

ORDINANCE NO. 3465

An ordinance amending Section 2.1.A (Table 2.1-1) Zoning Districts Established; Section 2.3, Residential Districts; Section 3.1.F (Table 3.1-1) Table of Allowed Uses; Section 3.2 Specific Use Permit Standards; Section 3.3.C.2 Dimensional Standards for Accessory Buildings and Structures; Section 4.1.B (Table 4.1-2) Dimensional and Density Standards – Residential Districts; Section 4.1.E.1 Bulk and Area Requirements for Planned Unit Developments; and Section 5.9.J Council Permits for Towers; repealing all ordinances or parts of ordinances in conflict herewith; and declaring an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROKEN ARROW:

SECTION I. Section 2.1.A (Table 2.1-1), Zoning Districts Allowed, of the Broken Arrow Zoning Code (No. 2931) is hereby amended to read as follows:

A. Zoning Districts Established

The following zoning districts are established:

TABLE 2.1-1: ZONING DISTRICTS ESTABLISHED		
<i>District Type</i>	<i>Abbreviation</i>	<i>District Name</i>
Agricultural	A-1	Agricultural
Active Residential	RE	Residential Estate
	RS-1	Single-Family Residential – 1
	R-2	Single-Family Residential – 2
	RS-2	Single-Family Residential – 2
	RS-3	Single-Family Residential – 3
	RS-4	Single-Family Residential – 4
	RD	Residential Duplex
	RM	Residential Multi-Family
Inactive Residential	RMH	Residential Mobile Home Park
	R-1	Single-Family Residential – 1
	R-3	Single-Family Residential – 3
Mixed-Use	NM	Neighborhood Mixed-Use
	CM	Community Mixed-Use
	DM	Downtown Mixed-Use Core
	DF	Downtown Fringe
Commercial and Industrial	ON	Office Neighborhood
	CN	Commercial Neighborhood
	CG	Commercial General
	CH	Commercial Heavy
	II	Industrial Light
Special Purpose and Overlays	IH	Industrial Heavy
	PUD	Planned Unit Development
	FD	Floodplain
	DRO	Downtown Residential Overlay
	HDO	Highway Design Overlay
NOTE: On the Zoning Map, the prefix "A" will be added to one of the abbreviations above for transitional properties being annexed.		

SECTION II. Section 2.3 Residential Districts, of the Broken Arrow Zoning Code (No. 2931) is hereby amended to read as follows:

2.3 RESIDENTIAL DISTRICTS

A. General Purposes of Residential Districts

The residential zoning districts contained in this section are intended to:

1. Provide appropriately located areas for residential development that are consistent with the Comprehensive Plan and with standards for public health, safety, and general welfare;
2. Allow for a variety of housing types that meet the diverse economic and social needs of residents;
3. Protect the scale and character of existing residential neighborhoods and community character;
4. Discourage any use that would generate traffic or create congestion on neighborhood streets other than the normal traffic that serves the residents of the district; and
5. Discourage any use that, because of its character or size, would create additional requirements and costs for public services that are in excess of such requirements and costs if the district were developed solely for the intended type of residential uses.

B. Residential Estate (RE)

The RE district is intended to promote and encourage a suitable environment for residential development on large parcels of land at a low rate of urban population density. It is the intent of this district to encourage the construction of and the continued use of the land for single-family dwellings, and to prohibit commercial and industrial use or any other use that would substantially interfere with development or continuation of single-family dwellings or any use not performing a neighborhood function. The district also is intended to encourage low to moderate density neighborhoods to help manage the floodplain and encourage low density near and around flood-prone and low-lying areas. On-site sewage disposal may be used in this district; future rezonings to the RE district should be consistent with the City's plans for sanitary sewer line extension.

C. Single-Family Residential District (RS-1)

The RS-1 district is intended to promote and encourage the construction of and continued use of land for single-family dwellings with a greater density than the RE district but a lesser density than the RS-2 district. The district prohibits commercial, office, and industrial uses or any other use that would substantially interfere with the development or continuation of single-family dwellings in the district.

D. Single-Family Residential District (R-2)

The R-2 district is intended as a district in which the predominant use of land is for single-family dwellings. It is the purpose of this district to promote the construction of and the continued use of the land for single-family dwellings. The intent of this district further prohibits commercial and industrial use or any other use that would substantially interfere with the development or continuation of single-family dwellings in this district.

E. Single-Family Residential District (RS-2)

The RS-2 district is intended to promote the construction of and the continued use of the land for single-family dwellings with a greater density of land use allowed than in the RS-1 district. The district prohibits commercial and industrial use or any other use that would substantially interfere with the development or continuation of single-family dwellings in this district.

