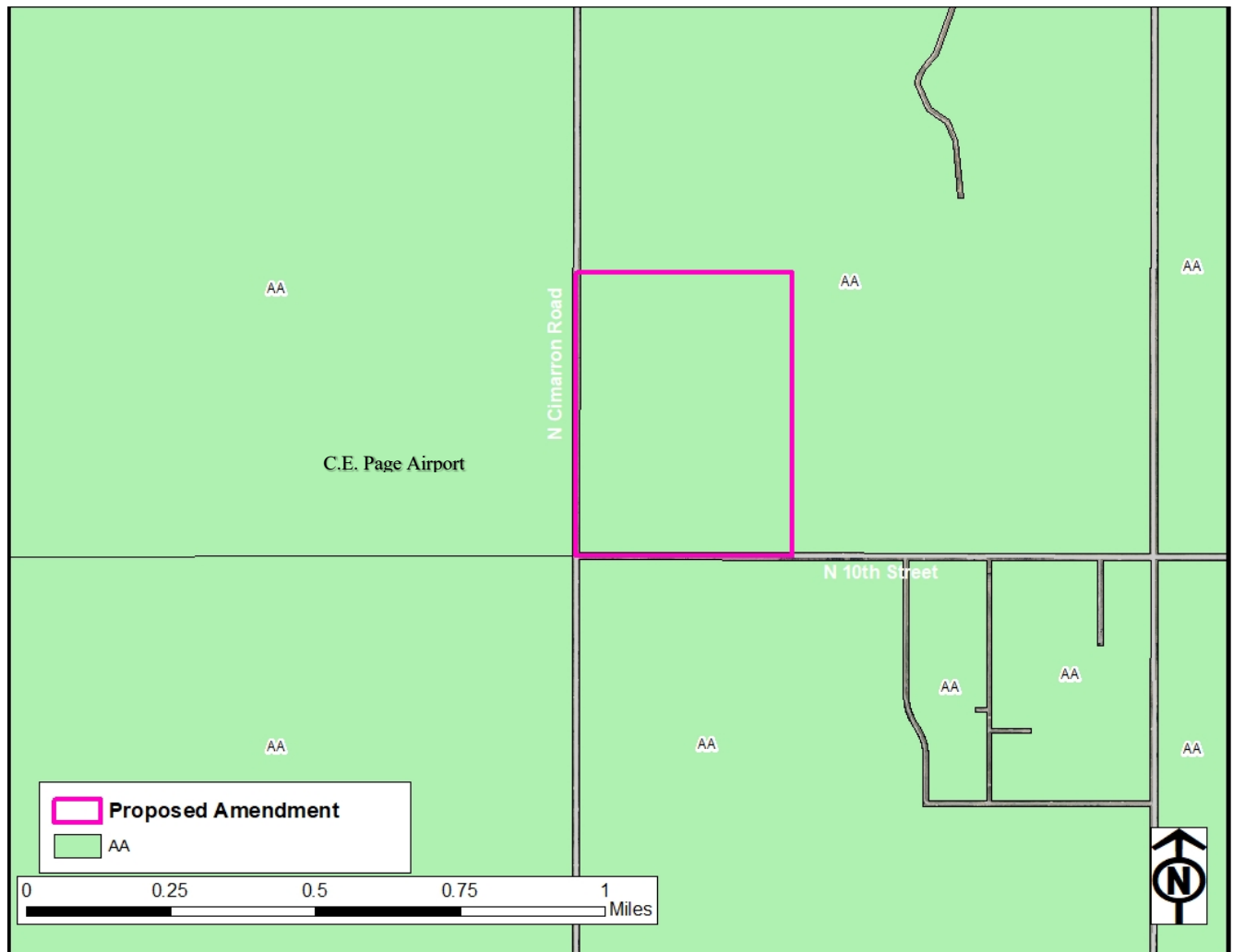


*Adjacent Land Uses*

### E. Summary of Adjacent Zoning

The surrounding zoning is currently AA, Agricultural District.

Site	North	East	South	West
AA	AA	AA	AA	AA



*Zoning Map*

## **F. LAND USE TYPOLOGY AREA**

planokc's Land Use Plan map identifies the appropriate intensity of development for each part of the city, and identifies areas designated for the provision of urban services, concentrations of commercial, industrial and employment uses, and preservation of rural and natural areas using LUTAs. The subject site is designated Agricultural Preserve (AP), which is layered over the Rural-Low Intensity (RL) LUTA. The applicant is requesting Rural-Medium.

