

## **ORDINANCE NO. 3484**

**An Ordinance amending Ordinance 3410 which temporarily established an alternative process for the review and issuance of building permits for buildings or structures designed for residential uses and proposed for location in downtown Broken Arrow, in an area more specifically described as the one-half square mile south of Kenosha Street, north of Houston Street, east of Elm Place and west of First Street, provided for an appeal process, effective and repeal dates, and severability; amending Ordinance 3439 which extended the effective date of Ordinance No. 3410 to August 16, 2017; said amendment will extend the effective date of Ordinance No. 3410 to December 31, 2017 to allow additional time for approval and implementation of the proposed downtown overlay district; said amendment to; and declaring an emergency.**

**WHEREAS**, downtown Broken Arrow has reinvented itself several times with the adoption of the 2005 Downtown Master Plan, establishment of the Rose District, and ongoing beautification and infrastructure projects; and

**WHEREAS**, establishing an Arts and Entertainment District has resulted in the attraction of new mixed use developments, including restaurants, retail stores, residential lots and offices along Main Street and within the Rose District; and

**WHEREAS**, the current downtown maintains a core of museums, a farmer's market, churches, city offices, long established banks, restaurants, clothing retail, furniture specialty stores, manufacturing, aviation simulation and many other businesses; and

**WHEREAS**, over 100 businesses, churches and services are located in the corridor around downtown and within the Rose District; and

**WHEREAS**, downtown includes more than twelve (12) different residentially platted subdivisions that were recorded in the early part of the Twentieth Century and are in varying conditions; and

**WHEREAS**, residential development and growth in the Rose District must be managed in order to provide lasting benefits to the land area within the immediate vicinity of downtown, and to the community as a whole; and

**WHEREAS**, the City is actively studying the feasibility of maintaining and improving existing infrastructure and establishing new infrastructure within the Rose District; and

**WHEREAS**, the City Manager formed a steering committee known as the "Coordinating Committee" that will make recommendations for updates to the overlay zoning district in downtown, and to recommend residential development standards for the Rose District, including limitation of uses, and design and location standards; and

**WHEREAS**, the Coordinating Committee sought proposals for updated residential development standards and recommended retention of firm to prepare the standards; and

**WHEREAS**, in order that the purposes contemplated by updates to the residential overlay zoning district not be frustrated and to allow the Coordinating Committee the necessary time to complete development of the proposed district and to hold public hearings, to allow the Planning Commission to make its recommendations regarding the proposed overlay zoning district and related development standards, and to allow for the City Council to adopt any related ordinances, the Council adopted Ordinance No. 3410, which established an alternate process for the review and issuance of building permits; and

**WHEREAS**, the temporary, alternative process established by Ordinance No. 3410 is working very well, and further, that two (2) different residential developments in the area have been processed and approved; and

**WHEREAS**, on August 16, 2016, the City Council adopted Ordinance No. 3439 which extended the timeframe of Ordinance No. 3410 to August 16, 2017, for the temporary, alternate process for the review and issuance of building permits for residential buildings or structures within the proposed zoning overlay district; and

**WHEREAS**, to continue to promote the public peace, health and safety, it is necessary and advisable to extend the timeframe of Ordinance No. 3410 once more to December 31, 2017.

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

**Section 1.** That the alternative process established by Ordinance No. 3410 shall remain in full force and effect through December 31, 2017, after which it shall automatically be null and void, and repealed, provided that the alternative process may be modified by the enactment of a subsequent ordinance of the City of Broken Arrow.

**Section 2.** That an emergency is hereby declared to exist for the preservation of the public peace, health and safety, by reason whereof this Ordinance shall take effect immediately upon its adoption, approval and publication.

ADOPTED, by the Council on this 16th day of May, 2017.

ADOPTED, as an emergency measure, on this 16th day of May, 2017.

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MAYOR

ATTEST:

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City Clerk

APPROVED AS TO FORM AND LEGALITY:

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Assistant City Attorney