THE ZONING CODE

OF

THE CITY OF JENKS

Prepared

By the

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ZONING AND PROPERTY RESTRICTIONS

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CHAPTER 1

TITLE, PURPOSES, INTERPRETATION AND JURISDICTION

100 Title
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SECTION 100 TITLE

Title 100. This ordinance shall be known and may be cited as the “Zoning Code” of the City of Jenks, Oklahoma, 2010.

SECTION 110 PURPOSES, INTERPRETATION, AND JURISDICTION

110.1 Purposes

This code is enacted for the purposes of promoting the health, safety, peace, morals, comfort, convenience, prosperity, order and general welfare; to reduce danger and congestion of public transportation; to provide adequate light and air, public utilities, facilities and service, and other public requirements; to promote productive and enjoyable harmony between man and his environment; to achieve a balance between population and resource use which will permit high standards of living and a wide sharing of amenities; to prevent overcrowding of land; and undue encroachment thereon; to promote efforts which will prevent or eliminate damage to the environment and biosphere; to stimulate and assure for all citizens safe, healthful, productive, and aesthetically and culturally pleasing surroundings; to encourage the residential, commercial, and industrial growth of the community as well as the most appropriate use of land; and to encourage the development of the community in accordance with a comprehensive plan.

110.2 Interpretation

A. Validity of Other Laws

Where this code imposes a greater restriction upon the use of structures or land or upon height or bulk of structures, or requires larger open space or yards than are imposed by other ordinances, laws, or regulations, the provisions of this code shall govern. However, nothing in this code shall be construed to prevent the enforcement of other ordinances, laws, or regulations which prescribe more restrictive limitations.

B. Severability
In case any portion of this code shall be invalid or unconstitutional, as declared by a court of competent jurisdiction, the remainder of the code shall not thereby be invalid, but shall remain in full force and effect.

C. Tense and Definition

For the purpose of this code certain terms and words are to be used and interpreted as defined in Chapter 16 of this code: words used in the present tense shall include the future tense; words in singular number include the plural and words in the plural number include the singular, except where the natural construction of the writing indicates otherwise. The words “shall” and “will” are mandatory.

110.3 Jurisdiction

A. Territorial Jurisdiction

This code shall be in full force and effect and shall apply to all lands within the incorporated limits of the City of Jenks, Oklahoma.

B. Annexed Territory

When any territory shall be brought into the zoning jurisdiction of the City of Jenks, Oklahoma, by annexation or otherwise, such territory shall be deemed to be in an AG Agriculture District. This provision shall not operate to preclude subsequent zoning of such property by amendment in the manner set forth in Chapter 15.

C. Property owned, leased or operated by the City of Jenks, Oklahoma, or any other public or governmental body or agency shall be subject to the terms of this code.
CHAPTER 2

GENERAL PROVISIONS

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280 Structure Setbacks from Abutting Streets
290 Code of Ethics
291 City Planning Commission: Created; Membership

SECTION 200 ZONING DISTRICTS ESTABLISHED

The Zoning Districts set forth below are hereby established. The District symbol is in the column to the left.

AG  Agriculture District
RE  Residential Estate District
RS-1  Residential Single-Family Low Density District
RS-2  Residential Single-Family Medium Density District
RS-3  Residential Single-Family High Density District
RD  Residential Duplex District
RTH  Residential Townhouse District
RM-1  Residential Multi-Family Low Density District
RM-2  Residential Multi-Family Medium Density District
RMH  Residential Mobile Home Park District
OL  Office Low Intensity District
OM  Office Medium Intensity District
CS  Commercial Shopping Center District
CG  Commercial General District
CH  Commercial High Intensity District
RTC  Riverfront Tourist Commercial
ROC River Oriented Commercial
IL Industrial Light and Research and Development District
IM Industrial Moderate District

SECTION 201 SUPPLEMENTAL DISTRICTS ESTABLISHED

201.1 Supplemental Districts Established

The supplemental districts set forth below are hereby established. The district symbol is in the column to the left.

PUD – Planned Unit Development
STD – Special Theme District
CD – Corridor District
RFD – Riverfront District
FP – Floodplain Overlay District

SECTION 202 OFFICIAL ZONING MAP ESTABLISHED

The locations and boundaries of the various districts as defined herein shall be established by ordinance and shall be known and delineated on the Official Zoning Map of the City of Jenks, Oklahoma. The Official Zoning Map shall be maintained by the Planning Director and may be divided into parts, and such parts may be separately employed for identification purposes when adopting or amending the Official Zoning Map or for any reference to the Official Zoning Map.

SECTION 203 DISTRICT BOUNDARY DESCRIPTION AND INTERPRETATION

District boundary lines shall be described by legal description or by a map. When a legal description is used, the boundary line shall be deemed to extend to the centerline or abutting streets and shall be so designated on the Official Zoning Map. When a map is used, district boundary lines shall be established by dimensions, property lines, recorded lot lines, or the centerline of abutting street, alley, or railroad right-of-way, as the same were of record at the time of adoption. In all cases where there is doubt as to the exact location of district boundary lines, the same shall be determined by the Board of Adjustment.

SECTION 204 LIMITATION ON LAND USE

No land or building shall be used and no building, structure, or improvement shall be made, erected, constructed, moved, altered, enlarged, or rebuilt which is designed, arranged, or intended to be used or maintained for any purpose or any manner except in accordance with the use, height, area, yard, space, and other requirements established in the district in which such land, building, structure, or improvement is located except as provided by Chapter 12, Nonconformities. In order to avoid undue hardship:
a. Nothing in this code shall be deemed to require a change in the plans, construction, or designated use of any building, where a building permit was lawfully issued prior to the effective date of this code, and pursuant to such permit, construction is diligently carried to completion. Upon completion such building or use shall be deemed nonconforming and may continue as regulated by Chapter 12, Nonconformities.

b. At any time within (2) years after the effective date of this code, a building permit and zoning clearance permit may be issued or a use of land commenced in accordance with the terms and conditions of a special exception or variance granted by the Board of Adjustment prior to the effective date of this code.

c. At any time within (2) years after the effective date of this code, a building permit and zoning clearance permit may be issued or a use of land commenced in accordance with the terms and conditions set forth by the City Council prior to the effective date of this code. After the expiration of this two year time period, no buildings or zoning clearance permit shall be issued for any use of land, building, or combination thereof except in accordance with the provisions and requirements of that applicable use district in which proposed use is located.

SECTION 205 DIVISIONS OF LOTS

A lot shall not hereafter be divided into two or more lots, unless all lots resulting from such division conform to all the applicable regulations of the zoning district in which located.

SECTION 206 LOT OF RECORD

A unit of land created as follows:

a. A lot in an existing, duly recorded subdivision; or,

b. A parcel in an existing, duly recorded land partition; or,

c. An existing unit of land for which a survey has been duly filed which conformed to all applicable regulations at the time of filing; or,

d. Any unit of land created prior to zoning and partitioning regulations (September 28, 1972) by deed or metes and bounds description, and recorded with the Tulsa County Clerk.

e. Lots within the Jenks Original Town Site Subdivision, wherein all lots are 25 feet wide, it is recognized that any development or use that incorporates two or more contiguous lots, and those lots are under the same ownership, then all lots under that use shall be considered a single lot of record.
No development permit in association with the Jenks Zoning Code or Subdivision Regulations may be issued for a tract of land unless said tract has been determined to be a legal lot of record. No development permit may be issued for a tract of land that is not in compliance with the provisions of the Jenks Zoning Code. Provided, however, any land use action deemed necessary to correct said violation or the progression of required land use actions shall be considered for applications.

SECTION 207 STREET FRONTAGE REQUIRED

No lot shall contain any building used in whole or in part of residential purposes unless such lot has a minimum of 30 feet of frontage on a public street or dedicated right-of-way, except as provided for a substandard lot of record, a lot within an approved Planned Unit Development, or a lot within an approved Townhouse Development.

SECTION 208 ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD

Not more than one single-family dwelling may be constructed on a lot, except in the case of a lot which is within an approved Planned Unit Development.

SECTION 220 HEIGHT EXCEPTIONS

The following structures, except where preempted by other government regulations, shall not be subject to the height limitations of the district in which they are located:

a. Farm building and structures.

b. Aerials, antennas, belfries, chimneys, cupolas, domes, elevators, penthouses, flagpoles, masts, monitors, smokestacks, spires, towers, (cooling, fire hose), and ventilators, provided they are not intended for human occupancy.

SECTION 230 LOT AREA AND WIDTH EXCEPTIONS

Except for fire protection and ambulance service, the lot area and width requirement of the Zoning Districts shall not apply to the uses included within Use Unit 4, Public Protection and Utility Facilities.

SECTION 240 YARDS

240.1 Compliance with Yard Requirements

Except as otherwise provided, required yards shall be open and unobstructed from the ground to the sky. Yards provided for a building for the purpose of complying with the provisions of this code shall not be considered the yard for any other building and yards provided for a lot shall not be considered the yard of any other lot.
240.2 Permitted Yard Obstructions

Obstructions are permitted in required yards as follows:

a. Cornices, canopies, eaves and similar architectural features may project not more than two feet into a required yard.

b. Fire escapes may project not more than four and one-half feet into a required yard.

c. Hedges, plant materials and walls may be located in any yard provided that corner traffic visibility is maintained in accordance with the City of Jenks Traffic Ordinance.

d. Fences may be located in any yard provided that corner traffic visibility is maintained in accordance with the City of Jenks Traffic Ordinance and is not restricted by Planned Unit Development criteria or by subdivision Deed of Dedication and Restrictive Covenants. Ornamental fencing within the front yard may be allowed if approved by the Homeowners Association (if applicable) and processed as a special exception by the Jenks Board of Adjustment.

e. Signs which are permitted as accessory uses in residential districts may be located within any yard which is bounded by a public street (See Section 1021.4).

f. In the RE and RS Residential Districts, a detached accessory building or buildings may be located in a rear yard provided (1) the building or buildings do not cover more than 20% of the area of the rear yard and (2) the total gross floor area for any accessory building or buildings located in the rear yard does not exceed 600 square feet, except that structures with a total gross floor area between 600 square feet and 1200 square feet may be approved by the Board of Adjustment by Special Exception.

g. Swimming pools, tennis court, patios, storm and other protective shelters shall be located in the rear yard and shall have a minimum setback of ten (10) feet from any side or rear lot lines. However, the Board of Adjustment may, upon application and after public hearing, permit the aforementioned accessory uses in the front yard of properties zoned RE (Residential Estates) and AG (Agriculture) provided; (1) the minimum front yard requirement is adhered to, and (2) a minimum setback of ten (10) feet from any side lot line is met.

h. Carports by Special Exception requiring Board of Adjustment approval.

i. Customary accessory structures, such as clothes lines, barbecue pits, and playground equipment.

j. Roll-off containers, front-end loader containers, and rear-end loader containers, and Pods (portable on site storage) shall not be located within Residential,
Agriculture, Commercial or Office Zoning Districts; provided, however, that the following exceptions shall be permitted:

1. If a structure is under construction or being demolished and has a current building or demolition permit, Roll-off containers, front-end loader containers, and rear-end loader containers may be located at the structure where the work is being performed; provided all receptacles so located are removed at the completion of the construction, but not to exceed 120 days on site unless placed in cooperation with an active building permit, or completion of the demolition is not to exceed 30 days on site. Containers shall not be located within the public right of way.

2. Roll-off containers, front-end loader containers, and rear-end loader containers, or Pods may be located within all zoning districts for the purpose of moving from or into a building or residence; provided that all containers so located are removed at the completion of the moving operation and containers shall not exceed 30 days on site unless the Deed of Dedication of the subdivision in which the property is located is more restrictive. Containers utilized in residential areas shall not exceed 16 feet in length. Containers shall not be located within the public right of way.

3. Roll-off containers, front-end loader containers, rear-end loader containers and Pods may be located within all zoning districts for the purpose of the cleaning or removal of the contents of a structure or yard for a period not to exceed 30 days in any 90 day period. Containers shall not be located within the public right of way.

4. The use or storage of Roll-off containers, front-end loader containers, and rear-end loader containers, and Pods (portable on site storage) within Industrial Zoned District shall comply with the guidelines and requirements as outlined within each of the industrial district provisions.

240.3 Use of Yards in R Districts

No inoperative or unlicensed motor vehicles shall be parked or stored within the front or exterior side yard in an R district. No vehicle shall be parked except on a hard surfaced area constructed of a dust free all-weather material such as asphalt or concrete. With in the RM-1 and RM-2 districts, not more than one vehicle shall be parked for each 600 square feet of area contained in a required front or exterior side yard.
SECTION 241 EXISTING BUILDING ENCROACHMENT ON FRONT YARDS OR BUILDING SETBACKS.

Where an existing building or buildings on the same side of the street and within the same block encroach on the required front yard or building setback, the required front yard or building setback for new construction shall be established as follows:

a. If the proposed building is to be located more than 200 feet from an encroaching building, the proposed building shall conform to the front yard or setback established for the district in which the proposed building is to be located.

b. If the proposed building is to be located between adjacent buildings which conform to the required front yard or building setback, or between a conforming building and an intersecting street, the proposed building shall conform to the front yard or setback established for the district in which the proposed building is to be located.

c. If the proposed building is to be located within 200 feet of encroaching buildings on both sides and there are no intervening buildings, the front yard or building setback shall be the average of the front yard setback of the two nearest front corners of the encroaching buildings.

d. If the proposed building is to be located within 200 feet of an encroaching building on one side, but not both sides, and there are no intervening buildings, the front yard or building setback shall be the average of the front corner of the encroaching building.

Provided, however, that in the application of (c) or (d) above, the front yard or building setback shall not be reduced to less than 5 feet plus ½ of the right-of-way width designated on the Major Street Plan for the abutting street or 5 feet plus ½ of the dedicated street right-of-way whichever is greater; or 5 feet plus 25 feet if the street is not designated on the Major Street Plan.

SECTION 250 SCREENING WALL OR FENCE

250.1 Specifications

For the purpose of maintaining a compatible relationship between certain land uses, a screening requirement is hereby established for the initiation and continuance of particular uses in such instances as may be hereinafter designated.

