

**ORDINANCE NO. 3523**

**An ordinance amending the Land Subdivision Code of the City of Broken Arrow, Oklahoma, Section 4.1.a pertaining to General Design Standards for Streets; Section 4.1.c pertaining to General Design Standards for Abutting Unsubdivided Land; Section 4.2.a pertaining to Building and Structure Setbacks from All High Pressure Pipelines; Section 6.2 pertaining to Miscellaneous Requirements; and Section 6.3.a.4) pertaining to Private Street and Gated Residential Developments; 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 4.1.a of the Land Subdivision Code of the City of Broken Arrow, Oklahoma is hereby amended to read as follows:

- a. **STREETS.**
  - 1) The arrangement, character, extent, width, grade, names, and location of all streets shall conform to the Comprehensive Plan and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets. Where not shown on the Comprehensive Plan or Zoning Ordinance, the arrangement and other design standards of the street shall conform to the provisions found herein. (11 O.S. 41-101 and 45-104)
  - 2) Residential street subdivisions with thirty (30) or more dwelling units shall have more than one (1) ingress and egress and/or be in compliance with current adopted fire code. Multi-Family dwelling units shall be governed by the city adopted fire code.
  - 3) Streets shall be designed in accordance with the provisions and requirements set forth in the Engineering Design Criteria Manual.
  - 4) All residential subdivisions which are designed to provide property for more than twenty (20) dwelling units, or residential subdivisions which are designed for the potential development and extension beyond their present boundaries, shall be required to design and construct a minimum three-lane intersection with all arterial streets adjacent to the subdivision. At least seventy (70) feet of right-of-way shall be provided for the first one hundred (100) feet from the arterial street right-of-way tapering to the interior right-of-way width at a 30° angle.
  - 5) Commercial and industrial developments serving or exceeding five acres in size shall be required to design and construct a minimum three-lane intersection with all arterial streets adjacent to the development. At least eighty (80) feet of right-of-way shall be provided for the first 100 feet from

the arterial street right-of-way tapering to the interior right-of-way width at a 30° angle.

- 6) The design of three-lane intersections with arterial streets shall have the collector or major street constructed with a four foot (4') to ten foot (10') wide landscaped or painted median, so located as to provide for two (2) outbound lanes and one (1) inbound lane. One (1) outbound lane shall be for right-turn traffic and one (1) outbound lane shall be for left-turn or through traffic. Appropriate instructional signs, painting of the street lanes, or other appropriate markings should designate the authorized traffic movement for each lane. Any structures or landscaping proposed in the center median shall be reviewed and approved by the City of Broken Arrow. The inbound lane shall be a minimum of 20 feet in width for all public or private streets. (Ord No.3219 adopted 12-18-12)

**SECTION II.** Section 4.2.c of the Land Subdivision Code of the City of Broken Arrow, Oklahoma, is hereby amended to read as follows:

- c. **ABUTTING UNSUBDIVIDED LAND.** Where adjoining areas are not subdivided, the arrangement of streets and new subdivisions shall be carried to the boundary of the tract proposed to be subdivided. If the street that connects to the adjacent undeveloped and unplatted property is in excess of 150 feet measured from the centerline of the intersecting street to the property line, provisions shall be made for a temporary right-of-way for a turn-around of a size acceptable to the Development Services.

**SECTION III.** Section 4.2.a of the Land Subdivision Code of the City of Broken Arrow, Oklahoma, is hereby amended to read as follows:

- a. **BUILDING AND STRUCTURE SETBACKS FROM ALL HIGH PRESSURE PIPELINES.** All residences, buildings, and other habitable structures shall be set back a minimum of fifty (50) feet from all high pressure pipelines, which pipelines are under the regulatory jurisdiction of the United States Department of Transportation and are greater than eight (8) inches in diameter. In cases where an existing pipeline has been abandoned and/or removed, and the property owner and the pipeline company have provided necessary documentation, the building line setback from the pipeline can be reduced as necessary to facilitate the project.