F. Single-Family Residential District (RS-3)

The RS-3 district is intended for single-family dwellings at a higher density than allowed in the RS-1 and RS-2 districts. The district prohibits commercial and industrial use or any other use that would substantially interfere with the development or continuation of single-family dwellings in this district.

G. Single-Family Residential District (RS-4)

The RS-4 district is intended for single-family dwellings at a higher density than allowed in the RS-2 and RS-3 districts. The front building setback line in the RS-4 district is also less than in the RS-2 and RS-3 districts. The district prohibits commercial and industrial use or any other use that would substantially interfere with the development or continuation of single-family dwellings in this district.

H. Residential Duplex (RD)

The RD district is intended for the construction of and the continued use of the land for single-family and two-family dwellings. The district prohibits commercial and industrial use or any other use that would substantially interfere with the development or continuation of single-family or two-family dwellings in this district.

I. Residential Multi-Family (RM)

The RM district is intended to accommodate the development of multi-family units, including apartments and condominiums, in neighborhoods with medium to high residential densities. It is the intent of this district, through proper site planning and design, to provide compatibility of uses in zoning, assure privacy and individuality by adequate screening techniques, protect adjacent property values, and make provisions for usable open space (exclusive of parking areas and streets).

J. Residential Mobile Home Park District (RMH)

The RMH district is intended to encourage the development of properly planned mobile home parks and subdivisions in residential environments and to establish standards for the size, design, and quality of mobile home parks.

K. Inactive Residential Districts

The following districts are carried forward from the prior version of the Broken Arrow Zoning Ordinance. All existing lots and uses in these districts are legal and conforming, provided they conform to the applicable standards of the prior ordinance. However, these districts are considered "inactive," in that no more zonings or rezonings may be approved to these districts following the effective date of this Ordinance. Development in an inactive residential district is subject to all applicable requirements of this Ordinance, including the use regulations of Chapter 3, the dimensional requirements of Chapter 4, and the development and design standards of Chapter 5, that are not governed by the zone district standards of an inactive district.

1. Single-Family Residential District (R-1) [Inactive]

The R-1 district is intended to promote and encourage a suitable environment for family life on parcels of land large enough to accommodate the long ranch-type home and allow adequate open space for circulation of air and the landscaping of yards. It is the intent of this district to encourage the construction of and the continued use of the land for single-family dwellings, and to prohibit commercial and industrial use or any other use that would substantially interfere with development or continuation of single-family dwellings in this district or any use not performing a neighborhood function.

2. Single-Family Residential District (R-3) [Inactive]

The R-3 district is intended to provide an area for single-family housing at a higher density than permitted in the "R-1" and "R-2" districts. The construction and continued use of this land for single-family dwellings is encouraged and the encroachment of commercial and industrial use or any other use that would substantially interfere with the development and continuation of this district as single-family dwellings is prohibited.

SECTION III. Section 3.1.F (Table 3.1-1) Table of Allowed Uses, of the Broken Arrow Zoning Code (No. 2931) is hereby amended to read as follows:

F. Table of Allowed Uses

TABLE 3.1-1 TABLE OF ALLOWED USES																		
P= Permitted; S=Specific Use																		
USE CATEGORY	USE TYPE	AG	RESIDENTIAL				MIXED USE				COMMERCIAL/ OFFICE				IND'L		SPECIFIC USE PERMIT STANDARDS	
			A1	RE	RS1 / R1 RS2 / R2 RS3 / R3/RS4	R D	R M	R M H	N M	C M	D M	D F	O N	C N	C G	C H		I L
RESIDENTIAL USES																		
Household Living	Dwelling, duplex				P	P												
	Dwelling, multi-family					P			P	P	P	P						
	Dwelling, single-family attached				P	P			P	P	P	P						
	Dwelling, single-family detached	P	P	P	P		P					P						
	Dwelling, mobile home	S					P											3.2.A.1.
	Dwelling, zero lot line				P				P			P						
	Mobile home park						P											
	Mobile home subdivision						P											
Group Living	Boarding, dormitory, and rooming house					P												
	Group home	P	P	P	P	P	P											
	Convalescent home, nursing home, or	S	S	S	P	P			P	P	P	P						3.2.A.2.

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			A1	RE	RS1 / R1 RS2 / R2 RS3 / R3/RS4	R D	R M	R M H	N M	C M	D M	D F	O N	C N	C G	C H	
	assisted living facility																
PUBLIC/INSTITUTIONAL USES																	
Community Service	Cemetery	S															3.2.B.3.
	Crematorium, without funeral parlor or public area	S													P	P	3.2.B.4.
	Government administration and civic buildings	S	S	S	S	S	S	P	P	P	P	P	P	P	P	P	
	Municipal or community recreation center	P	P	P	P	P	P	P	P	P	P	P	P	P	S		
	Places of assembly	S	S	S	S	S	S	S	S	S	S	P	S	S	S		3.2.B.6.
	Public safety facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Cultural Facility	Art gallery or museum, public	S	S	S	S	S		P	P	P	P		P	P	P		3.2.B.2.
	Library, public	S	S	S	S	S		P	P	P	P		P	P	P		3.2.B.5.