When the provisions of this code require the construction of a screening wall or fence as a condition for the initiation and subsequent continuance of a use, the screening wall or fence:

a. Shall be constructed, designed, and arranged to provide visual separation of uses, irrespective of vegetation;
b. Shall not be less than six (6) feet in height;

c. Shall be constructed with all braces and supports on the interior, except when both sides are of the same design and appearance;

d. Shall be erected within thirty (30) days following the occupancy of the building or initiation of the use required to screen; and

e. Shall be of the type of materials compatible with the surrounding area.

f. Required screening fences shall be separated from the ground by a base concrete footing and/or stem wall.

250.2 Maintenance

The screening wall or fence shall be maintained by the owner of the lot containing the use required to construct the screening. Failure to maintain after notice by the building inspector shall constitute an offense hereunder.

250.3 Modification of the Screening Wall or Fence Requirements

The City Council with recommendation from the Planning Commission through a Planned Unit Development (PUD) process or the Board of Adjustment, as a special exception may:

a. Modify or remove the screening requirement where existing physical features provide visual separation of uses;

b. Modify the screening requirement where an alternative screening will provide visual separation of uses;

c. Grant an extension of time to erect a screen where properties which are to be benefited by the screen are undeveloped; and,

d. Remove the screening requirement where the purpose of the screening requirement cannot be achieved.

SECTION 260 PLATTING REQUIREMENT

For the purposes of providing a proper arrangement of streets and assuring the adequacy of open spaces for traffic, utilities, and access of emergency vehicles, commensurate with the intensification of land use customarily incident to a change of zoning, a platting requirement is established as follows:

For any land which has been rezoned upon application, no building permit shall be issued until that portion of the tract on which the permit is sought has been included
within a subdivision plat or replat, as the case may be, submitted to the Planning Commission for their review and recommendation, approved by the City Council, and filed on record in the office of the county clerk where the property is situated. Provided that City Council, pursuant to their exclusive jurisdiction of subdivision plats, may remove the platting requirement upon a determination that the above-stated purposes have been achieved by previous platting or could not be achieved by a plat or a replat.

SECTION 270 MAJOR STREET PLAN

“The City of Jenks Major Street and Highway Plan”, hereafter referred to as “The Major Street Plan”, as adopted by the Mayor and City Council of the City of Jenks, on July 2, 1973, and amended thereafter, is hereby adopted by resolution and made a part thereof.

SECTION 280 STRUCTURE SETBACK FROM ABUTTING STREETS

Every structure shall be setback from the centerline of an abutting street a horizontal distance of not less than ½ of the right-of-way designated on the Major Street Plan or ½ of the dedicated right-of-way, whichever is greater; or 25 feet if the abutting street is not designated on the Major Street Plan, plus the required Zoning Districts Setbacks.

SECTION 290 CODE OF ETHICS

The Mayor or any member of the City Council, Planning Commission, or Board of Adjustment to whom some private benefit, direct or indirect, financial or otherwise, may come as a result of a public action concerning this code, shall not be a participant in that action. The possibility, not the actuality, of a conflict shall govern. The individual experiencing a conflict of interest shall declare his interest, abstain from voting on the matter, and refrain from any deliberations on the matter. The individual shall not discuss the matter with a fellow official for the purpose of influencing a decision thereon.

SECTION 291 CITY PLANNING COMMISSION: CREATED; MEMBERSHIP

A City Planning Commission is hereby created for this City. It shall consist of seven (7) appointed members, all of whom shall be electors of the City. The seven (7) appointive members shall be nominated by the Mayor and appointed by the Council, and shall serve for terms of three (3) years, the terms to end at 7:30 o’clock p.m. on the first Monday in May. Members may continue to serve after the term expiration until such time that a qualified successor has been appointed by City Council. Vacancies shall be filled for the unexpired terms. The members shall serve without Compensation. The council may remove members of the City Planning Commission for any one of the following causes: (1) failure to attend three consecutive regular or special meetings, or failure to attend two-thirds of the regular or special meetings held during the day any six-month period; (2) actions and conduct unbecoming to a public official of the City of Jenks, Oklahoma; (3) repeated acts and conduct detrimental to the peace, health, safety and welfare of the citizens of Jenks.
CHAPTER 3

AGRICULTURE DISTRICT PROVISIONS

300 Purposes
310 Principal Uses
320 Accessory Uses
330 Bulk and Area Requirements
340 Special Exception Uses, Requirements

SECTION 300 PURPOSES OF AGRICULTURE DISTRICT

The Agriculture District is designed to:

a. Encourage and protect agricultural land until an orderly transition to urban development may be accomplished.

b. Discourage wasteful scattering of development in rural areas.

c. Obtain economy of public fund expenditures for improvements and services.

SECTION 310 PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICT

The principal uses permitted in the Agriculture Districts are designated by use units. The use units are groupings of individual uses and are fully described, including their respective off-street parking, loading, screening requirements and other use conditions in Chapter 10. The use units permitted in the Agriculture District are set forth in Table 1.

Table 1

<table>
<thead>
<tr>
<th>No.</th>
<th>Name</th>
<th>District</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Area wide Uses by Right</td>
<td>X</td>
</tr>
<tr>
<td>2.</td>
<td>Area wide Specific Uses</td>
<td>S</td>
</tr>
<tr>
<td>3.</td>
<td>Agriculture</td>
<td>X</td>
</tr>
<tr>
<td>4.</td>
<td>Public Protection and Utility and Open Air Facilities</td>
<td>X</td>
</tr>
<tr>
<td>5.</td>
<td>Community Services and Cultural Facilities</td>
<td>E</td>
</tr>
<tr>
<td>9.</td>
<td>Mobile Home Dwelling</td>
<td>E</td>
</tr>
<tr>
<td>23.</td>
<td>Mining and Mineral Processing</td>
<td>S</td>
</tr>
</tbody>
</table>

* X use by right, E special exception-unless use is specifically identified on Specific Use List, S Specific Use – see Use Unit 2 and Chapter 17
SECTION 320 ACCESSORY USES IN THE AGRICULTURE DISTRICT

320.1 Accessory Uses Permitted

Accessory uses customarily incident to a principal use permitted in an Agriculture District are permitted in such district. In addition, the uses set forth in Table 2 are permitted as accessory uses.

Table 2

<table>
<thead>
<tr>
<th>No.</th>
<th>Uses</th>
<th>District</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Identification Signs</td>
<td>AG</td>
</tr>
<tr>
<td>2.</td>
<td>Real Estate Signs</td>
<td>AG</td>
</tr>
</tbody>
</table>

320.2 Accessory Use Conditions

a. General Conditions

1. An accessory building erected as an integral part of the principal building shall be made structurally a part thereof, shall have a common wall therewith, and shall comply with the requirements applicable to the principal building.

2. Accessory buildings shall meet the minimum yard or building setback requirements.

b. Accessory Signs in the AG District

1. One identification sign may be erected on each street frontage of a permitted non-residential use. The sign shall not exceed 32 square feet in surface area, nor 15 feet in height, and illumination, if any, shall be by constant light.

2. A real estate sign advertising the sale, rental, or lease of the premises may be erected on each street frontage of the premises. The sign shall not exceed 80 square feet in surface area, nor 15 feet in height, and shall have no illumination.
SECTION 330 BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICT

Table 3

Bulk and Area Requirements in the Agriculture District

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Width (min. ft.)</td>
<td>300</td>
</tr>
<tr>
<td>Lot Area (min. acres)</td>
<td>2</td>
</tr>
<tr>
<td>Land Area (min. acres per dwelling unit)</td>
<td>2.5</td>
</tr>
<tr>
<td>Front Yard and Any Yard Abutting a Public Street</td>
<td></td>
</tr>
<tr>
<td>Measured from the centerline of abutting street,</td>
<td></td>
</tr>
<tr>
<td>and ½ of the right-of-way designated on the Major</td>
<td></td>
</tr>
<tr>
<td>Street Plan, or 25 feet if not designated on the Major</td>
<td></td>
</tr>
<tr>
<td>Major Street Plan (min. ft.)</td>
<td>35</td>
</tr>
<tr>
<td>Arterial</td>
<td></td>
</tr>
<tr>
<td>Not an Arterial</td>
<td>25</td>
</tr>
<tr>
<td>Side Yard (min. ft.)</td>
<td></td>
</tr>
<tr>
<td>One side yard</td>
<td>10</td>
</tr>
<tr>
<td>Other side yard</td>
<td>10</td>
</tr>
<tr>
<td>Rear Yard (min. ft.)</td>
<td>40</td>
</tr>
<tr>
<td>Building Height (max. ft.)</td>
<td>*35</td>
</tr>
</tbody>
</table>

*See Section 220 for Exceptions

SECTION 340 REQUIREMENTS FOR SPECIAL EXCEPTION USES IN THE AGRICULTURE DISTRICT

The Special Exception Uses permitted in the Agriculture District, as designated in Table 1, are subject to the requirements set out below, and such additional safeguards and conditions as may be imposed by the Board of Adjustment.

1. The accessory use provisions of the Agriculture District pertaining to signs are applicable to accessory signs for uses permitted by special exception.

2. A minimum tract size of 5 acres per each mobile home shall apply to mobile homes permitted by special exception.

3. Special Exception uses, except as provided in (2) above, shall conform to the bulk and area requirements of the use district in which located, unless the use unit requirements are more restrictive, in which case the more restrictive shall control.

4. A minimum of 2 acres of land shall apply to veterinary hospitals (large animals) permitted by special exception.
CHAPTER 4
RESIDENTIAL DISTRICT PROVISIONS

400 Purposes
410 Principal Uses
420 Accessory Uses
430 Bulk and Area Requirements
440 Special Exception Uses, Requirements

SECTION 400 PURPOSES OF RESIDENTIAL DISTRICTS

400.1 General Purposes

The residential districts are designed to:

a. Achieve the residential objectives of the Comprehensive Plan.

b. Protect the character of residential areas by excluding inharmonious commercial and industrial activities.

c. Achieve a suitable environment for family by permitting in residential areas appropriate neighborhood facilities, such as churches, schools, and certain cultural and recreational facilities.

d. Preserve openness of the living areas and avoid overcrowding by requiring minimum yards, open spaces, lot areas, and by limiting the bulk of structures.

e. Permit a variety of dwelling types and densities to meet the varying needs of families.

f. Control the density of residential development to facilitate the planning for an economical provision of streets, utilities, and other public facilities.

400.2 Purposes of the RE Residential Estate District

The RE District is designed to permit the development and conservation of single-family detached dwellings in a suitable environment for family life on large parcels of land at a low rate of urban population density. It is the intent of this district to prohibit any other use which would substantially interfere with the stated purposes of this district, and discourage any use that generates traffic and creates congestion on neighborhood streets other than the normal traffic serving the residents on those streets.
400.3 Purposes of the RS Residential Single-Family Districts

The RS-1, RS-2, and RS-3 Districts are designed to permit the development and conservation of single-family detached dwellings in suitable environments in a variety of densities to meet the varying requirements of families.

400.4 Purpose of the RD Residential Duplex District

The RD District is designed to permit a more intense yet compatible use of tracts in or near single-family residential and other neighborhoods which because of size, topography, or adjacent land use are not ideally suited for single-family use.

400.5 Purposes of RM Residential Multi-Family Districts

The RM-1 and RM-2 Districts are designed to permit the development and conservation of multi-family dwelling types, such as garden apartments and townhouses, in suitable environments in a variety of densities to meet the varying requirements of families.

400.6 Purposes of the RMH Residential Mobile Home Park District

The RMH District is designed to recognize mobile home living as a residential use necessitating location in residential areas yet requiring regulation to insure a suitable living environment.

400.7 Purposes of the RTH Residential Multi-Family Townhouse District

The RTH District is designed to permit the development of attached single-family townhouse dwellings, on separate lots, which are designed expressly for separate ownership, in suitable residential environments at a higher density than conventional detached single-family dwellings.

SECTION 410 PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS

The principal uses permitted in the Residential Districts are designated by use unit. The use units are groupings of individual uses are fully described, including their respective off-street parking, loading, and screening requirements and other use conditions in Chapter 10. The use units permitted in residential districts are set forth in Table 1.
Table 1

Use Units Permitted in Residential Districts* (Chapter 10)

<table>
<thead>
<tr>
<th>Chapter 10</th>
<th>Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. Name Use Unit</td>
<td>RE</td>
</tr>
<tr>
<td>1. Area wide Uses by Right</td>
<td>X</td>
</tr>
<tr>
<td>2. Area wide Specific Uses</td>
<td>S</td>
</tr>
<tr>
<td>3. Public Protection and Utility and Open Air Facilities</td>
<td>E</td>
</tr>
<tr>
<td>5. Community Services and Cultural Facilities</td>
<td>E</td>
</tr>
<tr>
<td>6. Single-Family Dwelling and Similar Uses</td>
<td>X</td>
</tr>
<tr>
<td>7. Duplex Dwelling</td>
<td>E**</td>
</tr>
<tr>
<td>8. Multi-Family Dwelling and Similar Uses</td>
<td>X</td>
</tr>
<tr>
<td>9. Mobile Home Dwelling</td>
<td>X</td>
</tr>
</tbody>
</table>

* X use by right; E special exception -unless use is specifically identified on Specific Use List, S Specific Use – see Use Unit 2 and Chapter 17
**Duplex permitted in RS-3 only.
***Multi-family Townhouse Dwelling only.

SECTION 420 ACCESSORY USES PERMITTED IN RESIDENTIAL DISTRICTS

420.1 Accessory Uses Permitted

Accessory uses customarily incident to a principal use permitted in a residential district are permitted in such district. In addition, the following uses set forth in Table 2 are permitted as accessory uses.
Table 2
Accessory Uses Permitted in Residential Districts

<table>
<thead>
<tr>
<th>Uses</th>
<th>Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Home Occupation - Intensive (See Section 440)</td>
<td>All R Districts*</td>
</tr>
<tr>
<td>2. Home Occupation – Minor (See Section 420.2a.5)</td>
<td>All R Districts</td>
</tr>
<tr>
<td>3. Amateur Radio Tower</td>
<td>All R Districts*</td>
</tr>
<tr>
<td>4. Roomers and Boarders:</td>
<td>All R Districts</td>
</tr>
<tr>
<td>Two persons</td>
<td>All R Districts</td>
</tr>
<tr>
<td>More than two persons</td>
<td>All R Districts</td>
</tr>
<tr>
<td>5. Shelters</td>
<td>All R Districts</td>
</tr>
<tr>
<td>6. Signs:</td>
<td>All R Districts</td>
</tr>
<tr>
<td>Bulletin Board</td>
<td>All R Districts</td>
</tr>
<tr>
<td>Identification Sign</td>
<td>All R Districts</td>
</tr>
<tr>
<td>Real Estate</td>
<td>All R Districts</td>
</tr>
<tr>
<td>Construction Sign</td>
<td>All R Districts</td>
</tr>
<tr>
<td>7. Swimming Pool</td>
<td>All R Districts</td>
</tr>
</tbody>
</table>

* By special exception requiring Board of Adjustment approval.

