

**ORDINANCE NO. XXXX**

**AN ORDINANCE AMENDING ORDINANCE NUMBER 1287; AMENDING CHAPTER 10 OF THE JENKS ZONING CODE ADDING A NEW USE TO USE UNIT 2, 14, AND 16; AMENDING CHAPTER 17 OF THE JENKS ZONING CODE; AMENDING CHAPTER 18 OF THE JENKS ZONING CODE; REPEALING ALL ORDINANCE OR PARTS THEREOF IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

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**WHEREAS**, Trucking Establishments are necessary, but need to be held to a tougher standard than typical Commercial entities; and

**WHEREAS**, The Jenks Planning Commission heard the debate and the need for such language on September 30, 2021, and recommended approval to the Jenks City Council. City Council on October 19, 2021, approved the language.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JENKS, OKLAHOMA:**

**SECTION I.** Amend the Jenks Zoning Code Chapter 10 – Use Units 2 Section 1002.2 to read as follows:

Included Uses.

Airport.

Aquarium.

Auto Wash.

Bed and Breakfast, inn.

Bus Station.

Cemetery.

Churches.

College or University.

Commercial Recreation (Intensive).

Commercial Resort.

Commercial Theme Parks.

Convalescent Home.

Convict Pre-Release Center.

Crematory.

Cultural or Heritage Centers.

Detention Center Juvenile-Adult.

Electric Generation Plant and/or Sub-Station.

Facilities-(Minimum acreage of 40 acres apply).

Fire Protection Facility.

Fire Station.

Golf Course.

Golf Driving Range.

Governmental Services.  
Gun Club.  
Halfway House.  
Heliport.  
Hospital.  
Hydro-Electric Generation Plant.  
Industrial Uses - Use Units 24, 25, and 26 (Minimum acreage requirement-40 acres).  
Juvenile Delinquency Center.  
Kennel.  
Library.  
Mausoleum.  
Mini-Storage.  
Museum.  
Nursing Home.  
Offices - Use Unit 11 (Minimum acreage requirement-40 acres when located on a 40-acre or greater tract).  
Post Office.  
Public or Private Attractions.  
Public Schools, Trade Schools, Other Schools (with compulsory education curriculum).  
Private Schools with comprehensive education curriculum.  
Recreational Facilities.  
Recreational Vehicle Park.  
Recycling Center.  
Refuse Transfer Station.  
Rifle and Skeet Range Gun Club.  
Sanitary Landfill.  
Sewage Disposal Facility.  
Trade School  
Transmitting Tower (excluding amateur radio tower).  
Trucking Establishment. (allowed only within IL and IM zoning districts & subject to special restrictions).  
Use Unit 20 (Outdoor Recreational Facilities)  
Use Unit 23 (Mining and Mineral Processing).  
Water Treatment Facility and/or Water Storage Facility.

**SECTION II.** Amend the Jenks Zoning Code Chapter 10 – Use Units Section 1002.3 to add the following:

h. Trucking Establishment

1. Locational Standards: A Trucking Establishment is a unique and specialized land use. Given the distinctive nature of this particular use, the locational standards identified below are of paramount importance for the health, safety and general welfare of the public. As such, the Planning Commission, before recommending approval to City Council will carefully consider the following provisions of the Specific Use Permit.

- a. No Trucking Establishment shall be located within five (5) miles of any other Trucking Establishment or gasoline service provider. For the purpose of this section, all measurements of distance shall be along a straight airline route from the nearest point on any gasoline sales establishment property line to the nearest point on any other gasoline sales property line.
  - b. No Trucking Establishment shall be located closer than twenty-five hundred (2,500) feet from property designated Residential on the Land Use Plan Map or land zoned Residential pursuant to the Zoning Code. For the purpose of this section, all measurements of distance shall be along a straight airline route from the nearest point on any trucking establishment property line to the nearest point on any property line zoned or designated Residential.
2. Minimum Parcel Dimensions:
    - a. The minimum parcel size for consideration of trucking establishment is twenty (20) acres.
    - b. The minimum lot frontage for a parcel used for a trucking establishment shall be four hundred (400) feet.
  3. Minimum Required Yards:
    - a. The perimeter setback for all yards adjacent to major roadways shall be at least one hundred (100) feet from the respective property line.
    - b. Transitional yard setback required where a property line or lease line abuts service stations, truck service (major repair) every adjacent structure shall be set back one hundred (100) feet. This requirement would not apply to structures containing convenience stores or other uses if part of the service station use.
  4. Maximum Building Height:
    - a. For all permitted uses within a trucking establishment, thirty-five (35) feet, hotels, motels and similar lodging are prohibited.
  5. Maximum Building Coverage:
    - a. Forty (40) percent of site area
  6. Minimum Open Space:
    - a. Twenty (20) percent of site area. One half (½) of the area required to be devoted to Open Space may be comprised of water bodies.
  7. Minimum Building Separation:
    - a. No two (2) buildings on the same parcel within trucking establishment shall be located closer to one (1) another than a distance equal to the height of the lower building.
- i. Prohibited uses.
- The following are the prohibited uses and structures in Trucking Establishments:
1. Any permitted use, accessory use, restricted use or structure not specifically or by reasonable implication permitted herein.
  2. Adult Facilities.
  3. Sales of Alcoholic Beverages for consumption off the premises. This prohibition does not include the sale of Beer and Wine accessory to a convenience store.
  4. Sales, Wholesale, this prohibition does not include the sales of tires, batteries and vehicle parts and bulk storage of petroleum products for sales on-site but does include the bulk sale of petroleum products.