TABLE 3.1-1 TABLE OF ALLOWED USES

P= Permitted; S=Specific Use

USE CATEGORY	USE TYPE	AG A1	RESIDENTIAL			MIXED USE				COMMERCIAL/ OFFICE				IND'L		SPECIFIC USE PERMIT STANDARDS	
			RE	RS1 / R1 RS2 / R2 RS3 / R3/RS4	R D	R M	R M H	N M	C M	D M	D F	O N	C N	C G	C H		I L
COMMERCIAL USES																	
Agriculture	Agriculture	P															
Animal Sales and Services	Animal pet shop, retail							S				P	P	P			
	Animal training school	S										S	P				3.2.C.1.
	Kennel	S										S	P				3.2.C.1.
	Veterinary clinic/animal hospital	S						S				S	P	P			3.2.C.1.
	Veterinary clinic, large animal	S															3.2.C.1.
Financial Service	Financial institution, with drive-thru							S	P	P	S	S	P	P	P		
	Financial institution, without drive-thru							P	P	P	P	P	P	P	P		
Food and Beverage Service	Bar/Nightclub								P	P				P	P		
	Catering service							P	P		P		P	P	P		
	Fruit and vegetable market									P	P		P	P	P		
	Restaurant, drive-in												P	P			
	Restaurant, without drive-thru							P	P	P	P		P	P	P		
	Restaurant, with drive-thru												S	P	P		
	Micro food and beverage production*							S	S	S	S		S	S	S	P	P
Office	Office, business or professional							P	P	P	P	P	P	P	P		
	Research laboratory													P	P		
Recreation and Entertainment, Outdoor	General outdoor recreation	S												P	S		3.2.C.4.
	Golf course or driving range, unlighted	P	P	P	P	P	P										3.2.C.4.
	Golf course or driving range, lighted	S												P			3.2.C.4
	Major entertainment facility	S												P	S		3.2.C.4
	Race track (auto, dog, or horse)	S												S			3.2.C.4
	RV campground/ park													S			3.2.C.3.

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USE CATEGORY	USE TYPE	AG	RESIDENTIAL				MIXED USE				COMMERCIAL/ OFFICE				IND'L		SPECIFIC USE PERMIT STANDARDS	
			A1	RE	RS1 / R1 RS2 / R2 RS3 / R3/RS4	R D	R M	R M H	N M	C M	D M	D F	O N	C N	C G	C H		I L
	Shooting range	S																3.2.C.4
	Zoo	S																3.2.C.4
Recreation And Entertainment Indoor	Art gallery or museum, private								P	P	P	P	P	P				
	Fitness and recreational sports center	S						S	P	P	P	S	S	P	P	S		
	General indoor recreation								P	S			P	P	P	S		
	Major entertainment facility									S	S			S	P	P		
	Movie theatre								P	S	S			P	P			
Personal Services	Dry cleaning and laundry service								P					P	P	P		
	Funeral services								P				P	P	P			
	General personal services							P	P	P	P		P	P	P			
	Instructional services								P		P	S	P	P	P			
Retail (Sales)	Alcoholic beverages, retail sale								P	P				P	P	P		
	Convenience store with gas sales								P					P	P	P		
	Horticulture nursery sales	S												P	P			
	Open-air market or flea market										S			S	S			
	Retail, general							P	P	P	P			P	P	P		
	Retail, large														P	P		
	Sexually oriented business															P		
Vehicles and Equipment	Boat and/or RV storage														S	P	P	
	Car wash															P	P	
	Gasoline sales													P	P	P		
	Parking structure							P	P	P	P				P	P	P	P
	Vehicle sales and rental															S		
	Vehicle service and repair, major																P	P
	Vehicle service and repair, minor								P						P	P	P	P
Visitor Accommodation	Bed and breakfast	P			S	S		S	S	P	S			P	P			

SECTION IV. Section 3.2 Specific Use Permit Standards of the Broken Arrow Zoning Code (No. 2931) is hereby amended to read as follows:

3.2 SPECIFIC USE PERMIT STANDARDS

When reviewing requests for specific use permits, the Planning Commission may require that the applicant furnish plans and data concerning the operation, location, function, and characteristics of any use of land or building proposed.

The Planning Commission may recommend to the City Council that certain safeguards and conditions concerning setbacks, ingress and egress, off-street parking and loading arrangements, and location or construction of buildings and uses and operation be required. The foregoing standards are considered to be minimal. The Planning Commission may recommend additional standards and conditions.