420.2 Accessory Use Conditions

a. General Conditions

1. An accessory building erected as an integral part of the principal building shall be made structurally a part thereof, shall have a common wall therewith, and shall comply with the requirements applicable to the principal building.

2. A detached accessory building shall not be located in the front or side yard or encroach upon a minimum building setback line, but this limitation shall not apply to carports, provided the minimum required front yard or side yard or setback line is observed.

3. Within the rear yard, a detached accessory building shall be located at least five feet from any interior lot line.

4. One unoccupied recreational vehicle, a length of 30 feet or less, may be parked upon a lot provided it is parked on a hard dust free surface such as asphalt or concrete and it shall not be utilized for living quarters.
5. Home Occupation – Minor

A Home Occupation - Minor may be a permitted accessory use if it complies with all the minimum requirements as outlined below.

Note: If a Home Occupation is not defined as a minor home occupation a special exception will be required and refer to Section 440.b.

a. The Home Occupation is generally conducted by telecommunications or be of a professional administrative character; and

b. The activity does not involve the storage, warehousing, distribution or retail sales of merchandise produced off or on the site; and

c. The home occupation is carried on only by a person(s) residing in the dwelling unit and does not have any associated employees; and

d. All material or equipment shall be located and operated within the primary single family residence structure;

e. No objectionable noise, vibration, smoke, dust, electrical disturbances, odors, heat, glare or other nuisance factors shall not be discernible outside of the primary single family residence structure; and

f. The home occupation shall not create automobile traffic within the neighborhood except through the United States mail or similar small parcel delivery service, and

g. Shall not have any receipt or delivery of merchandise, goods or supplies except that which shall be consumed on site, and

h. Shall submit a request for an occupancy permit for use of the primary residential structure Minor Home Occupation outlining compliance with items (a) through (g) above.

b. Roomers and Boarders

In a dwelling unit occupied as a private residence, one or more rooms may be rented to not more than: (a) two persons who are non-members of the family occupying said premises as a permitted accessory use; or, (b) more than two persons by special exception requiring Board of Adjustment approval. However, in either case, no window display or sign board shall be used to advertise such use.
c. Signs

1. One identification sign may be permitted on each perimeter street frontage of a multi-family development, mobile home park, single-family subdivision or permitted non-residential use. The sign shall not exceed 32 square feet in surface area, nor 15 feet in height, and illumination, if any, shall be by constant light.

2. During the period of construction, a temporary sign advertising the construction of improvements on the premises, may be erected on each perimeter street frontage of the development. The sign shall not exceed 400 square feet in surface area, nor 15 feet in height, and illumination, if any, shall be by constant light (See Section 1021).

3. A temporary real estate sign advertising the sale, rental, or lease of the premises may be erected on each street frontage of a lot. The sign shall not exceed 8 square feet in surface area, nor 15 feet in height, and no illumination shall be allowed.

SECTION 430  BULK AND AREA REQUIREMENTS IN RESIDENTIAL DISTRICTS

430.1 Bulk and area requirements in the RE, RS, RD, and RM districts are shown in Table 3.
<table>
<thead>
<tr>
<th></th>
<th>RE</th>
<th>RS-1</th>
<th>RS-2</th>
<th>RS-3</th>
<th>RD</th>
<th>RTH</th>
<th>RM-1</th>
<th>RM-2</th>
<th>RM-3</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>LOT WIDTH (Min. Ft.)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>One Family</td>
<td>150*</td>
<td>100</td>
<td>75</td>
<td>65</td>
<td>60</td>
<td>60</td>
<td>60</td>
<td>60</td>
<td>60</td>
</tr>
<tr>
<td>Two Family</td>
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<tr>
<td>Multifamily (other than RTH)</td>
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<td>100</td>
<td>50</td>
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<tr>
<td><strong>LOT AREA (Min. Sq. Ft.)</strong></td>
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<tr>
<td>One Family</td>
<td>24,000</td>
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<td>6,900</td>
<td>6,900</td>
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<tr>
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<td>Multifamily (other than RTH)</td>
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<td>10,000</td>
<td>6,000</td>
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<tr>
<td><strong>LAND AREA PER D.U. (Min. Sq. Ft.)</strong></td>
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<td></td>
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<tr>
<td>One Family</td>
<td>28,375</td>
<td>16,000</td>
<td>10,875</td>
<td>8,400</td>
<td>8,400</td>
<td>7,500</td>
<td>7,500</td>
<td>7,500</td>
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<tr>
<td>Two Family</td>
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<td>Multifamily (other than RTH)</td>
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<td></td>
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</tr>
<tr>
<td>Less than two bedrooms</td>
<td></td>
<td>2,720</td>
<td>1,980</td>
<td>1,675</td>
<td></td>
<td></td>
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<tr>
<td>Two or more bedrooms</td>
<td>3,630</td>
<td>2,420</td>
<td>1,815</td>
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<tr>
<td><strong>TOWNHOUSE DEVELOPMENT</strong></td>
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<td>Development Width (min. ft.)</td>
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<td>80</td>
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<td>80</td>
<td>80</td>
<td></td>
<td></td>
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<tr>
<td>Lot Width (min. ft.)</td>
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<td>20</td>
<td>20</td>
<td>20</td>
<td>20</td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>Lot Area (min. sq. ft.)</td>
<td></td>
<td>1,800</td>
<td>1,800</td>
<td>1,800</td>
<td>1,800</td>
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<td></td>
<td></td>
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<tr>
<td>Land Area of development</td>
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<td></td>
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<tr>
<td>Per D.U. (min. sq. ft.)</td>
<td></td>
<td>3,630</td>
<td>3,630</td>
<td>2,420</td>
<td>2,420</td>
<td></td>
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<tr>
<td><strong>STRUCTURE HEIGHT</strong></td>
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<td></td>
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<tr>
<td>(Max. Ft.)</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35***</td>
<td>35</td>
<td>35</td>
<td>35</td>
</tr>
<tr>
<td><strong>LIVABILITY SPACE</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Per D.U. (min. sq. ft.)</td>
<td></td>
<td>12,000</td>
<td>7,000</td>
<td>5,000</td>
<td>4,000</td>
<td>2,000</td>
<td>1,400</td>
<td>1,000</td>
<td>400</td>
</tr>
</tbody>
</table>
# BULK AND AREA REQUIREMENTS IN THE RE, RS, RD, RTH AND RM DISTRICTS

<table>
<thead>
<tr>
<th></th>
<th>RE</th>
<th>RS-1</th>
<th>RS-2</th>
<th>RS-3</th>
<th>RD</th>
<th>RTH</th>
<th>RM-1</th>
<th>RM-2</th>
<th>RM-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front Yard Abutting a Public Street:</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Measured from centerline of abutting street; add, to the distance designated in the column to the right, ( \frac{1}{2} ) of right-of-way designated on the Major Street Plan or ( \frac{1}{2} ) of the dedicated right-of-way, whichever is greater, or 25 feet if the street is not designated on the Major Street Plan. (min. ft.)</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Arterial</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35</td>
</tr>
<tr>
<td>Not an Arterial</td>
<td>35</td>
<td>35</td>
<td>30</td>
<td>25</td>
<td>25</td>
<td>25</td>
<td>25</td>
<td>10</td>
<td>10</td>
</tr>
</tbody>
</table>

| All Other Yards Abutting a Public Street: |     |      |      |      |    |     |      |      |      |
| Measured from centerline of abutting street; add, to the distance designated in the column to the right, \( \frac{1}{2} \) of right-of-way designated on the Major Street Plan or \( \frac{1}{2} \) of the dedicated right-of-way, whichever is greater, or 25 feet if the street is not designated on the Major Street Plan. min. ft.) |     |      |      |      |    |     |      |      |      |
| Arterial      | 20 | 20   | 20   | 20   | 20 | 15  | 15   | 15   | 15   |
| Not an Arterial | 15 | 15   | 15   | 15   | 15 | 15  | 15   | 15   | 15   |
| Rear Yards (min. ft.) | 25 | 25   | 25   | 20   | 20 | 20  | 20   | 10   | 10   |
| Side Yards (min. ft.)**** | One side yard | 15 | 10   | 10   | 10   | 10  | 10  | 10   | 10   |
| Other side yard | 15 | 5    | 5    | 5    | 10 | 5   | 10   | 10   | 10   |

* The frontage of any lot in the RE district which meets the requirements of minimum lot size may be less than the minimum frontages as long as the front building line on said lot is a minimum of one hundred twenty-five (125) linear feet.

** A minimum of three (3) townhouse lots.

*** In the RM-1 district, a one-story limitation shall apply to structures containing more than 3 dwelling units which are within 50’ of an adjoining RE or RS district.

**** Does not apply to interior lot line of townhouse developments.
Bulk and Area Requirements in the RMH District

a. The Mobile Home Park Development:
   - Tract Area (min.) 5 acres
   - Tract Width (min.) 100 feet
   - Land Area per Dwelling Unit (min.) 4356 sq. ft.
   - Livability space shall be provided in common areas of not less than 7,500 square feet, located so as to be conveniently accessible to the mobile homes it is intended to serve. 300 sq. ft.
   - Front Yards and any Yard Abutting a Public Street Setbacks: measured from centerline, add ½ of right-of-way width designated on Major Street Plan or 25 feet if not designated on Major Street Plan (min.)
     - Abutting an Arterial 35 ft. Not
     - Abutting an Arterial 25 ft.
     - Side Yard (min.) 10 ft.
     - Rear Yard (min.) 10 ft.
     - Height (max.) one story

b. Internal Requirements:
   - Mobile Home Space (min.), exclusive of streets, Required off-street parking, and required livability space 2100 sq. ft.
   - Separation Between Mobile Homes (min.) 10 ft.
   - Minimum Internal Street Surfacing Width 24 ft.
   - Mobile Home Setback from Centerline of a Private Internal Street (min.) 22 ft.

c. Mobile Home Subdivisions:
   - A mobile home park development containing a tract area of not less than 5 acres may be subdivided to permit individual ownership of mobile home spaces, provided the resulting lots shall comply with the bulk and area requirements set out below and a subdivision plat incorporating the bulk and area requirements is submitted to and approved by the Planning Commission and filed of record in the office of the County Clerk where the property is located.
     - Land Area per Dwelling Unit (min.) 5000 sq. ft.
     - Lot Size (min.) 4000 sq. ft.
     - Livability Space per Dwelling Unit (min.) 600 sq. ft.
     - Height (max.) one story
   - Front Yard and Any Yard Abutting a public street Setbacks: Measured from centerline; add to the distance designated in the column to the right ½ of the right-of-way width designated on Major Street Plan or 25 feet if not designated on Major Street Plan
     - Abutting an Arterial (min.) 35 ft.
     - Not Abutting an Arterial (min.) 10 ft.
     - Side Yard (min.) 5 ft.
     - Rear Yard (min.) 10 ft.
SECTION 440 SPECIAL EXCEPTION USES IN RESIDENTIAL DISTRICTS, REQUIREMENTS

The Special Exception Uses, permitted in the residential districts, as designated in Table 1, are subject to the minimum requirements set out below and such additional safeguards and conditions as may be imposed by the Board of Adjustment, including without limitation, parking, traffic, and effect on adjacent property values.

a. The accessory use provisions of the residential districts pertaining to signs are applicable to accessory signs for principal uses permitted by special exception.

b. Home Occupations - Intensive:

1. The home occupation shall be engaged in only by the family or person occupying the dwelling as a private residence. No person shall be employed in the home occupation other than a member of the immediate family residing on the premises.

2. No identification sign shall be permitted for a home occupation advertising its use; unless the Board of Adjustment may consider allowing signage for a particular use subject to minimum standards requiring that only one identification sign shall be permitted for each home occupation advertising its use; the sign shall be affixed to the principal building or customary accessory building and shall not exceed six square feet in surface area and no illumination of any type shall be permitted.

3. The home occupation shall be conducted entirely within an enclosed principal building or customary accessory building.

4. No mechanical equipment shall be used which create noise, dust, odor, or electrical disturbance beyond the exterior wall of the structure to which it is located.

5. No exterior alterations of the structure shall be made which would detract from the residential character of the structure.

c. In the RS-3 Districts, duplex use shall comply with the height and yard requirements for single family use and in addition shall comply with the following requirements:

1. Minimum lot area of 9,000 sq. ft.

2. Minimum land area per dwelling unit of 5,000 sq. ft.

3. Minimum frontage of 75 feet.

4. Minimum livability space per dwelling unit of 2,500 sq. ft.
d. In the RE and RS Districts, children’s nurseries shall comply with the lot width, lot area, height, and yard requirements for single-family use and at a minimum the following use restrictions shall apply.

1. The children’s nursery shall utilize a maximum floor area ratio of .5 of the principal structure

2. No identification sign shall be permitted for the home occupation advertising its use.

3. The Child Care Facility shall not engage in any paid advertising for said use.

4. The Child Care Facility shall provide driveway space for the loading and unloading of children.

5. The child care activities shall be confined within the residence or rear yard of the subject tract.

6. No exterior alterations of the structure shall be made which would detract from the residential character of the structure.

7. No alteration to the premises shall be made which would detract from the residential nature of the subject tract. No playground equipment shall be allowed other than that which would be associated with one single family dwelling and not exceeding 25% of the rear yard.

8. The Child Care Facility shall maintain an active License with the State of Oklahoma Department of Human Services for said use.

9. The Child Care Facility shall be limited to no more than 7 children to include children living within the residence in accordance with the regulations of the Department of Human Services.

10. The Child Care Facility shall comply with all restrictions and guidelines imposed by the Department of Human Services for licensing requirements, provided that if the Jenks Zoning Code or Jenks Board of Adjustment Special Exception Requirements are more restrictive, the City of Jenks regulations shall control.

e. In the RMH District, a single-family dwelling shall comply with the bulk and area requirements of the RS-3 Residential District.

f. Except as provided in c, d, and e above, and Section 230, Special Exception uses shall comply with the least restrictive yard and height requirements of the district in which located and, in addition, shall comply with the following requirements:
1. Maximum floor area ratio of .5.