**SECTION III.** Amend the Jenks Zoning Code Chapter 10 – Use Units 14 Section 1014.2 to include *Convenience Stores* in the list of uses.

**SECTION IV.** Amend the Jenks Zoning Code Chapter 10 – Use Units 16 Section 1016.2 to include *Gas station with mini-mart* in the list of uses

**SECTION V.** Amend chapter 10 – Use Units Section 1022.1 and 1022.2 to read as follows:

1022.1. Description.

Warehousing, wholesaling, and trucking establishments, in industrial parks and highway transportation areas.

1022.2. Included Uses.

Warehouses, NEC, wholesale establishments, NEC, storage, NEC, trucking establishments, and truck rentals.

**SECTION VI.** Amend Chapter 17 – Specific Use Permits Section 1702.1 of the Jenks Zoning Code to read as follows:

1702.1. Specific Uses.

The following uses are allowed in all zoning districts by Specific Use Permits Process approved by City Council:

Included Uses.

Airport.

Aquarium.

Auto Wash.

Bed and Breakfast, inn.

Bus Station.

Cemetery.

Churches.

College or University.

Commercial Recreation (Intensive).

Commercial Resort.

Commercial Theme Parks.

Convalescent Home.

Convict Pre-Release Center.

Crematory.

Cultural or Heritage Centers.

Detention Center Juvenile-Adult.

Electric Generation Plant and/or Sub-Station.

Facilities-(Minimum acreage of 40 acres apply).

Fire Protection Facility.

Fire Station.

Golf Course.

Golf Driving Range.  
Governmental Services.  
Gun Club.  
Halfway House.  
Heliport.  
Hospital.  
Hydro-Electric Generation Plant.  
Industrial Uses - Use Units 24, 25, and 26 (Minimum acreage requirement-40 acres).  
Juvenile Delinquency Center.  
Kennel.  
Library.  
Mausoleum.  
Mini-Storage.  
Museum.  
Nursing Home.  
Offices - Use Unit 11 (Minimum acreage requirement-40 acres when located on a 40-acre or greater tract).  
Post Office.  
Public or Private Attractions.  
Public Schools, Trade Schools, Other Schools (with compulsory education curriculum).  
Private Schools with comprehensive education curriculum.  
Recreational Facilities.  
Recreational Vehicle Park.  
Recycling Center.  
Refuse Transfer Station.  
Rifle and Skeet Range Gun Club.  
Sanitary Landfill.  
Sewage Disposal Facility.  
Trade School  
Transmitting Tower (excluding amateur radio tower).  
Trucking Establishment. (allowed only within IL and IM zoning districts & subject to special restrictions).  
Use Unit 20 (Outdoor Recreational Facilities)  
Use Unit 23 (Mining and Mineral Processing).  
Water Treatment Facility and/or Water Storage Facility.

**SECTION VII.** Amend Chapter 18 – Definitions Section 1800 of the Jenks Zoning Code to include the following definitions:

*Trucking Establishments:* A parcel of ground used primarily for the fueling of transient trucks, passenger vehicles, maintenance, servicing, storage, parking or repair of commercial vehicles, including the sale of motor fuels or other petroleum products, the sale of accessories or equipment for over-the-road trucks and similar commercial vehicles, truck drivers and interregional travelers. Other services commonly associated with a truck stop may include: convenience store, overnight accommodations, showers, cargo broker's offices, restaurants, game rooms, vehicle scales, wash racks and servicing bays, sales of personal and household goods.

*Convenience store:* store with less than 5,000 square feet of gross floor area primarily engaged in the retail sale of a limited range of household products including, but not limited to, dry goods, canned goods, dairy and other food products, and may include the off-sale of beer or wine.

*Gas station with mini-mart:* an establishment that sells gasoline for motor vehicles in conjunction with a “convenience store.”

**SECTION VIII.** That all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

**SECTION IX.** If any section, sentence, clause or phrase of this ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance or any part thereof.

Approved this \_\_\_\_ day of \_\_\_\_\_ 2021

**CITY OF JENKS, OKLAHOMA**

\_\_\_\_\_  
**MAYOR**

**SECTION VIII.** Since the immediate operation of the provisions of the Ordinance is necessary for the preservation of public health, welfare and safety, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage by the City Council

**Emergency Clause approved separately this \_\_\_\_ day of \_\_\_\_\_ 2021.**

**CITY OF JENKS, OKLAHOMA**

\_\_\_\_\_  
**MAYOR**

**Attest:**

\_\_\_\_\_  
**CITY CLERK**

**Approved as to form:**

\_\_\_\_\_  
**CITY ATTORNEY**