

ORDINANCE NO. 3706

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.

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

SECTION I. Section 3.1.F (Table 3.1-1), Table of Allowed Uses (Specific to Visitor Accommodations), 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					DROD AREAS***							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	1	2	3	4	5	6	7	N M	C M	D M	D F	O N	C N	C G	C H	I L	I H		
Visitor Accommodations	Bed and breakfast Type 1	P	P	P				P	P	P	P	P														3.2.C.6
	Bed and breakfast Type 2	S	S	S	S	S		S	S	S	S	S	P					S								3.2.C.6
	Bed and breakfast Type 3	P										S	P		S	S	P	S			P	P				3.2.C.6
	Bed and breakfast Type 4							S	S	S	S	S	P													3.2.C.6
	Hotel or motel											S	P	P		P	P	S			P	P				

SECTION II. Section 3.2.C, Commercial Uses, of the Broken Arrow Zoning Code (No. 2931) is hereby amended to read as follows:

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 about 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.

6. Visitor Accommodations

Applications for Bed & Breakfast and other such transient lodging (excluding hotels or motels) shall comply with the following standards:

- a.** Type 1: permitted in A-1, RE, RS-1, R1, RS-2, R-2, RS-3, R-3, or RS-4 Zoning Districts and permitted in in the Downtown Residential Overlay District in Areas 1,2,3,4, and 5.
 - i.** The owner shall reside on premise within the primary structure.
 - ii.** Up to two individuals or (One (1) Family) persons are permissible to stay up to thirty (30) days.
 - iii.** No more than two guest bedrooms and must be located within the primary residential structure.
 - iv.** No individual cooking facilities may be installed in any guest room.
 - v.** Meal service is limited to residential guests only. Sale of food and beverage to other than overnight guests is strictly prohibited.
 - vi.** Parking: See Table 5.4.1

- vii. Any proposed additions must be compatible with the architectural style and building materials for the dwelling and compliant with city codes.
- viii. No lighting or signage may be installed for the business.
- ix. A permit shall be required each year of operation.

b. Type 2: permitted by specific use permit in A-1, RE, RS-1, R-1, **RS-2, R-2, RS-3, R-3, or RS-4** RD, and RM Zoning Districts and by specific use permit in the Downtown Residential Overlay District in Areas 1, 2, 3, 4 and 5. It is permitted in the Downtown Residential Overlay District in Areas 6.

- i. Allows three to six individuals or up to Two (2) Families are permissible to stay up to thirty (30) days.
- ii. One guest room may be permitted for each 2,000 square feet of lot area, up to a maximum of four guest rooms.
- iii. No individual cooking facilities may be installed in any guest room.
- iv. Meal service is limited to residential guests only. Sale of food and beverage to other than overnight guests are strictly prohibited.
- v. Parking: See Table 5.4.1
- vi. Any proposed additions must be compatible with the architectural style and building materials for the dwelling and compliant with city codes.
- vii. No lighting or signage may be installed for the business.
- viii. A permit is required each year of operation.

c. Type 3: permitted by specific use permit in NM, CM, and DF Zoning Districts and permitted in A-1, DM, CG, and CH zoning districts. It is permitted by specific use permit in the Downtown Residential Overlay District in Area 5 and permitted in the Downtown Residential Overlay District in Areas 6.

- i. Up to eight (8) sleeping rooms.
- ii. Persons are permissible to stay up to thirty (30) days.
- iii. No individual cooking facilities may be installed in any guest room.
- iv. Parking: See Table 5.4.1
- v. Must collect hotel/motel tax and remit to the City of Broken Arrow.

d. Type 4: permitted by specific use permit in the Downtown Residential Overlay District in Areas 1, 2, 3, 4 and 5. It is permitted in the Downtown Residential Overlay District in Area 6.

- i. Allows three to six individuals or up to Two (2) Families are permissible to stay up to thirty (30) days.
- ii. One guest room may be permitted for each 1,000 square feet of lot area, up to a maximum of four guest rooms.
- iii. No individual cooking facilities may be installed in any guest room.
- iv. Meal service is limited to residential guests only. Sale of food and beverage to other than overnight guests are strictly prohibited.

- v. Parking: One parking space for each room (calculation can include garage parking space). On-street Parking may be permissible for up to two rooms/required spaces. In Areas 1, 2, 3, 4, and 5 of the Downtown Residential Overlay District, Planning Commission shall evaluate and recommend whether proposed on-street parking protects the public health, safety, and general welfare, and City Council shall make the final determination.
- vi. Any proposed additions must be compatible with the architectural style and building materials for the dwelling and compliant with city codes.
- vii. No lighting or signage may be installed for the business.
- viii. A permit is required each year of operation.

SECTION III. Section 10.3.D.11.a, Definitions, of the Broken Arrow Zoning Code (No. 2931) is hereby amended to read as follows:

11. Visitor Accommodation

For-profit facilities where lodging is provided to transient visitors and guests for a defined period. Specific use types include, but are not limited to:

a. Bed and Breakfast:

Type 1: One building containing in the aggregate no more than two (2) sleeping rooms that are occupied or intended or designed to be occupied as the temporary abiding place of person who are lodged within or without meals, for compensation per Section 3.2.C requirements.

Type 2: One building containing in the aggregate no more than four (4) sleeping rooms that are occupied or intended or designed to be occupied as the temporary abiding place of person who are lodged within or without meals, for compensation per Section 3.2.C requirements.

Type 3: One or more buildings containing in the aggregate no more than eight (8) sleeping rooms that are occupied or intended or designed to be occupied as the temporary abiding place of persons who are lodged with or without meals, for compensation per Section 3.2.C requirements.

Type 4: One building within the one square mile boundary of Elm Place, Kenosha Street, Houston Street, and 9th Street containing in the aggregate no more than four (4) sleeping rooms that are occupied or intended or designed to be occupied as the temporary abiding place of person who are lodged within or without meals, for compensation per Section 3.2.C requirements.

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

SECTION V. 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 16th day of August, 2021.

Wimpee

/s/ Debra

MAYOR

ATTEST:

/s/ Curtis Green
(Seal) CITY CLERK

APPROVED:

/s/ Alex Sisemore
CITY ATTORNEY