2. Minimum lot size of 10,000 square feet.

3. Minimum frontage of 100 feet.

4. A minimum building setback of 25 feet from abutting properties located within an R District.

Provided that if the use unit requirements are greater, the use unit requirements shall control.
CHAPTER 5  
OFFICE DISTRICT PROVISIONS  

500 Purposes  
510 Principal Uses  
520 Accessory Uses  
530 Bulk and Area Requirements  
540 Special Exception Uses, Requirements  

SECTION 500 PURPOSES OF THE OFFICE DISTRICTS  

500.1 General Purposes  

The Office Districts are designed to preserve and promote the development of efficient office facilities and to maximize the compatibility with other land uses by:  

a. Establishing bulk and area controls.  
b. Requiring off-street parking and loading facilities.  
c. Establishing the several districts necessary to meet the need for a variety of office types.  
d. Controlling the number, area, location, and types of signs.  

500.2 Purposes of the OL Office Low Intensity District  

The OL District is designed to facilitate the development and preservation of low intensity office development.  

500.3 Purposes of the OM Office Medium Intensity District  

The OM District is designed to provide areas for offices, together with certain community facilities normally compatible with primary office uses. It is designed to preserve existing medium intensity office development and to facilitate the development of new medium intensity office areas.  

SECTION 510 PRINCIPAL USES PERMITTED IN OFFICE DISTRICTS  

The principal uses permitted in the Office Districts are designated by use units. The use units are groupings of individual uses and are fully described, including their respective off-street parking, loading, and screening requirements and other use conditions in Chapter 10. The use units permitted in Office Districts are set forth in Table 1.
Table 1
Use Units Permitted in Office Districts* (Chapter 10)

<table>
<thead>
<tr>
<th>Chapter 10 Use Unit</th>
<th>Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Area wide Uses</td>
<td>X X</td>
</tr>
<tr>
<td>2. Area wide Specific Uses</td>
<td>S S</td>
</tr>
<tr>
<td>4. Public Protection and Utility Facilities</td>
<td>E E</td>
</tr>
<tr>
<td>5. Community Services and Cultural Facilities</td>
<td>E X</td>
</tr>
<tr>
<td>8. Multi-Family Dwelling and Similar Uses</td>
<td>E E</td>
</tr>
<tr>
<td>10. Off-Street Parking Areas</td>
<td>X X</td>
</tr>
<tr>
<td>11. Offices and Studios</td>
<td>X X</td>
</tr>
</tbody>
</table>

*X = Use by right.
E = Special exception-unless use is specifically identified on Specific Use List
S = Specific Use – see Use Unit 2 and Chapter 17.

SECTION 520 ACCESSORY USES PERMITTED IN OFFICE DISTRICTS

520.1 Accessory Uses Permitted

Accessory uses customarily incident to a principal use permitted in an Office District are permitted in such a district. In addition, the uses set forth in Table 2 are permitted.

Table 2
Accessory Uses Permitted in Office Districts

<table>
<thead>
<tr>
<th>Uses</th>
<th>Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business Signs</td>
<td>All Districts</td>
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<tr>
<td>Convenience Goods &amp; Services</td>
<td>*OL, OM</td>
</tr>
<tr>
<td>Eating Places, other than Drive-Ins</td>
<td>OL, OM</td>
</tr>
<tr>
<td>Construction Sign</td>
<td>All Districts</td>
</tr>
<tr>
<td>Real Estate Sign</td>
<td>All Districts</td>
</tr>
<tr>
<td>Private Clubs</td>
<td>*OL, OM</td>
</tr>
</tbody>
</table>

* By special exception requiring Board of Adjustment approval subject to the requirements set forth in Section 540. Private clubs, for the purpose of this chapter, are defined under Article 4, Section 2.32, of the code of the City of Jenks, and are subject to the provisions thereof.
520.2 Accessory Use Conditions

a. General Conditions

1. Accessory buildings shall meet the minimum building setback lines of the applicable district.

2. An accessory building erected as an integral part of the principal building shall be made structurally a part thereof, shall have a common wall therewith, and shall comply with the requirements applicable to the principal building.

b. Convenience Goods and Services

1. Permitted accessory goods and services in the OM District are limited to the uses included in Use Unit 13, Chapter 10.

2. Accessory goods and services in the OM District shall be located entirely within the principal building.

3. Accessory goods and services in the OM District shall not occupy more than 15 percent of the gross floor area of the building in which located.

c. Eating Places other than Drive-Ins

1. Permitted accessory eating places are limited to the uses included in Use Unit 12, Chapter 10, designed and located for the convenience of the occupants of the principal building.

2. The eating place shall be located entirely within the principal building.

3. The eating place shall not occupy more than 5 percent of the gross floor area of the building in which located.

d. Business Signs

1. In the OL and OM Districts, one business sign not exceeding 32 square feet in surface area may be erected on each street frontage of a lot. Ground signs shall not exceed the height of the building in which the principal use is located or 20 feet, whichever is lower. No business sign shall be located within 50 feet of an R District if visible from such district. Illumination, if any, shall be by constant light.

2. During the period of construction, a temporary sign advertising the construction of improvements on the premises may be located on each arterial street frontage of the development. The sign shall not exceed 160 square feet
in surface area nor exceed 15 feet in height, and illumination, if any, shall be by constant light.

4. A temporary real estate sign advertising the sale, rental, or lease of the premises may be erected on each street frontage of a lot. The sign shall not exceed 32 square feet in surface area nor exceed 15 feet in height, and illumination, if any, shall be by constant light.

e. Private Clubs

Within the OM District the private club shall be located entirely within the principal building and shall not occupy more than 5 percent of the gross floor area of the building in which located.

f. Within the OM District, the principal office structure may include an eating place (5% maximum), private club (5% maximum), and accessory goods and services (15% Maximum), or a total of 25% maximum of the total gross floor area devoted to these uses. Provided, that the eating place, private club, and accessory convenient goods and services does not exceed the maximum allowable for each individual use.
SECTION 530 BULK AND AREA REQUIREMENTS IN THE OFFICE DISTRICTS

TABLE 3

Bulk and Area Requirements in the Office Districts

<table>
<thead>
<tr>
<th></th>
<th>OL</th>
<th>OM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area Minimum ( sq. ft.)</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Frontage ( min. ft.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Arterial</td>
<td>75</td>
<td>100</td>
</tr>
<tr>
<td>Not an Arterial</td>
<td>50</td>
<td>50</td>
</tr>
<tr>
<td>Floor Area Ratio ( maximum)</td>
<td>.25</td>
<td>.25</td>
</tr>
<tr>
<td>Setback from Centerline of Abutting</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Street (min. ft.):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Measured from centerline of abutting</td>
<td></td>
<td></td>
</tr>
<tr>
<td>street; add, to the distance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>designated in the column to the right,</td>
<td></td>
<td></td>
</tr>
<tr>
<td>½ of the right-of-way designated on</td>
<td></td>
<td></td>
</tr>
<tr>
<td>the Major Street Plan or ½ of the</td>
<td></td>
<td></td>
</tr>
<tr>
<td>dedicated right-of-way, whichever</td>
<td></td>
<td></td>
</tr>
<tr>
<td>is greater, or 25 feet if the street</td>
<td></td>
<td></td>
</tr>
<tr>
<td>is not designated on the Major Street</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Plan.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Arterial</td>
<td>50</td>
<td>50</td>
</tr>
<tr>
<td>Not an Arterial</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>Setback from Abutting AG or R District boundary lines (min. ft.)</td>
<td>10</td>
<td>10*</td>
</tr>
<tr>
<td>Building Height (max. ft.)</td>
<td>35</td>
<td>35</td>
</tr>
</tbody>
</table>

* Plus 1 foot of setback for each 1 foot of building height exceeding 18 feet, if the abutting property is within an RE, RS, or RD District.

SECTION 540 SPECIAL EXCEPTION USES IN OFFICE DISTRICTS, REQUIREMENTS

The Special Exception Uses, permitted in the Office Districts, as designated in Tables 1 and 2, are subject to the minimum requirements set out below and such additional safeguards and conditions as may be imposed by the Board of Adjustment:

a. The accessory use provisions of the Office Districts pertaining to signs apply to signs which are accessory to uses permitted by special exception; provided that each sign permitted shall primarily identify the principal office building; permitted accessory convenience goods and services shall be secondary.

b. Multi-family use in the OL and OM District shall comply with the bulk and area requirements of the RM-1 District.

c. Convenience Goods and Services in the OL District shall comply with the following requirements:
1. No accessory convenience goods and services shall be permitted unless the principal building contains a minimum of 25,000 square feet of floor space.

2. The permitted accessory goods and services listed below shall be located entirely within the principal building and shall have the pedestrian entrance and exit through the principal building.

3. Permitted accessory convenience goods and services in the OL District are limited to the following uses and use groupings:

   1. Barber Shop
   2. Beauty Shop
   3. Book Store
   4. Florist
   5. Gift, Novelty, Souvenir Shop
   6. Wine and Liquor Store
   7. Newsstand
   8. Medical, Dental, Optical, and Orthopedic Supplies (prescription service only)
   9. Stationery and Office Supplies
   10. Tobacco, Candy, and Nut Store

a. The permitted accessory convenience goods and services listed above shall not occupy more than 10% of the gross floor area of the building in which located; provided that if a private club is requested that the total gross floor area for all accessory uses, including a private club, shall not exceed 12.5%.

b. Each accessory use shall be limited to a maximum of 2,000 square feet of floor area per specific use grouping (1-10) listed above.

d. Private clubs in the OL District shall comply with the following requirements:

1. The private club shall be located within the principal building.

2. The private club or eating place shall not occupy more than 5% of the gross floor area of the building in which located.

3. Exterior business signs identifying the private club are prohibited.

e. Except as provided in Section 230 for public protection and utility facilities, a minimum frontage of 100 feet are the requirements of the Special Exception uses unless the use unit requirements are more restrictive, in which case the more restrictive shall apply.
CHAPTER 6

COMMERCIAL DISTRICT PROVISIONS

600 Purposes
610 Principal Uses
620 Accessory Uses
630 Bulk and Area Requirements
640 Special Exception Uses, Requirements

SECTION 600 PURPOSES OF COMMERCIAL DISTRICTS

600.1 General Purposes

The Commercial Districts are designed to:

a. Achieve the commercial objectives of the Comprehensive Plan.
b. Meet the needs for the commercial services and goods of the trade area.
c. Preserve and promote the development of efficient commercial facilities and encourage a compatible relationship between commercial facilities and other land uses and thoroughfares by:
   1. Differentiating the types and purposes of commercial activities.
   2. Establishing bulk and area controls.
   3. Requiring off-street loading and parking facilities.
   4. Controlling the number, area, location, and types of signs.
   5. Protecting the character of commercial districts and their peculiar suitability for commercial uses.

600.2 Purposes of the CS Shopping Center District

The CS District is designed to accommodate convenience, neighborhood, sub-community, community, and regional shopping centers providing a wide range of retail and personal service uses.

600.3 Purposes of the CG General Commercial District

The CG District is designed to:

a. Accommodate existing development of mixed commercial uses which are well established, while providing a degree of protection to adjacent residential areas.
b. Accommodate the grouping of certain commercial and light industrial which are compatible with one another.

**600.4 Purpose of the CH Commercial High Intensity District**

The CH District is designed to accommodate high intensity commercial and related uses.

**600.5 Purposes of the LC Light Commercial District**

The LC District is designed to accommodate limited types of commercial and accessory uses by allowing low land area coverage especially suited to property with unique physical features or locations.

**600.6 Purposes of the ROC River Oriented Commercial District**

The ROC District shall be limited to areas located within the Riverfront Entertainment Special District of the Jenks Comprehensive Plan. The purpose of the District is to allow lodging, restaurant facilities, and retail establishments designed to incorporate waterfront amenities and linkage to riverfront activities. Office uses may be considered accessory or compatible with River Oriented Commercial. Multiple Family Residential uses may be utilized in the ROC as accessory or in conjunction with the commercial developments provided that they are designed at a 2\textsuperscript{nd} floor height or greater.

**600.7 Purposes of the RTC Riverfront Tourist Commercial District**

The RTC District shall be limited to areas located within the Riverfront Entertainment Special District of the Jenks Comprehensive Plan. Riverfront Tourist Commercial District shall include those uses which make use of waterfront amenities for the enjoyment of the tourist and recreation public. The type of use and site design should harmonize with the intended character of the waterfront area. In addition to entertainment and recreation public venues, the uses recognized as tourist-related may include restaurants, cafes, gift shops, art galleries, museums, or like points of destination.