### **Agricultural Preserve (AP)**

The Agricultural Preserve (AP) LUTA layer preserves large scale acreages used primarily for agricultural purposes. The AP Layer was applied to areas of Oklahoma City that could not be efficiently served by City services in the near term, particularly water and sewer; are generally comprised of parcels 10 acres or more in size; and:

1. Are in the 100-year floodplain; and/or
2. Contain active agricultural uses; and/or
3. Are not anticipated to develop within the planning horizon of planokc.

Although the subject site is not within the 100-year floodplain, the area is well-beyond any City sewer, the majority of the area is zoned AA, and emergency services response times are longer than rural targets.

planokc growth scenario modeling determined that scattered, large-lot residential development in rural areas is the most inefficient and costly development pattern to serve. However, recognizing that large-lot single family development exists and will continue to be desired, planokc called for the creation of two Rural land use typologies: Medium Intensity (RM) and Low Intensity (RL) to help manage cost of service to the City and residents, protect environmental quality, and maintain quality of life and character in rural areas.

### **Rural - Low Intensity (RL)**

The purpose of the RL LUTA is to accommodate large-lot (5 acres and greater) rural development. No expectation of urbanization or urban infrastructure is anticipated in these areas for many years. Predominant uses in this LUTA are single family detached residential and agricultural activities. Some supportive commercial and light industrial uses may be appropriate so long as they do not negatively impact rural activity or character.

### **Rural-Medium Intensity Land Use Typology Area (RM)**

RM typically allows for large-lot residential at higher density (2-acres or more) than RL because:

- a) these areas generally have better emergency service/fire response; and
- b) These areas are often located next to the Urban Future or Urban –Low Intensity LUTAs; and

- c) These areas often have some limited potential to connect to City water and sewer, which could allow them to become more integrated into the urbanized area in the distant future.

**G. City Service Provision –**

**1. Public Water Supply:** The site falls outside of the City's water service zone characterized as having potential for system expansion. Additionally, according to the City of Oklahoma City Municipal Counselor's Office:

Unless otherwise determined by a court of law, where a water association, such as the Canadian County Water Authority, has existing federal loans and has service available or can make service available within a reasonable time, the water association has the protected right to provide service and the City is prohibited from encroaching on that right.

Provision of water to this site will require one of the following:

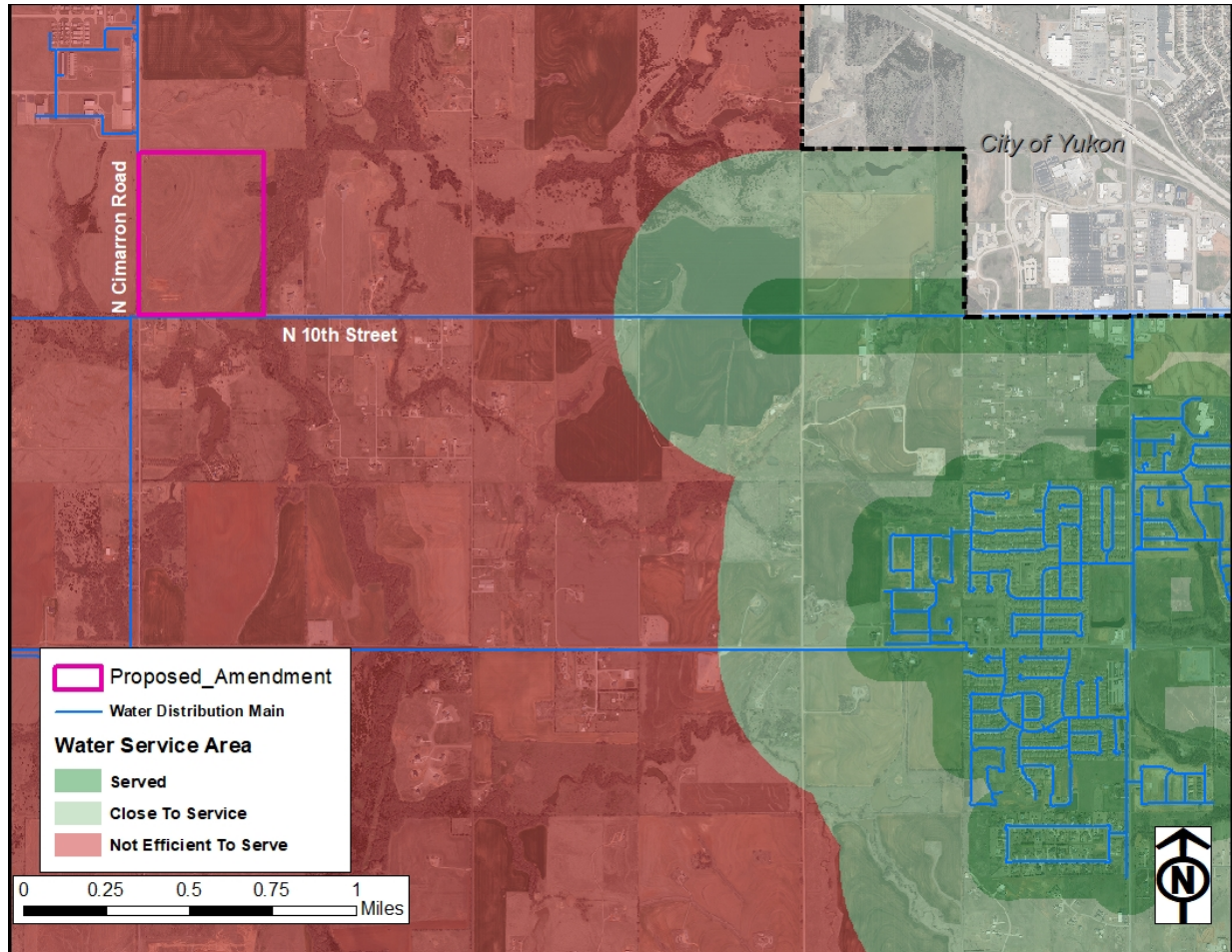
- 1) Canadian County Water Authority determines that it will provide water service, in which case the City will not provide water service; or
  - 2) Canadian County Water Authority and the federal administrator agree in writing to release the development from its protected service area for the City to serve, in which case the City may provide water service; or
  - 3) A court determines that Canadian County Water Authority has not made water service available within a reasonable time or a court determines that Canadian County Water Authority is without a protected service area, which includes the development, in which case the City may provide water service.
- Oklahoma City Water Utilities Engineering staff states the existing 12-inch line is at capacity, serving the city of El Reno, and will not support additional development.
  - If the applicant is able to get the clearances to use wants to use Oklahoma City Water, the owner must connect to a higher capacity connection point which is nearly two miles away.



