



City of Broken Arrow

Request for Action

File #: 19-1017, Version: 1

**Broken Arrow City Council
Meeting of: 08-20-2019**

Title:

Consideration, discussion and possible adoption of Ordinance No. 3599, an ordinance amending Section 3.1.F (Table 3.1-1) Table of Allowed Uses, Section 3.2.C, Commercial Uses, Section 3.3.D, Additional Standards for Specific Accessory Uses, Section 5.4.D (Table 5.4.1), Off-Street Parking Schedule A, and Section 10.3.D.11a, Definitions of the City of Broken Arrow Zoning Ordinance; repealing all ordinances or parts of ordinances in conflict herewith; and declaring an emergency

Background:

Modifications to the Broken Arrow Zoning Ordinance are being proposed in regards to Bed & Breakfast facilities. The proposed modifications are to Table 3.1-1; Section 3.2.C and 3.3.D; Table 5.4.1; and Section 10.3.D.11.a.

The reason for the modifications are to bring the zoning ordinance more in line with current trends.

Item	Proposed Modification
Section 3.1.F (Table 3.1-1)	The modification of Bed and Breakfast to Bed and Breakfast Type 3 and the addition of Bed & Breakfast Type 1 and Type 2.
Section 3.2.C	The modification and addition of standards and requirements Bed and Breakfast Type 1, Type 2, and Type 3.
Section 3.3.D	The remove of prohibition of Bed and Breakfasts as Home Occupations
Section 5.4.D (Table 5.4.1)	The modification and addition of parking standards for Bed and Breakfast Type 1, Type 2, and Type 3.
Section 10.3.D.11.a	The modification of Bed and Breakfast to Bed and Breakfast Type 3 and the addition of Bed & Breakfast Type 1 and Type 2 definition.

In their meeting of June 13, 2019, the Planning Commission recommended approval (4-0 vote) of the Zoning Ordinance Update per Staff recommendation and with the added condition that Type 2 and Type 3 Specific Use Permits be valid for one year. Three people spoke in opposition to the changes citing concerns about property values, traffic, noise increase, and HOA enforcement of covenants restricting these uses.

While staff agrees with the Planning Commission that a time limit should be imposed on all Bed & Breakfast Specific Use Permits, staff believes that a 5-year maximum time limit would be better studied for the situation than a 1 year. The reason for this is because staff believes that the cost of reapplying each year (approximately \$1,000 with all costs) would be expensive to the applicants and create a deterrence from becoming compliant

with the ordinance.

The preview ordinance for the proposed changes was approved by the City Council in their meeting of August 6, 2019. Council requests to review this ordinance after one year after the date the ordinance is effective.

Cost: \$0

Funding Source: No requirement

Requested By: Larry R. Curtis, Acting Community Development Director

Approved By: City Manager's Office

Attachments: Ordinance No. 3599
Planning Commission Fact Sheet

Recommendation:

Adopt Ordinance No. 3599 and approve the emergency clause.