**SECTION 610 PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS**

The principal uses permitted in the Commercial Districts are designated by use units. The use units are groupings of individual uses and are fully described, including their respective off-street parking, loading, and screening requirements and other use conditions in Chapter 10. The use units permitted in Commercial Districts are set forth below in Table 1 and Table 1A.
### Table 1

**Use Units Permitted in Commercial Districts* (Chapter 10)**

<table>
<thead>
<tr>
<th>No.</th>
<th>Chapter 10 Use Units</th>
<th>ROC</th>
<th>RTC</th>
<th>LC</th>
<th>CS</th>
<th>CG</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Area wide Uses</td>
<td></td>
<td></td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>2.</td>
<td>Area wide Specific Use</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
</tr>
<tr>
<td>4.</td>
<td>Public Protection</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>5.</td>
<td>Community Services and Cultural Facilities</td>
<td>P</td>
<td>P</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>8.</td>
<td>Multi-Family Dwellings and Similar uses</td>
<td>P</td>
<td>P</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>10.</td>
<td>Off-Street Parking Areas</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>11.</td>
<td>Offices and Studios</td>
<td>P</td>
<td>P</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>12.</td>
<td>Eating Places Other Than Drive-Ins</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>13.</td>
<td>Convenience Goods and Services</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>14.</td>
<td>Shopping Goods and Services</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>15.</td>
<td>Other Trades and Services</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17.</td>
<td>Automotive and Allied Activities</td>
<td></td>
<td></td>
<td></td>
<td>E</td>
<td>X</td>
</tr>
<tr>
<td>18.</td>
<td>Drive-In Restaurants</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>19.</td>
<td>Hotel, Motel, and Recreation Facilities</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>20.</td>
<td>Commercial Recreation, Intensive</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td>S</td>
</tr>
<tr>
<td>22.</td>
<td>Warehousing and Wholesaling</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>E</td>
</tr>
<tr>
<td>23.</td>
<td>Light Manufacturing and Industrial Research and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24.</td>
<td>Tattoo and Massage Parlors</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>25.</td>
<td>(Requiring Special Licensing, see Use Unit for Use conditions)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>26.</td>
<td>Sexually Oriented Business</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>27.</td>
<td>(See Use Unit for Special Exception Criteria and Conditions)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*X = Use by Right.
E = Special Exception-unless use is specifically identified on Specific Use List
S = Specific Use – see Use Unit 2 and Chapter 17
P = Requires Planned Unit Development Application due to Mixed Use Requirements.
Table 1A

Use Units for CH Zoning District* (Chapter 10)

<table>
<thead>
<tr>
<th>No.</th>
<th>Chapter 10 Use Units</th>
<th>Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Area wide Uses</td>
<td>X</td>
</tr>
<tr>
<td>2.</td>
<td>Area wide Specific Use</td>
<td>S</td>
</tr>
<tr>
<td>4.</td>
<td>Public Protection</td>
<td>X</td>
</tr>
<tr>
<td>5.</td>
<td>Community Services, Cultural and Recreational Facilities</td>
<td>X</td>
</tr>
<tr>
<td>8.</td>
<td>Multi-Family Dwellings and Similar uses</td>
<td>P</td>
</tr>
<tr>
<td>10.</td>
<td>Off-Street Parking Areas</td>
<td>X</td>
</tr>
<tr>
<td>11.</td>
<td>Offices and Studios</td>
<td>X</td>
</tr>
<tr>
<td>12.</td>
<td>Eating Places Other Than Drive-Ins</td>
<td>X</td>
</tr>
<tr>
<td>13.</td>
<td>Convenience Goods and Services</td>
<td>X</td>
</tr>
<tr>
<td>14.</td>
<td>Shopping Goods and Services</td>
<td>X</td>
</tr>
<tr>
<td>15.</td>
<td>Other Trades and Services</td>
<td>X</td>
</tr>
<tr>
<td>17.</td>
<td>Automotive and Allied Activities</td>
<td>E</td>
</tr>
<tr>
<td>18.</td>
<td>Drive-In Restaurants</td>
<td>X</td>
</tr>
<tr>
<td>19.</td>
<td>Hotel, Motel, and Recreation Facilities</td>
<td>X</td>
</tr>
<tr>
<td>20.</td>
<td>Commercial Recreation, Intensive</td>
<td>S</td>
</tr>
<tr>
<td>24.</td>
<td>Light Manufacturing and Industrial Research and</td>
<td>P</td>
</tr>
<tr>
<td></td>
<td>Development Pro</td>
<td></td>
</tr>
</tbody>
</table>

*X = Use by right.

E = Special exception-unless use is specifically identified on Specific Use List

S = Specific Use – see Use Unit 2 and Chapter 17

P = Planned Unit Development

SECTION 620 ACCESSORY USES PERMITTED IN COMMERCIAL DISTRICTS

620.1 Accessory Uses Permitted

Accessory uses customarily incident to a principal use permitted in a Commercial District are permitted in such district.

620.2 Accessory Use Conditions

a. Accessory buildings shall meet the minimum building setback lines of the applicable district.
b. An accessory building erected as an integral part of the principal building shall be made structurally a part thereof, shall have common wall therewith, and shall comply with the requirements applicable to the principal.

c. Signs in the Commercial Districts, whether accessory or principal uses, are subject to the use conditions of Use Unit 21 of Chapter 10.

SECTION 630 BULK AND AREA REQUIREMENTS IN THE COMMERCIAL DISTRICTS

Table 2

Bulk and Area Requirements in the Commercial Districts

<table>
<thead>
<tr>
<th></th>
<th>RTC</th>
<th>ROC</th>
<th>LC</th>
<th>CS</th>
<th>CG</th>
<th>CH</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frontage (min. ft.)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Arterial</td>
<td>150</td>
<td>150</td>
<td>150</td>
<td>150</td>
<td>150</td>
<td>N/A</td>
</tr>
<tr>
<td>Not an Arterial</td>
<td>50</td>
<td>50</td>
<td>50</td>
<td>50</td>
<td>50</td>
<td>N/A</td>
</tr>
<tr>
<td>Floor Area Ratio (max.)</td>
<td>.50</td>
<td>.50</td>
<td>.25</td>
<td>.50</td>
<td>.75</td>
<td>N/A</td>
</tr>
<tr>
<td>Setback from centerline of abutting street (min. ft.): Measured from centerline of abutting street; add, to the distance designated in the column to the right, ½ of the right-of-way designated on the Major Street Plan or ½ of the dedicated right-of-way, whichever is greater, or 25 feet if the street is not designated on the Major Street Plan.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Arterial</td>
<td>50</td>
<td>50</td>
<td>50</td>
<td>50</td>
<td>50</td>
<td>N/A</td>
</tr>
<tr>
<td>Not an Arterial</td>
<td>25</td>
<td>25</td>
<td>25</td>
<td>25</td>
<td>25</td>
<td>N/A</td>
</tr>
<tr>
<td>Setback from an abutting R District Boundary lines (min. ft)</td>
<td>N/A</td>
<td>N/A</td>
<td>10*</td>
<td>10*</td>
<td>10*</td>
<td>N/A</td>
</tr>
<tr>
<td>Building Height (max. ft)</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35</td>
</tr>
</tbody>
</table>

* Plus 2 feet of setback for each one foot building height exceeding 15 feet, if the property is within an RE, RS, or RD District.
SECTION 640 SPECIAL EXCEPTION USES IN COMMERCIAL DISTRICTS
REQUIREMENTS

640.1 The Special Exception uses permitted in Commercial Districts, as designated in Table 1 and Table 1A, are subject to the minimum requirements set out below and such additional safeguards and conditions as may be imposed by the Board of Adjustment.

a. Multifamily use, where permitted by special exception, shall comply with the bulk and area requirements of the RM-2 district.

b. Except as provided above, all special exception uses shall comply with the bulk and area requirements of the use district in which located.

640.2 Location of Sexually-Oriented Businesses

a. See Use Unit 28 for Special Exception criteria and use conditions.
CHAPTER 7

INDUSTRIAL DISTRICT PROVISIONS

700 Purposes
710 Principal Uses
720 Accessory Uses
730 Bulk and Area Requirements
740 Special Exception Uses, Requirements

SECTION 700 PURPOSES OF INDUSTRIAL DISTRICTS

700.1 General Purposes

The Industrial Districts are designed to:

a. Achieve the industrial objectives of the Comprehensive Plan.
b. Meet the needs for industrial services and goods of the City of Jenks trade area.
c. Preserve and promote the development of efficient industrial areas and to minimize the adverse effects of industrial uses on other land uses and thoroughfares by:
   1. Differentiating the types and purposes of industrial activities.
   2. Establishing bulk and area controls.
   3. Requiring off-street loading and parking facilities.
   4. Controlling the number, area, location, and types of signs.
   5. Protecting the character of industrial districts and their peculiar suitability for industrial uses.

700.2 Purposes of the IL Industrial Light Manufacturing and Research and Development District.

The IL District is designed to provide an environment conducive to the development and conservation of modern industrial and scientific research facilities and to provide areas suitable for manufacturing, wholesaling, warehousing, and other industrial activities which have no objectionable environmental influences.

700.3 Purposes of the IM Industrial Moderate District

The IM District is designed to group together a wide range of industrial uses which may produce moderately objectionable environmental influences in their operation and appearance.
SECTION 710 PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS

The Principal uses permitted in the Industrial Districts are designated by uses units. The use units are groupings of individual uses and are fully described, including their respective off-street parking, loading, and screening requirements and other use conditions in Chapter 10. The use units permitted in the Industrial Districts are set forth below in Table 1.

Table 1
Use Units Permitted in Industrial Districts* (Chapter 10)

<table>
<thead>
<tr>
<th>No.</th>
<th>Name of Use Units</th>
<th>IL</th>
<th>IM</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Area wide Uses</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>2.</td>
<td>Area wide Specific Uses</td>
<td>S</td>
<td>S</td>
</tr>
<tr>
<td>3.</td>
<td>Agriculture</td>
<td>E</td>
<td>E</td>
</tr>
<tr>
<td>4.</td>
<td>Public Protection and Utility Facilities</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>10.</td>
<td>Off-Street Parking Areas</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>11.</td>
<td>Offices and Studios</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>12.</td>
<td>Eating Places Other than Drive-Ins</td>
<td>E</td>
<td>E</td>
</tr>
<tr>
<td>13.</td>
<td>Convenience Goods and Services</td>
<td>E</td>
<td>E</td>
</tr>
<tr>
<td>14.</td>
<td>Shopping Goods and Services</td>
<td>E</td>
<td>E</td>
</tr>
<tr>
<td>15.</td>
<td>Other Trades and Services</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>17.</td>
<td>Automotive and Allied Activities</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>20.</td>
<td>Commercial Recreation: Intensive</td>
<td>S</td>
<td>S</td>
</tr>
<tr>
<td>22.</td>
<td>Warehousing and Wholesaling</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>23.</td>
<td>Mining and Mineral Processing (see use unit 2 and 23 and Chapter 17)</td>
<td>S</td>
<td>S</td>
</tr>
<tr>
<td>24.</td>
<td>Light Manufacturing and Research and Development</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>25.</td>
<td>Moderate Manufacturing and Industry</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>26.</td>
<td>Heavy Manufacturing and Industry</td>
<td>E</td>
<td></td>
</tr>
</tbody>
</table>

*X = Use by right.

E = Special exception-unless use is specifically identified on Specific Use List
S = Specific Use – see Use Unit 2 and Chapter 17.
SECTION 720 ACCESSORY USES PERMITTED IN INDUSTRIAL DISTRICTS

720.1 Accessory Uses Permitted

Accessory uses customarily incident to a principal use permitted in an Industrial District are permitted in such district.

720.2 Accessory Use Conditions

a. Accessory buildings shall meet the minimum building setback lines of the applicable district.

b. An accessory building erected as an integral part of the principal building shall be structurally a part thereof, shall have a common wall therewith, and shall comply with the requirements applicable to the principal building.

c. Accessory storage of materials, equipment, or products within 200’ of an abutting R District shall be screened by the erection of a screening wall or fence along the lot line or lines in common with the abutting R district.

d. Business signs for scientific research facilities and institutions not exceeding in the aggregate .5 square feet of display area per one (1) lineal foot of street frontage may be erected on each street frontage of a lot. Ground signs shall not exceed 30 feet in height. No business sign shall be located within 50 feet of an R district if visible from such district. Illumination, if any, shall be by constant light.

e. Except as provided in (d) above, accessory signs in the IL and IM districts are subject to the use conditions in Use Unit 21.
SECTION 730 BULK AND AREA REQUIREMENTS IN THE INDUSTRIAL DISTRICTS (except as provided in Table 3 for scientific research facilities and institutions).

Table 2

Bulk and Area Requirements in the Industrial Districts

<table>
<thead>
<tr>
<th>Districts</th>
<th>IL</th>
<th>IM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frontage (min. ft.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Arterial</td>
<td>150</td>
<td>200</td>
</tr>
<tr>
<td>Not an Arterial</td>
<td>50</td>
<td>50</td>
</tr>
<tr>
<td>Floor Area Ratio (max.)</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Setback from Centerline of Abutting Street (min. ft.):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Measured from centerline of abutting street, add to the distance designated in the column to the right, ½ of the right-of-way width designated on the Major Street Plan or ½ of the dedicated right-of-way, whichever is greater, or 25 feet if the Street is not designated on the Major Street Plan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Arterial</td>
<td>50</td>
<td>50</td>
</tr>
<tr>
<td>Not an Arterial</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>Setback from Abutting AG, R, or O district boundary Lines (min. ft.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>75</td>
<td>75</td>
</tr>
<tr>
<td>Building Height (max. ft.)</td>
<td>35</td>
<td>35</td>
</tr>
</tbody>
</table>
### Table 3

Bulk and Area Requirements for Scientific Research Facilities and Institutions

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Min. Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frontage (min. ft.)</td>
<td>200</td>
</tr>
<tr>
<td>Floor Area Ratio (max.)</td>
<td>.50</td>
</tr>
<tr>
<td>Setback from centerline of abutting street</td>
<td>50</td>
</tr>
<tr>
<td>Setback from abutting AG, R, or O district lines</td>
<td>50</td>
</tr>
<tr>
<td>Building Height (max. ft.)</td>
<td>35</td>
</tr>
</tbody>
</table>

**SECTION 740 SPECIAL EXCEPTION USES, REQUIREMENTS**

Special Exception Uses shall conform to the bulk and area requirements of the use district in which located.
CHAPTER 8
FLOODPLAIN OVERLAY DISTRICT

800 Purpose
810 District Boundaries
820 Permit Procedures
830 Floodway Regulations
840 Variance Procedures
850 Disclaimers for Flooding

SECTION 800 PURPOSES OF THE FLOODPLAIN OVERLAY DISTRICT

a. The Floodplain Overlay District is specifically designed to identify the areas within the City of Jenks that are subject to a 1 percent chance, in any given year, of being inundated by water from any source (100 year Floodplain). The criteria and requirements listed within this section are to outline the established development procedures related to the implementation of the Jenks Zoning Code. These regulations along with all development criteria associated with floodplains within the City of Jenks are established within Chapter 16 Article 8: Flood Damage Prevention of the Jenks City Code.

b. It is the purpose of this Section to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

   a. Protect human life and health;
   b. Minimize expenditure of public money for costly flood control projects;
   c. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
   d. Minimize prolonged business interruptions;
   e. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
   f. Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and
   g. Insure that potential buyers are notified that property is in a flood area.

c. In order to accomplish its purposes, the Code uses the following methods:
1. Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;

2. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

3. Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;

4. Control filling, grading, dredging and other development which may increase flood damage;

5. Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

SECTION 810 DISTRICT BOUNDARIES

a. The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, “The Flood Insurance Study for Tulsa County, Oklahoma and Incorporated Areas” dated August 3, 2009, with accompanying Flood Insurance Rate Map (FIRM) are hereby referenced to be effective on August 3, 2009 and before along with any future revisions thereof that are individually adopted by the Jenks City Council are hereby adopted by reference and declared to be the “Floodplain Overlay District”.

b. That all provisions of the flood management regulations of Section 60.3(d) of the National Flood Insurance Program (44CFR 59 et seq.) as amended are hereby incorporated by reference and will determine standards for development unless existing Jenks ordinances or state requirements impose a higher standard, in which event the higher or restrictive standard shall apply.

c. No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this ordinance and other applicable regulations.