**SECTION IV.** Section 6.2 of the Land Subdivision Code of the Broken Arrow, Oklahoma, is hereby amended to read as follows:

#### 6.2 MISCELLANEOUS REQUIREMENTS

- a. **DRIVEWAYS:** Driveways shall be constructed in accordance with the Standard Construction Specification manual.

- b. BUILDING PADS: Fill areas for buildings and structures shall be compacted as subgrade in lifts with a maximum thickness of eight (8) inches.
- c. FINISHED FLOOR ELEVATIONS: Finished floor elevations shall be placed on the face of the plat. If the lots are connected to a sanitary sewer system, then a backflow prevention table is required on the face of the plat.
- d. UTILITY ADJUSTMENT: All utilities that are designed to be at ground level shall be adjusted to the appropriate level when the grades are altered during construction.
- e. LANDSCAPE: All landscaped strips, parkways and screening areas dedicated to the public shall be graded, seeded and planted in an appropriate manner by the owner.
- f. STREET SIGNS: The owner shall submit a list of street signs required and pay the fee for those signs at the time of final platting. Upon completion of the paving the street signs shall be procured and installed by the Public Works Department.
- g. FENCES:
  - 1) All residential developments that abut an arterial, collector, turnpike or Federal or State Highways shall be screened with a solid opaque fence/screen that is a minimum of six (6) feet and not more than ten (10) feet in height. Alternative fencing may be reviewed and approved through a Planned Unit Development (PUD) zoning.
  - 2) No building or retaining wall shall be built in a right-of-way or utility easement that would interfere with the maintenance of a city utility.
  - 3) Unless otherwise approved by the Planning Commission, all fencing shall be uniform. Replacement fencing/screening shall retain its original height and material and the top elevation shall match the adjoining elevation. All new fences, including replacements for existing fences, which are required by the Zoning Ordinance, shall have the vertical support posts constructed of permanent building materials that may include but not be limited to a minimum of schedule 40 galvanized steel posts with an outside diameter equal to or larger than two and three-eighths (2 3/8) inch, masonry columns at least one (1) foot square, or PVC fencing using dual extruded PVC posts. The Planning Commission may permit alternative support posts as part of any site/landscape plan review, as long as the materials used meet or exceed the wind load capabilities of the materials listed above. Footings shall be constructed of concrete or equivalent materials. Any existing fence otherwise lawful at the time of construction and thereafter maintained may continue throughout its useful life; however, the replacement of such fence or other repair of more than

thirty (30) consecutive linear feet shall require the replacement or repair to conform to the standards listed herein.

- 4) Fences along an arterial street and reserve areas shall be installed by the developer. A home owner's association shall be formed that will be responsible for the maintenance of the fence.
- h. **HIGH PRESSURE PIPELINE MARKERS:** When a lot is located within 500 feet of a high pressure pipeline, which transports combustible materials, a marker will be placed in the curb in front of the lot. The marker shall be cast from yellow brass and mounted in concrete as specified in the City of Broken Arrow Standard Construction Specifications.
- i. **LIGHTING:**
  - 1) **General:** Provisions shall be made by the developer for adequate lighting of public streets within the proposed subdivision in accordance with the City's Street Lighting Policy.
  - 2) **Types of Lights:** Lights shall conform to the standard types accepted for maintenance by the local electric company. Decorative lights must be approved by the City and the electric company prior to installation.
  - 3) **Spacing:** Lights shall be placed at a maximum of 600 feet apart and in accordance with the City's Street Lighting Policy.

**SECTION V.** Section 6.3.a.4) of the Land Subdivision Code of the Broken Arrow, Oklahoma, is hereby amended to read as follows:

- 4) Private street subdivisions with thirty (30) or more dwelling units shall have more than one (1) ingress and egress and/or be in compliance with current adopted fire code. Multifamily units shall be governed by the city adopted fire code.

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

**SECTION VII.** 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   3   day of April, 2018.

s/Craig Thurmond \_\_\_\_\_  
MAYOR

ATTEST:

s/Lisa Blackford

(Seal) CITY CLERK

APPROVED:

s/Kim Slinkard

ASSISTANT CITY ATTORNEY