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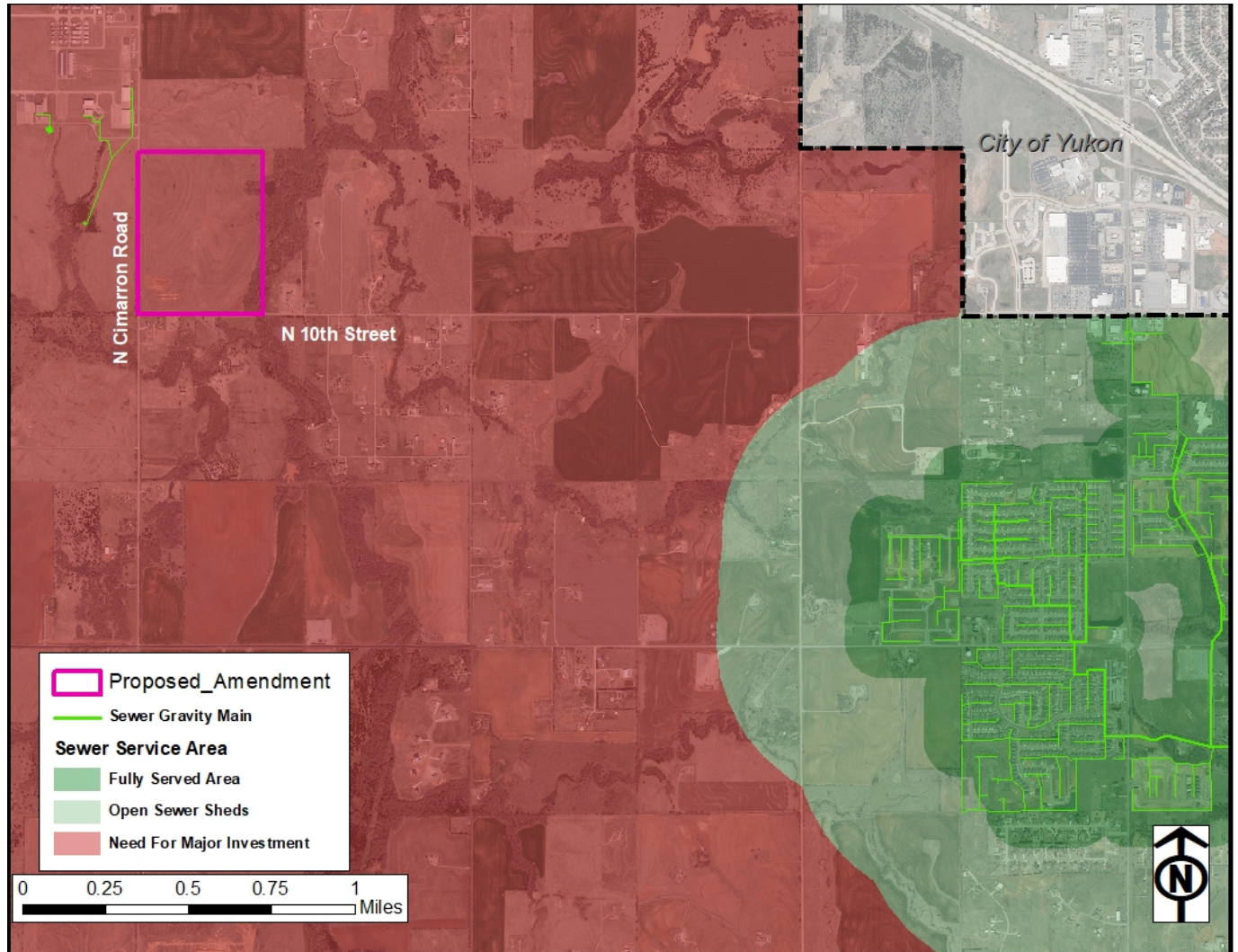
*Water Distribution Main*

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2. **Wastewater** The site falls outside of the City's sewer service zone characterized as having potential for system expansion.