SECTION 820 PERMIT PROCEDURES

a. A Floodplain Development Permit shall be presented to the City of Jenks and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard.

b. Any structural development proposal within the boundaries of the Floodplain Overlay District shall require that an Elevation Certificate (FEMA Form 81-31) prepared by a surveyor, licensed by the State of Oklahoma, identifying the existing land elevation
and the base flood elevation at the proposed construction site and to provide a post
certification identifying the lowest floor elevation of the new structure prior to
issuance of a Certificate of Occupancy.

c. In all areas of special flood hazards the following provisions are required for all new
construction and substantial improvements:

1. All new construction or substantial improvements shall be designed (or modified)
and adequately anchored to prevent flotation, collapse or lateral movement of the
structure resulting from hydrodynamic and hydrostatic loads, including the effects
of buoyancy;

2. All new construction or substantial improvements shall be constructed by
methods and practices that minimize flood damage;

3. All new construction or substantial improvements shall be constructed with
materials resistant to flood damage;

4. All new construction or substantial improvements shall be constructed with
electrical, heating, ventilation, plumbing, and air conditioning equipment and
other service facilities that are designed and/or located so as to prevent water from
entering or accumulating within the components during conditions of flooding.

5. All new and replacement water supply systems shall be designed to minimize or
eliminate infiltration of flood waters into the system;

6. New and replacement sanitary sewage systems shall be designed to minimize or
eliminate infiltration of flood waters into the system and discharge from the
systems into flood waters; and,

7. On-site waste disposal systems shall be located to avoid impairment to them or
contamination from them during flooding.

d. In all areas of special flood hazards where base flood elevation data has been
provided the following provisions are required:

1. Residential Construction - new construction and substantial improvement of any
residential structure shall have the lowest floor (including basement), elevated one
foot above the base flood elevation. A registered professional engineer, architect,
or land surveyor shall submit a certification to the Floodplain Administrator that
the standard has been satisfied.

2. Nonresidential Construction - new construction and substantial improvements of
any commercial, industrial or other nonresidential structure shall either have the
lowest floor (including basement) elevated to the base flood level or together with
attendant utility and sanitary facilities, be designed so that below the base flood
level the structure is watertight with walls substantially impermeable to the
passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. The Floodplain Administrator shall maintain records of all certifications including the specific elevation (in relation to mean sea level) to which any structure is flood proofed. Also, the minimum development criteria for projects outside the Jenks levee System and within the boundaries of the Arkansas River Floodplain, but not within the river channel or floodway, is all structures shall be built at a height one foot above the 1986 flood event (approximately 350 year floodplain or a 306,000 cfs release from Keystone Dam) along with the requirement for zero rise to the 100 year floodplain allowing the same conveyance for floodwaters.

3. Enclosures - new construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

a) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

b) The bottom of all openings shall be no higher than one foot above grade.

c) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

4. Manufactured Homes -

a) Require that all manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices, which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

b) Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the community's FIRM on sites (i) outside of a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing...
manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

c) Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

1) The lowest floor of the manufactured home is at the base flood elevation, or

2) Placed on reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement support the manufactured home chassis.

5. Recreational Vehicles - Require that recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community's FIRM either:

a) Be on the site for fewer than 180 consecutive days,

b) Be fully licensed and ready for highway use, or

c) Meet all permit requirements of Section 820 (c), and the elevation and anchoring requirements for "manufactured homes" in paragraph (4) of this section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

SECTION 830 FLOODWAY DISTRICT REGULATIONS

a. Floodway (Regulatory Floodway) - means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

b. Located within areas of special flood hazards established in Section 810, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters that carry debris, potential projectiles and erosion potential, the following provisions shall apply:
1. Encroachments are prohibited, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

2. If Section 830 B (1) above is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of the Floodplain Overlay District.

3. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Regulations, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first applies for a conditional FIRM and floodway revision through FEMA.

SECTION 840 VARIANCE PROCEDURES

a. In accordance with the Jenks City Code the Jenks City Council shall act as the Appeal Board and shall hear and render judgment on requests for variances from the requirements of Chapter of the Jenks Zoning Code.

b. The Appeal Board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of the code. Such Appeal shall be in writing in care of the City Clerk and filed within thirty (30) days of the decision or determination appealed from.

c. Any person or persons aggrieved by the decision of the Appeal Board may appeal such decision in the courts of competent jurisdiction.

d. The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.

e. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this ordinance.

f. Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors identified in Chapter 8 of the Jenks Zoning Code have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
g. Upon consideration of the factors noted above and the intent of this ordinance, the Appeal Board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this ordinance (Section 800).

h. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result. If a variance is granted for construction within a floodway it shall only be upon approval of the City Council and in compliance with all requirements of the City Engineer.

i. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

j. Prerequisites for granting variances:

1. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

2. Variances shall only be issued upon:

   a) Showing a good and sufficient cause; and

   b) A determination that failure to grant the variance would result in exceptional hardship to the applicant, and

   c) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

3. Any applicant receiving a variance shall be notified in writing that the structure permitted with the lowest floor elevation constructed below the base flood elevation, the cost of flood insurance will be commensurate with the increased risk resulting from the lowest floor elevation constructed below the BFE.

k. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:

1. The criteria outlined in Section 820 and Section 830 of Chapter 8 Jenks Zoning Code are met, and

2. The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
SECTION 850 DISCLAIMER FOR FLOODING

The fact that land or property is not included within the Floodplain Overlay District as provided in Chapter 8 of the Jenks Zoning Code or Flood Hazard Area as authorized by section 201 of the Jenks Zoning Code, shall not constitute assurance that such land or property is not subject to flooding and shall not be so interpreted.
CHAPTER 9

PLANNED UNIT DEVELOPMENT (PUD)

900 Purposes
910 General Provisions
920 Types of Planned Unit Developments
930 Uses Permitted in PUD’s
940 Bulk Area and Intensity of Use Requirements
950 Off-Street Parking and Loading Requirements
960 Administrative Application and Review Procedures

SECTION 900 PURPOSES

The intent of the Planned Unit Development district is to permit flexibility that will encourage a more creative approach in the development of land and will result in a more efficient use of open area, while maintaining density and area coverage permitted in the general zoning district or districts in which the project is located while also obtaining the advantages of creative site design, improved appearance, compatibility of uses, optimum service by community facilities, and better functioning of vehicular access and circulation.

More particularly, the intent of the PUD District is to allow for the design of developments that are architecturally and environmentally innovative, and that achieve better utilization of land than is possible through strict application of standard zoning and subdivision controls.

To encourage land development that, to the greatest extent possible, preserves natural vegetation, respects natural topographic and geologic conditions, and refrains from adversely affective flooding, soil, drainage, and other natural ecologic conditions.

To combine and coordinate architectural styles, building forms, and structural/visual relationships within an environment that allows mixing of different land uses in an innovative and functionally efficient manner.

To promote the efficient use of land resulting in networks of utilities, streets and other infrastructure features that maximize the allocation of fiscal and natural resources.

To enable land developments to be compatible and congruous with the adjacent and nearby uses and to ensure that development occurs at proper locations, away from environmentally sensitive areas, and on land physically suited to construction.

To allow unique and unusual land uses to be planned for and located in a manner that ensures harmony with the surrounding community.
SECTION 910 GENERAL PROVISIONS

A PUD is permitted on any tract or tracts located within residential and commercial districts. In every instance, the PUD is to be reviewed as to proposed location and character of the uses and the unified treatment of the development of the tract. The regulations of the general zoning district or districts remain applicable except as specifically modified pursuant to the provisions of this chapter. No modification of use or bulk and area requirements of the applicable general use district or districts shall be permitted unless a subdivision plat incorporating the provisions and requirements of this chapter is submitted to and approved by the Planning Commission and filed of record in the office of the county clerk in which the property is located.

SECTION 920 TYPES OF PLANNED UNIT DEVELOPMENTS

Planned Unit Developments accommodating primarily residential or non-residential uses are allowed as follows:

1. Planned Unit Development – Residential

   A Residential PUD district is intended to accommodate primarily residential uses with appropriate underlying zoning for the designated uses in accordance with the Comprehensive Plan designations for the property.

2. Planned Unit Development – Commercial

   A Commercial PUD district is intended to accommodate primarily nonresidential uses with appropriate underlying zoning for the designated uses in accordance with the Comprehensive Plan designations for the property.

3. Planned Unit Development – Mixed Use Development

   A Mixed Use Development PUD district is intended to accommodate a single unified development that incorporates two or more different uses within walking distance of one another or within the same building and may include office, hotel, restaurant, retail, public entertainment and public uses, and a variety of housing types. These type developments are supported by an underlying Commercial Shopping, General Commercial or High Intensity Commercial Zoning District or Districts. A mixed use development is intended to activate an urban setting, increase housing options, reduce auto dependence and create a local sense of place. The mixed use development PUD is to be located within the Riverfront Entertainment District, Core Business Districts, or within the US Highway 75 corridor.

4. Planned Unit Development - R/C Residential/Commercial

   The R/C Residential/Commercial PUD district is designed to allow development of large sites subject to specific regulations concerning permitted uses, but only
subject to regulations concerning the lot area, building coverage, yard spaces, and building height in so far as the City Council shall deem appropriate to fulfill the intent of this ordinance and the comprehensive plan. The PUD R/C district is designed to introduce specific uses into an area that are deemed necessary to support the characteristics of the development. These uses are not subject to underlying zoning specifications but are restricted to intensities as specified by the Jenks Comprehensive Plan and customarily incorporate the various zoning districts of an area redesigned through the PUD master plan in support of the planned uses.

SECTION 930 USES PERMITTED IN PUDs

1. Residential and Commercial Planned Unit Developments as defined by Section 920.1 and 920.2.

   a. Shall include only those uses permitted, either as permitted uses, accessory uses, or Special Exception uses as specified by the zoning district in which the planned unit development is located.

   b. Uses identified on the Specific Use Permit list as specified in Chapter 17 of the Jenks Zoning Code when identified within the PUD Master Plan.

   c. Accessory and Special Exception uses such as home occupations, unless otherwise specified in the PUD Master Plan, shall be permitted consistent with the General Regulations applicable to the underlying residential or commercial zoning districts.

2. Mixed Use Planned Unit Development as defined by Section 920.3.

   a. The Mixed Use Development PUD is intended to incorporate two or more different uses within walking distance of one another or within the same building and may include office, hotel, restaurant, retail, public entertainment and public uses, and a variety of housing types. These type developments are supported by an underlying CS (Commercial Shopping Center), GC (General Commercial) or HC (High Intensity Commercial) Zoning District or Districts and may incorporate the permitted uses, accessory uses, or Special Exception uses as found within these Commercial Zoning Districts of the Jenks Zoning Code, provided however, that within the Riverfront Entertainment District of the Comprehensive Plan only uses permitted outright or permitted by PUD only within the TRC (Tourist Related Commercial) and ROC (River Oriented Commercial) zoning districts shall be allowed except as authorized by 930.2.b and 930.2c.

   b. Uses identified on the Specific Use Permit list as specified in Chapter 17 of the Jenks Zoning Code when identified within the PUD Master Plan.
c. Accessory and Special Exception uses such as home occupations, unless otherwise specified in the PUD Master Plan, shall be permitted consistent with the General Regulations applicable to the underlying residential or commercial zoning districts.

4. Residential/Commercial Planned Unit Developments as defined by Section 920.4

a. The types of residential dwelling units, and types of nonresidential uses allowed to be established in these districts increase with increasing site size, based upon the premise that increased site size will allow proper design including functional interrelations, buffer treatments, separating uses with potentially incompatible characteristics of use, design of access patterns, and relationships of uses within such planned unit developments with uses in adjacent districts. It is the intent of this ordinance that such design and planning features be incorporated properly into any PUD district hereafter created, and that the Planning Commission and City Council may consider the existence and appropriateness of such features before any amendment to the zoning map is adopted to create such a district. The districts are the uses enumerated for the zoning districts listed below. The specific uses allowed in each of these zoning districts are presented in Chapters 4 through 7.

<table>
<thead>
<tr>
<th>Site Size in Acres</th>
<th>PUD-R</th>
<th>PUD-C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 20</td>
<td>RM-2</td>
<td>CS</td>
</tr>
<tr>
<td>20 to less than 50</td>
<td>RM-2, OM</td>
<td>CG</td>
</tr>
<tr>
<td>50 to less than 80</td>
<td>RM-2, OM, CS</td>
<td>CG, IL</td>
</tr>
<tr>
<td>80 or more</td>
<td>RM-2, OM, CG</td>
<td>CG, IM</td>
</tr>
</tbody>
</table>

When uses for more than one district are permitted, the uses of the less restrictive district may be permitted.

b. Accessory uses and structures may be permitted as for the least restrictive Districts indicated in section 930.4.a for any specific site size.

c. No special exception actions are required to establish any specific use. Uses normally by special exception in the least restrictive districts indicated in section 930.4.a for any specific site size may be permitted, provided however, that the Planning Commission and City Council shall ascertain that the affects and benefits usually derived from safeguards and conditions normally imposed upon special exceptions permissible for districts as listed in Chapters 4 through 7 will substantially be met by the terms of the proposed planned unit development.

d. Uses identified on the Specific Use Permit list as specified in Chapter 17 of the Jenks Zoning Code when identified within the PUD Master Plan.
A Planned Unit Development may depart from strict conformance with required dimension, area, height, bulk, use and specific content regulations of this Ordinance to the extent specified in the documents authorizing the Planned Unit Development so long as the Planned Unit Development provides tangible benefits to the neighborhood or community in which it is located. These benefits shall be in the form of provisions of exceptional amenities, design excellence, etc. The waiver of any requirement shall be the direct cause of accrual of positive benefits to the residents of the development as well as to the general community. Departure from any requirement specified in this Ordinance is a privilege, and shall be granted only upon recommendation of the Planning Commission and the Jenks City Council.