The City Council may, in the interest of the public welfare and to assure compliance with the intent of this ordinance, require such development standards and operational conditions and safeguards as are indicated to be important to the welfare and protection of adjacent property and the community as a whole.

A. Residential Uses

1. Dwelling, Mobile Home

- a. Access to the mobile home shall be from an arterial street.
- b. Mobile home shall setback at least 50 feet from all property lines.

2. Convalescent Home, Nursing Home, Or Assisted Living Facility

In the A-1, RE, RS-1, RS-2, RS-3, RS-4, R-1, R-2, and R-3 districts, the use shall abut an arterial street.

B. Public and Institutional Uses

1. Arboretum or Botanical Garden

- a. In the RE, RS-1, RS-2, RS-3, RS-4, R-1, R-2, and R-3 districts, the use shall abut an arterial street.
- b. No sales are allowed with this use, except through gift shops that are approved accessory uses.

2. Art Gallery or Museum

In the A-1, RE, RS-1, RS-2, RS-3, RS-4, R-1, R-2, R-3, RD, and RM districts, the use shall abut an arterial street.

3. Cemetery

- a. Cemeteries shall have a minimum net area of forty (40) acres.
- b. All principle vehicular entrances and exits shall be on arterial streets. Access lanes (i.e., acceleration and deceleration lanes) shall be provided on all principle entrances.

- c. Cemeteries may be permitted to have funeral homes or crematories as accessory uses.
 - d. Structure or building line setbacks shall be one hundred feet (100') from arterial streets and fifty feet (50') from non-arterial streets.
 - e. No gravesite shall be located within twenty-five feet (25') of a future street right-of-way.
- 4. **Crematorium, without funeral parlor or public area**
 - a. All vehicular access shall be from an arterial street.
 - b. All buildings shall setback at least 50 feet from all property lines.
- 5. **Library**

In the A-1, RE, RS-1, RS-2, RS-3, RS-4, R-1, R-2, R-3, RD, and RM districts, the use shall abut an arterial street.
- 6. **Place of Assembly**

Any place of assembly use shall meet the following standards:

 - a. Where an assembly use is originally approved by specific use or PUD, any subsequent associated development that increases the intensity of the use on the site by more than what has been approved shall require an amendment to the specific use or PUD. For the purposes of this section, an increase in intensity shall be measured as (1) an increase in vehicular trips generated and/or (2) an increase in impervious surface by five percent or more.
 - b. Developments designed to accommodate more than one gathering, ceremony, or meeting within any two-hour window shall be required to provide overflow parking spaces: one (1) space for every 2.5 persons of maximum fire-rated occupancy in addition to the standard parking requirements listed in Section 5.5.
 - c. Places of assembly shall be located on a parcel with a minimum net lot area of two (2) acres if on sanitary sewer and five (5) acres if on a septic system. No parking shall be permitted within a required front yard or building line setback, within agriculture (A-1) or any residential (R) zoning district.
 - d. Landscaping and lighting shall meet the standards for commercial uses contained in Chapter 5.
- 7. **Schools**
 - a. All colleges, universities, high schools and trade schools shall have their principal vehicular entrance and exit on an arterial street and shall be located on land no less than two (2) acres in size if on sanitary sewer, or five (5) acres if on septic system. Ingress and egress to local streets shall be prohibited. Elementary and middle schools may have ingress and egress to local streets if it will not cause adverse impacts on surrounding properties.
 - b. Landscaping and lighting shall meet the standards for commercial uses contained in Chapter 5.

C. Commercial Uses

1. Animal Hospitals, Animal Training School, Kennel, and Veterinary Clinic

All such uses shall have their principal entrance and exit on an arterial street and if serving large animals shall be located on land no less than five (5) acres.

2. Micro Food and Beverage Production

Applications for micro food and beverage production shall provide information regarding building square footage, site development, hours of operation, odor expectations, truck deliveries and pick ups, production quantities, distribution expectations, and number of employee projections. **(Ord. No. 3436 Adopted 06-06-2016)**

3. Recreational Vehicle Campground/Park

Applications for recreational vehicle campgrounds/parks shall comply with and show the method of complying with the following standards:

- a. No trailer, RV, or other similar vehicle shall be allowed for more than fourteen (14) days.
- b. No trailer, RV, or other similar vehicle will be parked for sale or display.
- c. Only hard-surfaced roads shall be used throughout the grounds
- d. Each campground shall provide facilities for the appropriate disposal of waste water, trash, and related items.
- e. The following items shall be graphically shown on the application:
 - i. All RV pad locations.
 - ii. Pathways,
 - iii. Provisions for utility hookups.
 - iv. Parking facilities.
 - v. Restroom facilities
 - vi. Water/wastewater treatment facilities.
 - vii. Dumpster locations and provisions for other trash receptacles.
 - viii. Playground facilities.
 - ix. Compliance with ADA guidelines.
 - x. Landscaping.
 - xi. Lighting.
 - xii. Signage.

xiii. Storm water detention.

