

## **ORDINANCE NO. 3566**

**An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-1990, generally located south of Houston Street (81<sup>st</sup> Street), one-quarter mile east of Elm Place (161<sup>st</sup> E. Avenue), granting a DM zoning classification to be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency**

**WHEREAS**, the State of Oklahoma has granted cities, as governmental entities, the duty and power to enact zoning ordinances for the protection of persons and property residing within the City limits, and for securing the benefits of orderly development as a whole; and

**WHEREAS**, a series of governmental administrative hearings have been conducted at which time it was determined on December 5, 2017, that the land in question would be proper for a Downtown Mixed-Core District; and

**WHEREAS**, rezoning case BAZ-1990 (R-3 to DM), which contains 0.24 acres, was approved by the Broken Arrow City Council on December 5, 2017; and

**WHEREAS**, the City Council approved waiver of platting; and

**WHEREAS**, the property is generally located south of Houston Street (81st Street), one-quarter mile east of Elm Place (161<sup>st</sup> E. Avenue); and

**WHEREAS**, the proposed zoning is compatible with the comprehensive plan and surrounding uses; and

**WHEREAS**, the granting of the application will not have an adverse effect on the other property in the area or in the community; and

**WHEREAS**, for these reasons, the City Council finds this request should be granted.

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROKEN ARROW, OKLAHOMA:**

**SECTION I.** The zoning classification of the following described real estate situated in Tulsa County, State of Oklahoma, being more particularly described as follows:

Lot Six (6) and the East Half of Lot Seven (7), Block Fourteen (14), FEARS ADDITION, a subdivision in the City of Broken Arrow, Tulsa County, State of Oklahoma, according to the recorded plat thereof

be and the same is hereby changed from the zoning classification of R-3 to DM.

**SECTION II.** Any ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

**SECTION III.** An emergency exists for the preservation of the public health, peace, and safety, and therefore this ordinance shall become effective from and after the time of its passage and approval.

**PASSED AND APPROVED** and the emergency clause ruled upon separately this 16<sup>TH</sup> day of APRIL, 2019.

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MAYOR

ATTEST:

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(Seal) CITY CLERK

APPROVED:

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ASSISTANT CITY ATTORNEY