1. Planned Unit Development – Residential

A. Number of Permitted Dwelling Units

a. It is the intent of this code that the aggregate density and intensity of use within the PUD be equal to or less than the density allowed by the Jenks Comprehensive Plan.

b. The residential area for the purposes of the above-described computation shall be the gross area of the PUD less the areas designated for any use other than residential uses. If the PUD is within two or more Plan Designation Intensity Area, the permitted density shall be the sum of the permitted dwelling units computed separately for the residential area within each district.

B. Livability Space

a. Livability space shall be provided in an aggregate amount of not less than the amount of livability space required by the applicable use district for conventional development of a comparable number of dwelling units. Required livability space may be provided on the lot containing the dwelling unit or units on which computed, or in common areas. Common livability space shall be designed and located so as to be accessible to the dwelling units it is intended to serve. Provisions for the ownership and maintenance of common livability space as will insure its continuity and conservation and shall be incorporated in the subdivision plat, in compliance with the provisions of Chapter 9.

C. Building Height

a. A Residential PUD shall have a maximum building height of 35 feet, provided that not non-habitable architectural features such as
chimneys, cupolas, domes, etc may be designated within the text of the PUD to exceed the 35 foot height restriction.

D. Remaining Bulk and Area Requirements

a. Remaining bulk and area requirements shall comply with the criteria and specification as listed for the underlying zoning of the subject property unless modified by the development text of the Planned Unit Development and approved by the Jenks City Council.

2. Planned Unit Development - Commercial

A. Design Requirements

a. Nonresidential uses may be permitted in combination with other nonresidential uses or as part of a common development with residential uses.

b. Nonresidential uses, including parking and drives, shall be separated and buffered from residential units.

c. All regulations applicable to setbacks, parking and loading, general provisions and other requirements shall be met in relation to each respective land use in the development based upon the zoning district in which the use is listed as a permitted or specially permitted use. In all cases, the strictest provisions shall apply.

d. Notwithstanding paragraph (c), deviations with respect to such regulations may be granted as part of the overall approval of the PUD to also include offsite signage and sign requirements, provided there are features or elements designed into the project plan for the purpose of achieving the objectives of this Jenks Zoning Code.

3. Mixed Use Planned Unit Development

A. This section contains general controls which apply to Mixed Use Development. The principal objectives of these regulations are to:

a. Encourage the development of a variety of mixed use development which is compatible with the urban scale and character of adjoining neighborhoods and which takes account of the environmental constraints of each context;

b. Set appropriate environmental standards which achieve high levels of residential amenity such as privacy, noise, views, security,
landscaped open space, convenience of access and parking to the occupants and to adjacent properties;

c. Ensure that new development satisfies a high standard of urban design to create a unified streetscape, which contributes positively to the streetscape, reinforces the importance of pedestrian areas and provides an attractive environment;

d. Ensure that mixed use development reinforces the character of the commercial precincts and forms a satisfactory transition between the commercial uses and adjacent residential uses;

e. Encourage designs for development which establish ecologically sustainable environments; and

f. Clearly state the intent of the requirements using a performance based approach to the achievement of the desired outcomes.

B. Mixed use—Zoning Standards.

a. The Bulk and Area Requirements within Chapter 4 of the Jenks Zoning Code, Residential Districts, shall apply to all proposed residential development within a mixed use Planned Unit Development, unless otherwise specified by this chapter or modified by the Development Text of the PUD and approved by the Jenks City Council.

b. The Bulk and Area Requirements within Chapter 6 of the Jenks Zoning Code, Commercial Districts, shall apply to all proposed commercial development within a mixed use Planned Unit Development, unless otherwise specified by this chapter or modified by the Development Text of the PUD and approved by the Jenks City Council.

c. The following design standards supplement those found above in subsections A and B of this section, and shall apply to all development proposed within the mixed use residential and the mixed use employment districts.

1. Commercial areas should be placed within walking distance (one-quarter mile) of residences;

2. Commercial buildings and uses should be located at the corner of the intersection of two public streets;
3. Pedestrian-scale elements such as canopies, awnings, porches, building overhangs and arcades, and outdoor seating are required along pedestrian-oriented streets;

4. All primary building pedestrian entrances and storefront windows shall face onto the primary street serving the site. If the site has multiple street frontages, the more pedestrian-oriented street shall take precedence;

5. The design character of an individual building should be compatible (share similar features such as color, scale, massing and height) with its neighbors but may also include other features or characteristics that are different;

6. Parking. The parking standards shall be determined for mixed use developments by combining the requirements of the residential and the commercial uses, as established in the individual use units of the Jenks Zoning Code.
   a. Off-street parking shall be located to the side or rear of the building(s);
   b. New on-street parking areas may be included in the overall calculations to comply with parking standards.
   c. Shared parking between uses of same or abutting properties shall occur wherever practicable. Users with differing peak periods, such as offices and movie theaters, are especially suitable for shared parking. Reductions to Parking Space allotments due to these type conditions will require engineered justification within the PUD Text.

7. Landscaping. The site requirements as specified within the Jenks Appearance Review Districts for area percentages shall apply to mixed use Planned Unit Developments. Aesthetics, Buffers, Compatibility and Landscaping Standards, shall apply to all proposed development within the mixed use districts;

8. Drive-up, -in or -through facilities are generally not permitted and if allowed, must be justified and included within the Planned Unit Development Text.
C. Mixed Use Development Text and Master plan.

a. Purpose. The purpose of the master plan is to facilitate the creation of vibrant, pedestrian-friendly, accessible neighborhood, and commercial areas. Its purpose is also to describe the land use parameters and relationships to guide future site development. The master plan shall, in a general manner, define the site layout by showing development areas by type of use, circulation patterns, site access, and open space areas and buffers. The master plan shall also illustrate the relationship between the site and adjoining properties.

b. The master plan shall be a part of the Planned Unit Development Text. The approval of a master plan shall have the effect of a general guide for future development within the property. The review of an individual phase or of the entire development as well as the review of any revision or change shall be in accordance with the review process of the PUD.

D. Development Standards - The following standards are intended to encourage unique and innovative site design solutions from the applicant and to provide a varied landscape in the city.

a. Vehicular Circulation and Pedestrian Friendly Criteria. The intent of this subsection is to provide design guidelines that create pedestrian-scale development and that facilitate pedestrian access to developments; connect uses to the street; decrease the distance between adjacent developments; draw users onto a site; create walkable blocks of a human scale; create a sense of place; reduce the amount of land devoted to surface parking; reduce curb cuts; reduce the frequency of auto traffic interrupting pedestrian traffic; provide greater opportunities for pedestrian connectivity; and facilitate more pedestrian-friendly design.

b. Parking lots shall be located behind and to the side of buildings and shall not be placed on the corner of two streets.

c. The vehicular circulation system and parking shall be designed as an extension of the public street system through the use of continuous sidewalks, landscaping consistent with public streets, utilization of the street elevation, the use of parallel parking and
the use of driveways and circulation drives as mid-block connections.

d. Parking and pedestrian circulation shall be designed to accommodate connections between developments.

E. Pedestrian Infrastructure Requirements - the intent of this subsection is to provide design guidelines that result in pedestrian-oriented development to provide the most direct route to the public transportation infrastructure; to reduce out-of-direction travel; to minimize travel distance; and to add human-scale interest and convenience to users of a development.

a. Pedestrian linkages shall be designed with development to connect to the public infrastructure. Linkages shall be a continuation of the public infrastructure to reduce dead-end paths and encourage users to directly access the development. Consideration shall be given to off-site destinations in the design of the on-site pedestrian system.

b. Pedestrian circulation routes should be composed of treated surfaces, such as scored, brushed, stamped and colored concrete and brick pavers, in order to differentiate the pedestrian system from the vehicular system. Where pedestrian routes cross driveways or vehicular access aisles, a continuous raised crossing composed of a different paving material shall be provided. Pedestrian circulation routes shall be a minimum of eight feet in width.

c. Amenities such as benches, sitting areas, art, pedestrian squares and varied building facades shall be provided along pedestrian routes.

d. Pedestrian facilities along building frontages and developments shall incorporate rain protection and boulevard landscaping whenever possible. When such facilities are provided, special attention shall be given to ensure pedestrian safety, security and convenience by not creating enclosed spaces that may shelter potential criminal activity. Appropriate lighting shall be incorporated whenever possible.

F. Site Design Requirements - the intent of this subsection is to promote a high level of accessibility for pedestrians to structures within a development and to create a welcoming streetscape; to provide spaces for civic interaction; to increase the pedestrian accessibility of developments
from the street; and to foster a sense of community identity and arrival within developments.

a. Primary building entrances shall be oriented toward the public street. The entrance shall be visually prominent from the public street through the use of architectural details, entrance paving treatments and landscaping. Where there is more than one public street abutting the site, the Planning Director, in consultation with the City Engineer, shall determine which street shall have preference based on its access classification, pedestrian use, transit use, and presence of on-street parking.

b. Pedestrian plazas, street furniture and public open spaces shall be incorporated as site amenities whenever possible. Creative configuration and type of landscaping and buffering can be used to accomplish this.

c. Buildings on corner lots shall be located on the street corner with building frontage on both streets, with primary entrances oriented toward the intersection. If no buildings are located at street corners, pedestrian plazas and amenities shall provide a focus for the area.

d. Exterior area lighting shall be limited to shielded fixtures designed to direct light downward and away from residential properties.

1. No light standard shall exceed 25 feet in height, provided that light standards at street intersection shall no be less than 19 feet in height. Lighting associated with public and private streets shall not be subject to shielding requirements for the intent of this lighting is to provide safety associated with the roadways.

2. Pedestrian lighting consistent with Jenks Downtown Theme District is encouraged.

G. Architectural and Building Design Requirements - the intent of this subsection is to encourage pedestrian-scale development through creative and innovative building and architectural design.

a. The ground floors of building facades facing streets should have at least fifty percent of the total ground floor wall area in clear vision glass, pedestrian entrances or open shops, with no reflective surface or film permitted. Other building facades should have at least fifty percent of the total wall area in permeable surfaces or permanent architectural features that break up the monotony of
large blank walls or facades, or a combination of permeable surfaces and permanent architectural features.

b. Buildings with frontages greater than fifty linear feet should vary the building line and/or create offsetting walls, awnings, arcades, modulated wall textures, climbing landscaping materials and other features that visually reduce the scale of the wall.

c. Buildings should integrate awnings, overhangs or other rain protection features when abutting pedestrian amenities. The minimum depth of such features is four feet, with a vertical clearance of between eight and twelve feet. Such features may extend up to four feet into the public right-of-way if such extension can be safely accommodated. When located in the public right-of-way, the applicant shall obtain an encroachment permit to be included within the PUD criteria.

H. Facades and Exterior Walls.

a. Facades greater than one hundred feet in length, measured horizontally, should incorporate wall plane projections or recesses having a depth of at least three percent of the length of the facade and extending at least twenty percent of the length of the facade. No uninterrupted length of any facade shall exceed one hundred horizontal feet. The building facades should also incorporate awnings, arcades, modulated wall textures, climbing landscaping materials and other features that visually reduce the scale of the wall. Offsets shall be a minimum of twenty-four feet.

b. Ground floor facades that face public streets should have arcades, display windows, entry areas, awnings or other such features along no less than fifty percent of their horizontal length.

c. Roofs. Roofs shall have no less than two of the following features:

1. Parapets concealing flat roofs and rooftop equipment such as HVAC units from public view. The average height of such parapets shall not exceed fifteen percent of the height of the supporting wall and such parapets shall not at any point exceed one-third of the height of the supporting wall. Such parapets shall feature three-dimensional cornice treatment;
2. Overhanging eaves, extending no less than three feet past the supporting walls;

3. Sloping roofs that do not exceed the average height of the supporting walls, with an average slope greater than or equal to one foot of vertical rise for every three feet of horizontal run and less than or equal to one foot of vertical rise for every one foot of horizontal run;

4. Three or more roof slope planes.

d. Predominant exterior building materials shall consist of high quality building materials that include, but are not limited to, brick, sandstone, glass, metal, and/or other native stone and tinted/textured concrete masonry units.

e. Exterior building materials shall not include smooth-faced concrete block, tilt-up concrete panels or prefabricated steel panels, unless said construction materials are sided or covered in conjunction with other acceptable building materials as listed above.

f. Trash receptacles shall be designed within compaction areas behind gated enclosures or behind roll up or service doors within buildings. All restaurant facilities must provide for trash receptacles within an enclosed structure. Other than minor trash receptacles designed for pedestrian use trash receptacle enclosures shall not be overtly visible from any pedestrian or vehicular travel way. Commercial trash service to the development shall be established in a manner to facilitate the requirements as specified.

I. Public Utilities – The following standards are intended to encourage unique and innovative site design solutions to reduce the impacts of public utility services.

a. Utility service pedestals, lines and meters shall be designed to not be overtly visible from any pedestrian or vehicular travel way.

b. No above ground pedestals will be allowed within the development and all pedestals, services, and meters shall be located either underground or within service units compartments designed within the buildings or within utility corridors that shall not be overtly visible from any pedestrian or vehicular travel way.

c. The location of electrical transformers may be placed above ground but shall be screened on either side by landscaping.
d. Utilizing conduits to utility closets is to be included within building plans. Hand holes or mini vaults shall be utilized within the rights of way.

J. Sign Design Requirements - An overall detail sign plan shall be established within the PUD Text to ensure uniformity and to protect the overall character of the development. The development shall provide sign criteria to be on file with the Jenks Planning Department. Individual sign permits shall be submitted to the Planning Department for administrative review by the City to determine compliance with the concept and approved development standards of the Planned Unit Development. Offsite sign placement may be incorporated into the PUD text. Appeal of the administrative decision shall initiate the Appearance Review Process as specified in the Jenks City Code and Zoning Code.

a. Within mixed use developments the sign plan criteria shall utilize the sign standards as specified within the CS Zoning District found within Use Unit 21 of the Jenks Zoning Code. The development may establish sign criteria more restrictive than allowed within Use Unit 21 but should not exceed the criteria unless specifically approved within the PUD process.

b. Individual business signage will generally utilize wall signs and channel letter styles.

c. A signage plan consistent with the character of the development for the purposes of promoting the center may be allowed within pedestrian ways and common areas of the development.

d. Monument and entry signage will be established at each entry to the development.

e. Illumination must be consistent with the criteria as specified in Use Unit 21 and within the Appearance Review Districts of the City of Jenks.

f. Roof signage should be prohibited unless designed as an integral part of the building structure.

