

## **ORDINANCE NO. 3878**

**An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-2092, generally located one-quarter mile south of Tucson Street (121st Street), one-half mile west of Elm Place (161st E. Avenue), granting RS-3 zoning classification upon the tract, repealing all ordinances to the contrary; and declaring an emergency it being immediately necessary for the preservation of the public peace, health, safety, or welfare, an emergency is hereby declared to exist**

**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 that the land in question would be proper for an RS-3 (Single-Family Residential) district; and

**WHEREAS**, rezoning case BAZ-2092 (R-2 to RS-3) was approved by the Broken Arrow City Council on October 09, 2021, subject to the property being platted; and

**WHEREAS**, the property has been platted as Elm Creek. The plat for Elm Creek which contains 28.34 acres, was recorded in Tulsa County on May 9, 2025; and

**WHEREAS**, the property is generally located one-quarter mile south of Tucson Street (121st Street), one-half mile west of Elm Place (161st 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 Wagoner County, State of Oklahoma, being more particularly described as follows:

Legal Description for BAZ-2092

Lots 2, 3, & 4, Block 1, all of Block 2, 4 & 5, Elm Creek, being part of the south half of the northeast quarter (S/2 NE/4) of Section Three (3), Township Seventeen (17) North, Range Fourteen (14) East of the Indian Base Meridian, Tulsa County, State of Oklahoma

be and the same is hereby changed from the zoning R-2 to RS-3 (Single-Family Residential).

**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 20<sup>th</sup> day of May, 2025.

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MAYOR

ATTEST:

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(Seal) CITY CLERK

APPROVED:

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ASSISTANT CITY ATTORNEY