4. Recreation and Entertainment, Outdoor

All uses of this type requiring a specific use permit shall abut an arterial or collector street.

5. Vehicle Sales and Rental

Applications for vehicle sales and rental shall comply with the following standards:

- a. The minimum lot size shall be 2.5 acres, and the site shall have a minimum of 200 feet street frontage.
- b. Landscaping shall meet or be upgraded to meet the landscape requirements of Section 5.2. Particular attention shall be given to installing landscape material that does not attract birds. No parking of vehicles shall be allowed within landscape areas.
- c. Such uses shall be located a minimum of 200 feet from any residential district, school, hospital, park, government office, or place of public assembly.
- d. No outdoor speakers shall be allowed within 500 feet of a residential area.
- e. Colored metal or wrought iron gates designed to enhance the appearance of the facility are encouraged. The use of chain link or barbed wire within 200 feet of a public street right-of-way is prohibited.
- f. Vehicle sales and rental are discouraged in multi-tenant commercial areas.
- g. The exterior of all buildings shall meet the requirements of Section 5.8.G.

D. Industrial Uses

1. Assembly, Light

No outdoor storage or assembly is allowed.

2. Solid Waste Disposal

This use shall be approved in accordance to state and federal regulations and guidelines and shall be situated on land no less than forty (40) acres.

3. Mini-storage

a. Buffering/Screening

- i. Other than points of access, the mini-storage facility shall be completely enclosed with a brick or other masonry perimeter wall of no less than six feet in height. Additional or alternative buffering such as increased wall height, berming, or intensive landscaping may be required by the City to achieve the following purposes: to buffer or enhance views; create or enhance entry ways and public street appearance; and/or enhance the overall appearance of the mini-storage facility.

- ii. Colored metal or wrought iron gates designed to enhance the appearance of the facility are encouraged.
- iii. The use of chain link or barbed wire within the facility is prohibited.

b. *Building and Equipment Setbacks*

- i. A mini-storage facility shall be set back a minimum of 150 feet from any arterial street or limited access highway right-of-way.
- ii. Mini-storage facilities shall meet the side and rear setbacks required by the underlying zone district or development plan, as applicable.

c. *Operational Requirements*

- i. The mini-storage facility shall have a security system requiring the use of cards, keypads, keys or similar security devices limiting access to tenants and to fire, police, and emergency service officials when required.
- ii. Self-storage units shall be used solely for the purpose of storage of goods and possessions and shall not be used for conducting or operating a business, hobby, or any type of activity not related to the storage of personal property.
- iii. No mini-storage unit shall be used for the storage of explosives, ammunition or hazardous or flammable materials and the operator/owner of a mini-storage facility shall include such requirement in its written agreement with each tenant.
- iv. No outdoor storage is permitted on the site of the mini-storage facility.

d. *Land Area*

The portion of the specific use permit that is devoted to mini-storage use shall not exceed 20% of the area of the specific use permit, regardless of the number of lots contained within the specific use permit.

4. *Auto Salvage Yard*

- a. Such uses shall be located a minimum of 200 feet from any residential district, school, hospital, park, government office, or place of public assembly.
- b. All such uses shall be so screened by ornamental walls or opaque fences that are at least eight feet in height.
- c. A 30-foot wide planting area composed of screening landscaping is required around the perimeter of the site when adjacent to residential districts, 15-foot wide planting area when adjacent to all other zone districts or streets.
- d. Provision shall be made to prevent any contamination of the domestic water supply or excessive surface runoff from the property into adjoining lands or streams. The drainage plan that carries water off the site shall be subject to the approval of the Director.

SECTION V. Section 3.3.C.2 Dimensional Standards for Accessory Buildings and Structures of the Broken Arrow Zoning Code (No. 2931) is hereby amended to read as follows:

2. Dimensional Standards for Accessory Buildings and Structures

a. Same Lot

The accessory use or structure shall be conducted and/or located on the same lot(s) as the principal use.

b. Size

- i. In the R-2, R-2S, R-3, RS-3, RS-4, and RD districts, the maximum size of any accessory building shall be one thousand square feet (1,000 sq.ft.) unless otherwise approved by specific use permit. No accessory building shall be constructed until the construction of the main building has been actually commenced, and no accessory building shall be used unless the main building is also being used.
- ii. In commercial and industrial districts, an accessory use shall not occupy more than 50% of the building square footage associated with the principal use.