*Sewer Lines*

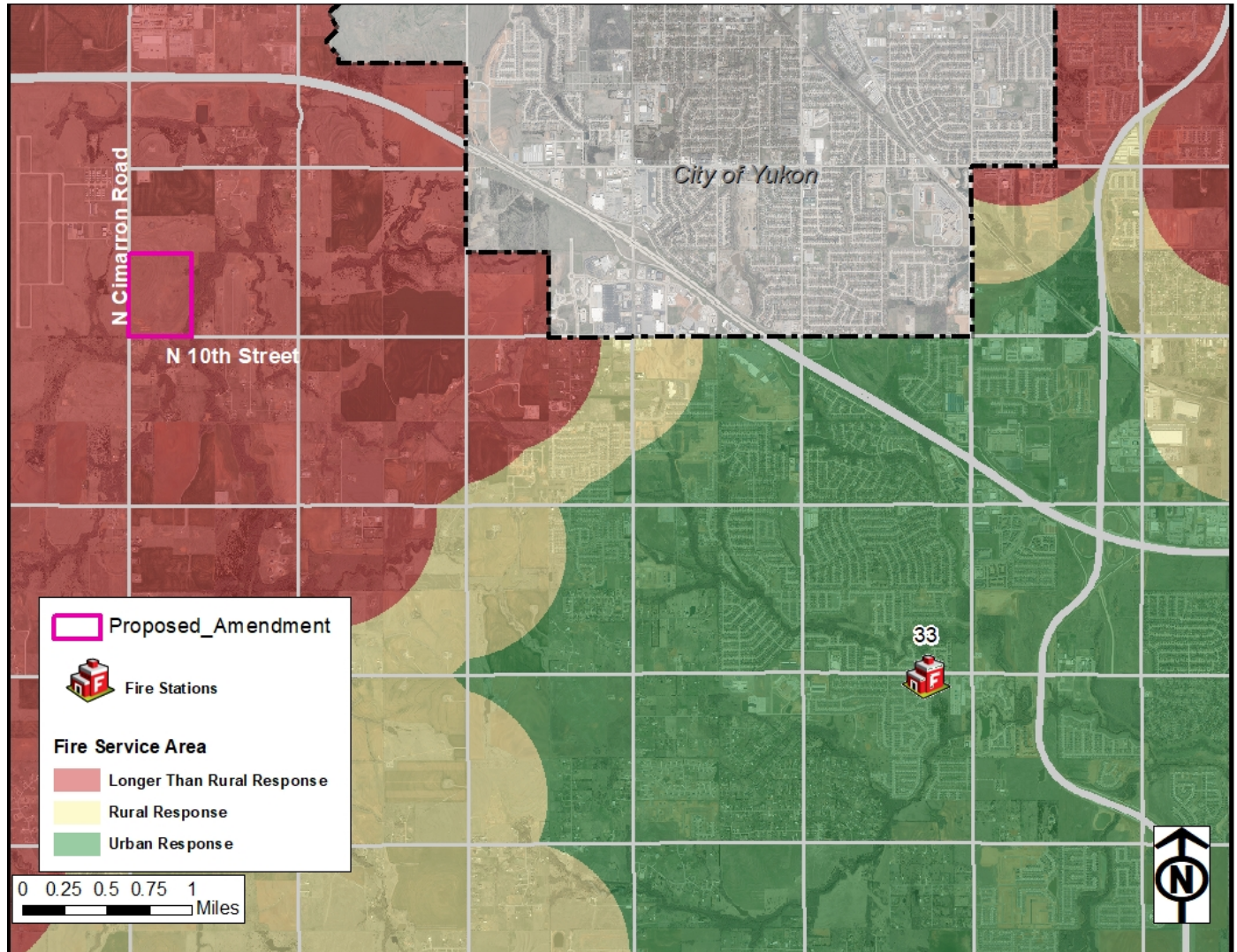


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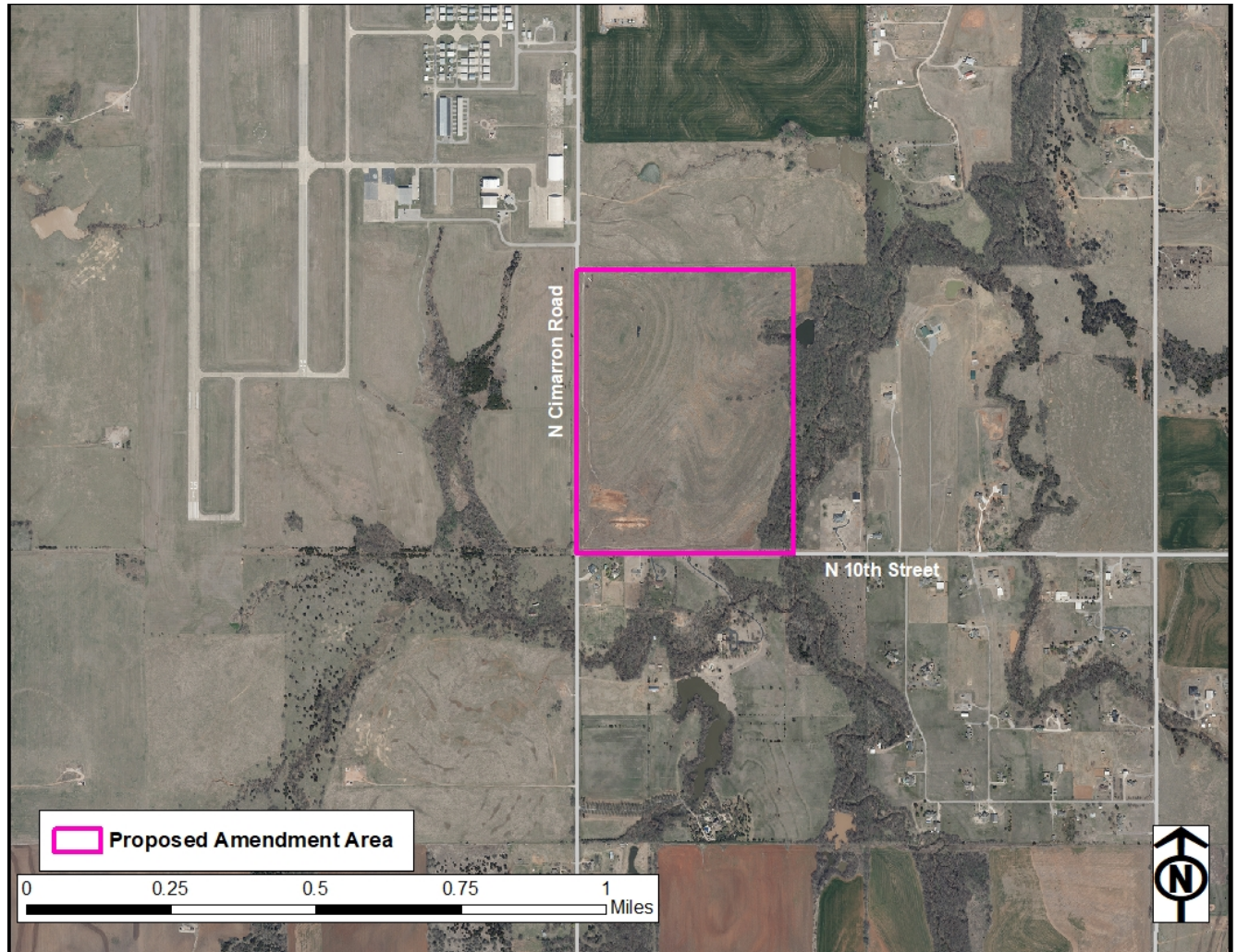
- 3. Emergency Services:** The site falls outside of the preferred Rural Response time target for the Oklahoma City Emergency Services



