

# Tulsa's new zoning code should not be restricting churches

May 28, 2015

By [Randy W. Bright](#)

This is an article I wrote for the July 2, 2009, issue of the Tulsa Beacon regarding the conclusion of the PlaniTulsa comprehensive planning done by the urban planning consultant John Fregonese, and the initiation of the re-writing of the new Tulsa Zoning Code.

As I continue my study of the new zoning code draft that was released in February, I thought it would be interesting to look back at what I thinking nearly six years ago. This is what I wrote:

"While our present zoning code may have some flaws, by and large it has accomplished two of its most important goals, the first being that it has protected property rights by creating predictability in the use of land, and second being that it allowed for orderly growth.

"Tulsa's goal has always been to attract people from other cities and states to what we locals have always seen in Tulsa: a friendly, pro-family community with a low cost of living and a high quality of life. As we write the new zoning code, we have a unique opportunity to set ourselves apart from other cities, and if we are going to set as a goal to grow as a city, we should adopt policies that give people the desire to invest and live here.

"We know that many people are leaving the west and east coasts to escape the high cost of living, unaffordable housing, overbearing regulations, crime, high taxes, property rights violations and congestion, so doesn't it make sense that if we want the growth, we should create a community that offers a sanctuary from these things? So here are a few common sense suggestions for how we could accomplish that.

"First, it should be made clear in policy and statute that Tulsa will not invoke eminent domain for any other reason than the founders created it for – roads, highways, or similar public works. I would want to know that if I were to buy a property here that it would not be taken from me.

"Second, make it known that we are a free-market, property rights city, and that we will not institute policies that interfere with free-market activity. One of these policies would be that there would be no urban growth boundary that would artificially force most property prices up, and no designations of open space, arbitrary or otherwise, to make other properties go down. This would include prohibiting policies that require a person to buy an area designated as open space as a condition to get a permit to build a project on an unrelated piece of land.

"Third, do not change our current zoning code substantially, but allow and encourage the administrators of the code to work with property owners, architects, engineers and planners, giving them the opportunity to propose more creative projects and solutions to city problems. This could include such things as mixed-use developments, which has merit when they are the result of free-market decision-making. No developer should be forced into building a mixed-use development, nor should any be denied the opportunity to do so.

"Fourth, the city should get out of the developer business and allow private enterprise to operate on a competitive basis for services such as mass transit, arenas and convention centers. If these things are true profit centers, then someone in private enterprise will do them. Why should it be a city's role to take on all of the unprofitable ventures and burden citizens with unnecessary taxes? Tulsa should concentrate on reducing its property and sales taxes, and focus its activities on the basics.

"Fifth, the new zoning code should not follow the trend that city planners are now pushing, that is that in a few years the average family will include few or no children, and therefore the city must be planned for a proportionately higher ratio of single people and childless couples. It should be a goal to attract families with children, and to be a very pro-family city.

"Sixth, the new zoning code should not demonize the automobile. We should realize that the freedom to use this vital piece of equipment will have long-lasting effects on the economic vitality of the city. Mobility allows commerce to thrive, and the automobile provides mobility like no other form of transportation."

Though I can think of many other things that won't fit in this article, last but not least I should mention our city's churches. Churches bring a quality of life to a city that no other entity can bring. They should be allowed to develop their facilities without fear of being taken by eminent domain and without fear of arbitrary or even malicious treatment, as other cities are prone to do.

We've got a chance to be the best. Let's not ruin it by making the choice to be like all the rest.



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