SECTION VI. Section 4.1.B (Table 4.1-2) Dimensional and Density Standards – Residential Districts of the Broken Arrow Zoning Code (No. 2931) is hereby amended to read as follows:

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 Section 3.2 Specific Use Permit Standards
 B. Residential District Standards

B. Residential District Standards

TABLE 4.1-2: DIMENSIONAL AND DENSITY STANDARDS – RESIDENTIAL DISTRICTS										
[Bracketed numbers refer to notes at the bottom of the table.]										
District	Use	Lot Dimensions			Minimum Setback Requirements [Note 6]					
		Min. Lot Area (sq ft)	Min Lot Frontage (ft) [NOTE 1]	Max Lot Coverage (%)	Front (ft)	Side (ft)	Rear (ft.)	Adjacent to Arterial (ft)	Corner or Adjacent to Public Street/Alley (ft)	Max. Height (ft)
RE	Single-family detached	24,000	175	Interior Lot: 50 Corner Lot: 60	35 [Note 2]	Both: 30 One: 15	25	35	35	50
	Other uses	24,000	200		50	Both: 40 One: 20	35	35	50	35 [Note 4]
RS-1	Single-family detached	10,000	85	Interior Lot: 50 Corner Lot: 60	30	Both: 25 One: 15	25	35	35	50
	Other uses	12,000	200		50	Both: 40 One: 20	35	50	50	35 [Note 4]
R-1 (Inactive)	Single-family detached	12,000	100	Interior Lot: 50 Corner Lot: 60	35	Both: 30 One: 15	20% of lot depth	35	35	50
	Other uses	12,000	200		50	Both: 40 One: 20	20% of lot depth, min 35 ft	50	50	Higher of 35 feet or 125% of setback

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 Section 3.2 Specific Use Permit Standards
 B. Residential District Standards

TABLE 4.1-2: DIMENSIONAL AND DENSITY STANDARDS – RESIDENTIAL DISTRICTS

[Bracketed numbers refer to notes at the bottom of the table.]

District	Use	Lot Dimensions			Minimum Setback Requirements [Note 6]						Max. Height (ft)
		Min. Lot Area (sq ft)	Min Lot Frontage (ft) [NOTE 1]	Max Lot Coverage (%)	Front (ft)	Side (ft)	Rear (ft.)	Adjacent to Arterial (ft)	Corner or Adjacent to Public Street/Alley (ft)		
RS-2	Single-family detached	8,000	70	Interior: 50 Corner: 60	25	Both: 10 One: 5	20	35	25	50	
	Other uses	12,000	200		40	Both: 40 One: 20	35	40	40	35 [Note 4]	
R-2	Single-family detached	8,000	70	Interior: 50 Corner: 60	25	Both: 15 One: 10	20	35	25	50	
	Other uses	12,000	200		40	Both: 40 One: 20	35	40	40	35 [Note 4]	
RS-3	Single-family detached	7,000	60	Interior: 50 Corner: 60	25 [Note 3]	Both: 10 One: 5	20 ft	35	25 [Note 3]	35 or 2.5 stories	
	Other uses	12,000	200		40	Both: 40 One: 20	35	40	40	35 [Note 4]	
R-3 (Inactive)	Single-family detached	7,000	60	Interior: 50 Corner: 60	25 [Note 3]	Both: 15 One: 10	20% of lot depth	35	25 [Note 3]	35 or 2.5 stories	
	Other uses	12,000	200		40	Both: 40 One: 20		40	40	40	35 [Note 4]

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 Section 3.2 Specific Use Permit Standards
 B. Residential District Standards

TABLE 4.1-2: DIMENSIONAL AND DENSITY STANDARDS – RESIDENTIAL DISTRICTS

[Bracketed numbers refer to notes at the bottom of the table.]

District	Use	Lot Dimensions			Minimum Setback Requirements [Note 6]					Max. Height (ft)
		Min. Lot Area (sq ft)	Min Lot Frontage (ft) [NOTE 1]	Max Lot Coverage (%)	Front (ft)	Side (ft)	Rear (ft.)	Adjacent to Arterial (ft)	Corner or Adjacent to Public Street/Alley (ft)	
RS-4	Single-family detached	6,500	55	Interior: 50 Corner: 60	20 [Notes 3 and 7]	Both: 10 One: 5	20 ft	35	20 [Notes 3 and 7]	35 or 2.5 stories
	Other uses	12,000	200		40	Both: 40 One: 20	35 ft	40	40	35 [Note 4]

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 Section 3.2 Specific Use Permit Standards
 B. Residential District Standards

TABLE 4.1-2: DIMENSIONAL AND DENSITY STANDARDS – RESIDENTIAL DISTRICTS

[Bracketed numbers refer to notes at the bottom of the table.]