*Emergency Services and Fire Station*



4. **Street Typology and Capital Improvements:** The Street Typology for N Cimarron Road and NW 10<sup>th</sup> Streets is Minor Arterial. There are no Capital Improvements projects planned for this area.



*Street Typology and Planned Capital Improvements*



#### **IV. PLANOKC ANALYSIS**

##### **A. LUTA Assignment**

The comprehensive plan designated areas as Agricultural Preserve (AP) to identify land that is used for agricultural purposes within the city boundaries or that consists of undevelopable floodplains. Existing development patterns are expected to remain unchanged for a long period of time. These areas typically are zoned for agricultural use, either have rural or are beyond rural fire service response targets and may not have a fully connected or improved transportation system.

The subject site is designated AP for the following reasons:

- The site is bordered by land that is currently used for or can potentially be used for agriculture purposes.
- The site is outside the service area for water and wastewater, and extension is unlikely in the foreseeable future.
- The site is outside the preferred response time target for emergency services.
- No public improvements to streets, drainage, traffic controls, sidewalks, or transit are either funded or planned in this area at this time.

##### **B. Context and Compatibility**

- The subject site is largely undeveloped and adjacent to mostly undeveloped land with some rural residential and agricultural uses.
- The predominant pattern surrounding the subject site is undeveloped land, and rural residential zoned AA.
- The nearest Rural Medium LUTA is approximately 2-miles east.

#### **V. SUMMARY**

This 120-acre site is the subject of a Comprehensive Plan Amendment to lift the Agricultural Preserve (AP) layer and change the underlying Rural-Low Intensity (RL) base LUTA designation to the Rural-Medium Intensity (RM) LUTA to allow development with 1-acre residential lots with no City water, no sewer service, and beyond the rural emergency services response time.

##### ***Findings***

- Conditions and provisions for higher levels of service have not changed for the subject site nor on adjacent sites to indicate that a change in LUTA is appropriate.
- The City has no foreseeable expectations to urbanize or extend water or sewer to this area, and the Canadian County Water Authority has jurisdiction over water provision for this property.
- No future fire stations are planned to improve rural response time in this area.

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### *Recommendation*

Based on the finding above, staff recommends **denial** of the request to remove the Agricultural Preserve LUTA layer and change the Rural-Low Intensity LUTA base designation to Rural - Medium Intensity.

#### Attachments

1. Application
2. Supporting materials