

ORDINANCE NO. 3376

An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1727, granting CH and PUD 228 zoning classifications 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 request to rezone 32.09 acres of unplatted property located south of Kenosha Street, one-quarter mile west of Evans Road from A-1 to C-5, was approved by the City Council on September 5, 2006, subject to the property being platted; and

WHEREAS, PUD 228, which involved 3.41 acres within BAZ 1727, was approved by the City Council on September 16, 2014, subject to the property being platted; and

WHEREAS, on May 15, 2015, Broken Arrow-WF Addition was recorded in Wagoner County. On February 1, 2008, the C-5 district was changed to CH; 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:

All of Broken Arrow-WF Addition, part of the NE/4, Section 8, Township 18 North, Range 15 East, of the Indian Base and Meridian, Broken Arrow, Wagoner County, Oklahoma, Book 2216, page 712.

be and the same is hereby changed from the zoning classification of A-1 (Agricultural) to CH (Commercial Heavy) and PUD 228.

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 Any ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.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 1st day of December, 2015.

MAYOR

ATTEST:

(Seal) CITY CLERK

APPROVED:

Lesli Myers

Asst. CITY ATTORNEY