District	Use	Lot Dimensions			Minimum Setback Requirements [Note 6]					Max. Height (ft)
		Min. Lot Area (sq ft)	Min Lot Frontage (ft) [NOTE 1]	Max Lot Coverage (%)	Front (ft)	Side (ft)	Rear (ft.)	Adjacent to Arterial (ft)	Corner or Adjacent to Public Street/Alley (ft)	
RD	Single-family detached	7000	60	Interior: 50 Corner: 60	25 [Note 3]	Both: 10 One: 5	20			
	Single-family attached	4000	40		25 [Note 3]	Both: 15 One: 10	20			
	Duplex	8000	70		25 [Note 3]	Both: 20 One: 10	20	35	25	35, or 2.5 stories
	Other uses	12,000	200		40 [Note 3]	Both: 40 One: 20	35			

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 Section 3.2 Specific Use Permit Standards
 B. Residential District Standards

TABLE 4.1-2: DIMENSIONAL AND DENSITY STANDARDS – RESIDENTIAL DISTRICTS

[Bracketed numbers refer to notes at the bottom of the table.]

District	Use	Lot Dimensions			Minimum Setback Requirements [Note 6]					Max. Height (ft)
		Min. Lot Area (sq ft)	Min Lot Frontage (ft) [NOTE 1]	Max Lot Coverage (%)	Front (ft)	Side (ft)	Rear (ft.)	Adjacent to Arterial (ft)	Corner or Adjacent to Public Street/Alley (ft)	
RM	Single-family attached	4500 (4000 per DU)	Lot: 30; Building: 100	50	25	10 on unattached side	20	35	25	
	Duplex	8000 (4000 per DU)	70	50	25	10 on unattached side	20	35	25	
	Multi-family	22,000 (2300 per DU)	200	50	35 unpaved; 75 with parking	Both: 70 unpaved; 150 feet with parking One: 35 unpaved; 75	35 unpaved; 75 with parking	35 unpaved; 75 with parking	35 unpaved; 75 with parking	[Note 5]
	Other uses	22,000	200	50	40	Both: 30 One: 20	20%	40	40	

TABLE 4.1-2: DIMENSIONAL AND DENSITY STANDARDS – RESIDENTIAL DISTRICTS

[Bracketed numbers refer to notes at the bottom of the table.]

District	Use	Lot Dimensions				Minimum Setback Requirements [Note 6]				Max. Height (ft)
		Min. Lot Area (sq ft)	Min Lot Frontage (ft) [NOTE 1]	Max Lot Coverage (%)	Front (ft)	Side (ft)	Rear (ft.)	Adjacent to Arterial (ft)	Corner or Adjacent to Public Street/Alley (ft)	
<p>NOTES:</p> <p>[1]: The frontage of any wedge-shaped lot that meets the requirements of minimum lot size may be less than the minimum lot frontage requirements of this table, so long as the applicable minimum lot frontage requirement is met at the front building line. Lot must have at least 30 feet of frontage at the front property line.</p> <p>[2]: Plus five feet for every ten-foot reduction in the minimum lot width requirement of 175 feet, not to exceed 50 feet.</p> <p>[3]: For lots in the RS-3, R3, RS-4, and RD districts with more than two sides abutting a public way (not including arterials), the front yard may be reduced to 15 feet along those rights of way that have no vehicular access. In such instances, there shall be no obstruction in a 15-foot front yard (such as buildings, fences, parked vehicles, etc.) and vehicular access should be from the street with the lowest design speed and capacity and lowest traffic volume. The jog in the front yard between the two lots shall not exceed five feet.</p> <p>[4]: Maximum height for other uses may be increased by one foot for every additional foot in setback provided beyond the minimum required setback.</p> <p>[5]: No height restriction unless abutting single-family detached residential. When abutting single-family detached residential, building shall be set back two feet for every foot in height above 35 feet.</p> <p>[6]: A required building setback from an abutting street shall be measured from the planned right of way as designated by the Transportation Plan as set forth in the Comprehensive Plan.</p> <p>[7]: In the RS-4 district, the front building line setback may be reduced to 15 feet on any lot where vehicular access is derived from an alley. There shall be no direct vehicular street access.</p>										

SECTION VII. Section 4.1.E.1 Bulk and Area Requirements for Planned Unit Developments of the Broken Arrow Zoning Code (No. 2931) is hereby amended to read as follows:

E. Planned Unit Development District Standards

1. Bulk and Area Requirements for Planned Unit Developments

a. Intensity of Use

Within a PUD, the permitted intensity, calculated as set forth in this subsection, may be reallocated irrespective of the general zoning district boundaries.

b. Residential Intensity

i. The maximum number of permitted dwelling units within a PUD shall be computed as follows:

Permitted dwelling units	=	$\frac{\text{Gross land area of the property located within a residential district}}{\text{Minimum gross land area per dwelling unit permitted in the applicable use district}}$
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ii. The gross land area for the purposes of the above-described computation shall be the gross area of the PUD less the lot area or areas designated for any use other than dwellings, quasi-dwellings, residential open space, and recreation areas. For the purpose of intensity computations, "gross land area" shall mean the lot area plus one half (1/2) of the right-of-way of any abutting street to which the lot has access.

iii. The minimum gross land area per dwelling unit for the purposes of the above described computation shall be as follows:

TABLE 4.1-5: Minimum Land Area Per Dwelling Unit for PUDs	
District	Minimum Gross Land Area Per Dwelling Unit (s.f)
R-1	14,500
RS-1	12,125
R-2	9,750
RS-2	9,750
R-3	8,500
RS-3	8,500
RS-4	7,875
RD	5,750
RM	2,200
RMH	4,000

iv. Each six hundred square feet (600 sq.ft) of a quasi-dwelling, such as a care home, shall constitute a dwelling unit. If the PUD is within two (2) or more districts, the permitted density shall be the sum of the

permitted dwelling units computed separately for the residential area within each district.

c. Nonresidential Intensity

- i. The nonresidential intensity shall not exceed a maximum permitted floor area computed as follows:

Maximum permitted floor area	=	Gross land area of the property located within a nonresidential district	X	Maximum floor area ratio permitted in the applicable use district
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- ii. If a floor area ratio is not specified within the applicable use district, a floor area ratio of 0.75 shall apply. The nonresidential intensity of use of a PUD located within two (2) or more general zoning districts shall be calculated separately for each district and allocated within the PUD with delineation of permitted floor area of specified permitted uses.
- iii. For the purpose of intensity computations, "gross land area" shall mean the lot area plus one-half (1/2) of the right-of-way of any abutting street to which the lot has access.

d. Livability Open Space

Within a residential development area of a PUD, livability open space (open space not utilized for parking or drives) shall be provided in an aggregate amount equal to the sum of the livability open space required for each dwelling unit calculated separately for each of the underlying use districts from which the permitted dwelling unit allocation is derived as follows:

TABLE 4.1-6: Minimum Livability Open Space per Dwelling Unit	
District	Minimum Livability Open Space per dwelling unit (s.f.)
R-1	6,800
RS-1	5,400
R-2	3,700
RS-2	3,700
R-3	3,000
RS-3	3,000
RS-4	2,800
RD	1,600
RM	1,200
RMH	1,600

Required livability open space may be provided on the lot containing the dwelling unit or units on which computed, or in common areas, common livability open space should be designed and located to be accessible to the dwelling units it is intended to serve.

- e. **Building Height**
Within a PUD, the building height limitations shall be prescribed and set forth as development standards of the approved planned unit development and shall be incorporated within the required subdivision plat.
- f. **Yards and Building Setbacks**
Within a PUD the minimum yards and building setback requirements shall be prescribed and set forth as development standards of the approved planned unit development and shall be incorporated within the required subdivision plat.
- g. **Parking Standards**
[RESERVED]

SECTION VIII. Section 5.9.J Council Permits for Towers of the Broken Arrow Zoning Code (No. 2931) is hereby amended to read as follows:

J. Council Permits for Towers

If the tower or antenna may not be permitted administratively as described above in subsection i., then no tower may be constructed without securing a permit from the Broken Arrow City Council.

1. Applications for a tower permit from the City Council shall first obtain a specific use permit from the Planning Commission pursuant to Section 6.5 of this Ordinance.
2. The City Council may impose conditions that it, in good faith, believes is reasonably necessary to minimize any adverse effect of the proposed tower on adjoining properties, and that foster competition by encouraging multiple uses on co-location structures. For purposes of evaluation of the application, the use of a billboard as a basis for a tower shall be considered co-location, even if only one (1) antenna array is to be placed thereon.
3. The City Council may require particular evidence or special conditions in the event the Council determines the proposal may potentially contaminate water supplies, contaminate surface waters or soil, interfere with drainage, or interfere with the primary use of the public property.
4. All sized freestanding towers are prohibited in A-1 and RE zoning districts, including areas that are in fact used as agricultural or residential estate areas even though zoned at more intense levels. Towers in excess of 100 feet are prohibited in R1, RS-1, R2, RS-2, R3, RS-3, and RS-4 zoning districts. Applicants in such areas shall be required to establish the necessity of the tower and all elements of the application by clear and convincing evidence.
5. When an applicant for a tower permit works with a developer of residential land, and designs a subdivision that uses a flagpole and guard house (or comparable camouflage) as elements within the design of the subdivision entrance or private park reserve, the approval of the final plat shall include the permit for the tower at a height not to exceed eighty feet (80') and used as the flagpole, and an equipment cabinet within the guardhouse.

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

SECTION X. 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 20th day of December, 2016.

MAYOR

ATTEST:

(Seal) CITY CLERK

APPROVED:



Asst. CITY ATTORNEY