4. R/C Residential/Commercial Planned Unit Developments

A. Perimeter Requirements

a. The building setback from the exterior boundaries of the PUD shall not be less than the minimum yards customarily required for the district or districts in which located, provided that within 200 feet
of any abutting property in an RE and RS classification, structures containing more than two dwelling units and exceeding 18 feet in height measured from the ground floor to the top of the top plate shall be setback 25 feet plus 2 feet of setback for each one foot of building height exceeding 18 feet measured from the ground floor to the top of the top plate. Unenclosed off-street parking area, containing 6 or more spaces, shall be screened from adjoining RE and RS Districts by the erection of a screening wall or fence along the lot line or lines in common with the RE and RS District, provided that, if the parking area is located more than 50 feet from the RE and RS District, the screening requirement shall not apply.

B. Nonresidential Perimeter Requirements.

a. Where appropriate there shall be a perimeter setback and berming, for the purpose of buffering the development in relation to surrounding properties. Such perimeter setback shall be established with a dimension from the property line of up to one hundred (100) feet in the discretion of the City Council, upon the recommendation of the Planning Commission, taking into consideration the use or uses in and adjacent to the development.

C. Residential Bulk and Area Requirements

a. No minimum lot area or livability space is required for any specific structure, however, minimum site size to accommodate specific uses shall be listed in section 930.4. No structure shall be erected within twenty-five (25) feet from any external lot line of any planned unit development, except for PUD’s of one acre or less where a ten (10) foot setback from external lot lines shall be observed. Minimum lot width, yard sizes, floor area ratio, and maximum height are not other-wise regulated within PUD R/C districts, provided however, that the Planning Commission and City Council shall ascertain that the characteristics of the building sites shall be appropriated as related to structures within the planned unit development and otherwise fulfill the intent of this ordinance and the comprehensive plan.

D. Maximum Area of Commercial Uses in PUD-R/C Districts

a. In PUD-R/C districts in which commercial uses are permitted, the total gross floor area of such commercial uses shall not exceed the percentages listed below as related to gross floor area of all structures within the PUD at any time.
### Off-Street Parking and Loading Requirements

**E. Off-Street Parking and Loading Requirements**

**a.** Off-Street parking and loading spaces shall be provided as specified in the applicable use units and in conformance with the requirements of Chapter 11, Off-Street Parking and Loading. Required spaces may be provided on the lot containing the dwelling units for which it is intended to serve or in common areas. Common parking area shall be designed and located so as to be accessible to the dwelling units it is intended to serve. Provisions for the ownership and maintenance of common parking space as will insure its continuity and conservation shall be incorporated in the subdivision plat.

### SECTION 950 ADMINISTRATIVE APPLICATION AND REVIEW PROCEDURES

The establishment of a PUD district shall be by amendment to the Zoning Map accompanied by certain sureties that the development will be in harmony with the intent of this ordinance and that the public interest in adequate site design, access, and community facilities and amenities will be defended. Application for amendment to establish a PUD district shall be subject to provisions of Chapter 15, “Amendments”, and in addition, the procedures described below shall apply. It is the intent of this ordinance that the public interest will be served not only by consideration of the total anticipated effect of the planned unit development upon the community at large. The provisions of the PUD district represent an option for appropriate quality design, and in return for a degree of design flexibility granted thereby, the applicant for amendment for PUD district classification, by requesting the PUD designation and making application therefore shall agree to furnish information about the proposed development, and later to abide by certain conditions and safeguards as may be imposed by the City Council in establishing such developments. To that end the regulations set forth herein are minimum requirements and it is the intent of this ordinance that the City Council may impose conditions and safeguards in excess of or in addition to the specific requirements set forth herein, and that guarantee of meeting the minimum requirements set forth herein does not per se create an indication that an applicant should be entitled to such an amendment, and notice is hereby given to that effect.
A. Pre-application Conference

a. The applicant is encouraged to communicate his intentions to establish a planned unit development, and the proposed characteristics thereof, to the Planning Commission and its staff prior to initiating an application for amendment in order to avoid undue delay in the review process after initiating such an application, and in order to facilitate review of materials which may be in preliminary form, and in order to avoid unnecessary expense in preparation of materials in final form which may later be found to be unacceptable or incomplete.

b. An application for a PUD shall be filed with the City Clerk. The application shall be $250.00 fee for first five (5) acres plus $1 per acre for each acre above five (5) acres and a $200 Processing fee, for those uses requiring written notice greater than 300 feet, (See Chapter 15 Section 1530.2) the processing fee shall be $200.00 or at actual cost whichever is greater. Such fee shall not include publication and sign costs, which shall be billed to the applicant.

B. Site Development Plan, Development Text, Master Plan

a. The applicant shall submit a site development plan to the Planning Commission and its staff for review which shall be similar in content and format to a preliminary plat required for review by addition, the site development plan shall provide the following graphic and written information (Mixed Use Developments shall incorporate the requirements as specified in Section 940.2):

1. The Site Plan shall show:

   a. Proposed location of uses, including off-street parking, open spaces and public uses;

   b. Public and private vehicular and pedestrian circulation;

   c. The approximate intensity of residential uses expressed in number of dwelling units and the approximate intensity of non-residential uses expressed in floor area, allocated to each identifiable segment of the Planned Unit Development;

   d. Proposed screening and landscaping;

   e. Proposed location, height and size of any ground sign;
f. Sufficient surrounding area to demonstrate the relationship of the PUD to adjoining uses, both existing and proposed;

    g. Other information the Planning Commission or its staff may deem necessary to properly evaluate the proposal.

2. Written information shall include:

   a. An explanation of the character of PUD;

   b. The expected schedule of development, including all phasing;

   c. In a proposed PUD-R the number of acres devoted to residential, commercial, industrial and other non-residential uses to assure compliance with section 930.3;

   d. If applicable, an indication of how a homeowner’s association or other group maintenance or group ownership arrangement will operate;

   e. Development standards for the location, height, setback and size of buildings and other structures;

   f. Other information the Planning Commission or its staff may deem necessary to properly evaluate the proposal.

C. Planning Commission Action

   a. The Planning Commission, upon notice of filing of an application for the approval of a PUD, in Accordance with Chapter 15 of the Jenks Zoning Code, shall set the matter for public hearing and give 15 days notice thereof by publication in a newspaper of general circulation. Additional notice may be given by the posting of a sign or signs on the property. Within 60 days after the filing of an application, the Planning Commission shall conduct the public hearing.

   b. After the public hearing as provided for in Chapter 15, the Planning Commission shall make its recommendation to the City Council. In making this recommendation the Planning Commission shall consider at least the following factors:

      1. Whether the PUD is consistent with the comprehensive plan;
2. Whether the PUD harmonizes with the existing and expected development of surrounding areas;

3. Whether the PUD is a unified treatment of the development possibilities of the project site;

4. Whether the PUD is consistent with the stated purposes and standards of this chapter.

b. The Planning Commission shall approve, approve with modification, or disapprove the development plan required under the PUD. Approval by the Planning Commission shall be authorized for the processing of a subdivision plat incorporating the provisions of the development plan. The preliminary plat/conditional final plat may be processed simultaneously with the Planned Unit Development applications. The Planning Commission shall forward its recommendation, the application, and subdivision plat (if applicable) to the City Council for further action as provided in section 950.D.

D. City Council Action

a. Upon receipt of the PUD application, development text, and subdivision plat (if applicable), and the Planning Commission recommendation, the City Council shall hold a hearing, review the PUD and approve, disapprove, modify, or return the development plan to the Planning Commission for further consideration. Upon approval, the zoning map shall be amended to reflect the designated PUD and application number. If a subdivision plat incorporating the provisions of the PUD was not submitted along with the PUD application, the approval of the PUD automatically authorizes the processing of a subdivision plat incorporating said provisions. The subdivision plat must receive prior review of the Planning Commission, who will then forward its recommendations and plat to the City Council.

SECTION 960 PUD SUBDIVISION PLAT

A. A PUD subdivision plat shall be filed with the Planning Commission and shall be processed in accordance with the Subdivision Regulations and, in addition shall include or be in accordance with:

a. Approved Planned Unit Development Text and master plan.

b. Provisions for the ownership and maintenance of the common open space as will reasonably insure its continuity and consideration. Open space may be dedicated to a private
association or to the public, provided that a dedication to the public shall not be accepted without the approval of the City Council.

c. Such covenants as will reasonably insure the continued compliance with the approved development text. In order that the public interest may be protected, the City of Jenks, Oklahoma shall be made beneficiary of the covenants pertaining to such matters as location of uses, height of structures, setbacks, screening, and access. Such covenants shall provide that the City of Jenks, Oklahoma may enforce compliance therewith.

SECTION 970 ISSUANCE OF BUILDING PERMITS

A. After the filing of an approved PUD subdivision plat and the submittal of a detailed development schedule including specifics about the phasing of development and the percentage of construction to be completed before the platting of a particular phase, to be at the discretion of the City Council, no building permits shall be issued on lands within the PUD except in accordance with the approved plat and development schedule.

SECTION 980 AMENDMENTS

A. Minor Changes in the PUD may be authorized by the Planning Commission and City Council, which may direct the procession of an amended subdivision plat, incorporating such changes, so long as substantial compliance is maintained with the development plan and the purposes and standards of the PUD provisions hereof.

B. Changes which would represent a significant departure from the site development plan shall require compliance with the notice and procedural requirements of an original Planned Unit Development. It shall be the duty of the zoning administrator to determine whether any specific request shall be considered a major or minor change, but this decision may be reversed when reviewed by Planning Commission and the City Council. If it is determined that a major change is requested then a new application will be process in accordance with the provision of Chapter 15 of the Zoning Code.

SECTION 990 FAILURE TO BEGIN, COMPLETE, MAKE ADEQUATE PROGRESS, OR ABANDONMENT OF THE PLANNED UNIT DEVELOPMENT

A. If there is failure to begin, complete, or make adequate progress as agreed upon in the approved site development plan, detailed development schedule and subdivision plat, after the recommendation of the Planning Commission, the City Council may change the zoning classification of the Planned Unit Development in accordance with the provisions of Chapter 15, and thus terminating the right of the applicant to continue development.
or may initiate action to charge the developers with specific violation of the zoning ordinance subject to the penalties set forth in Chapter 14 or any appropriate combination of the above remedies mat by taken.

B. Abandonment of a Planned Unit Development shall require the City Council’s approval, after recommendation by the Planning Commission, of an application for amendment to the zoning map repealing the zoning designation of a Planned Unit Development. At the same time the City Council, after recommendation by the Planning Commission and appropriate public notice and hearing shall assign a new zoning district designation to the land previously included with the PUD. Where a PUD subdivision plat has been completed and processed, and filed with the Tulsa County Clerk, its abandonment shall require formal vacation of the plat.
CHAPTER 10

USE UNITS

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1002 Use Unit 2 Specific Use Permit Uses
1003 Use Unit 3 Agriculture
1004 Use Unit 4 Public Protection and Utility and Open Air Facilities (Temp).
1005 Use Unit 5 Community Services, Cultural and Recreational Facilities
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1010 Use Unit 10 Off-Street Parking Areas
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1022 Use Unit 22 Warehousing and Wholesaling
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1024 Use Unit 24 Light Manufacturing and Industrial Research Development
1025 Use Unit 25 Moderate Manufacturing and Industry
1026 Use Unit 26 Heavy Manufacturing and Industry
1027 Use Unit 27 Tattoo and Massage Parlors (Requiring Special License)
1028 Use Unit 28 Sexually Oriented Business

SECTION 1000 INTRODUCTION OF THE USE UNITS

1000.1 General

The use unit is a grouping of individual uses having similarities in characteristics of function and/or performance which enable systematic consideration of location and other regulation. Within each zoning district, the permitted uses are the included uses of the designated use unit. The use units, herein established, are identified by number and name. Set forth in each use unit is a descriptive statement, an alphabetical listing of the included uses, use conditions, and off-street parking and loading requirements.
1000.2 Interpretation

Questions of the inclusion or exclusion of a particular principal use within a use unit shall be decided by the Board of Adjustment. A use, if specifically in a use unit, shall not by interpretation be included as a principal use within any other use unit.

1000.3 Applicability of Use Conditions

A use shall be subject to the provision of the district in which located, and, in addition, shall be subject to the use conditions specified in the applicable use unit. Where the requirements of the use unit are greater than the requirements of the use district, the use unit requirements shall govern.

SECTION 1001 USE UNIT 1 AREAWIDE USES BY RIGHT

1001.1 Description

Certain public uses, agricultural uses, open land uses, and similar uses which are either subject to other public controls or which do not have adverse effects on other land uses.

1001.2 Included Uses

Passive agricultural uses such as: cultivation, forestry, planting; open land uses such as: arboretum, flood management project, reservoir, wildlife preserve; public uses such as: fire alarm, historical marker, street sign, thoroughfare and utility line.

1001.3 Use Conditions

None.

1001.4 Off-Street Parking and Loading Requirements

None.

SECTION 1002 USE UNIT 2 SPECIFIC USE PERMIT USES

1002.1 Description

Uses which in some instances may be suitable for location in any use district but, because of their potential adverse influence on adjacent properties, require site review and are, therefore, permitted in all use districts as a Specific Use Permit requiring Planning Commission and City Council approval. All Specific Use uses and required approval process are identified within Chapter 17 of the Jenks Zoning Code. Section 1002 is provided to specify any requirements such off street parking and loading that will be a minimum or in addition to the findings of the Jenks Planning Commission and City Council for the approval of a Specific Use.
1002.2 Included Uses

Airport, Heliport, Bus Station, Cemetery, Convict Pre-Release Center, Crematory, Governmental Services, Juvenile Delinquency Center, Detention Center Juvenile-Adult, Hydro-Electric Generation Plant, Mausoleum, Post Office, Rifle and Skeet, Gun Club, Sanitary Landfill, Sewage Disposal Facility, Halfway House, Commercial Theme Parks, Refuse Transfer Station, Recycling Center, Golf Course, Golf Driving Range, Kennel, Mini-Storage, Water Storage Facility, Fire Protection Facility, Fire Station, Transmitting Tower (excluding amateur radio tower), Churches, College or University, Hospital, Library, Nursing Home, Convalescent Home, Recreational Facilities, Commercial Recreation (Intensive), Recreational Vehicle Park, Public Schools, Trade Schools, Other Schools (with compulsory education curriculum), Museum, Aquarium, Offices - Use Unit 11 (Minimum acreage requirement-40 acres), Industrial Uses- (Use Units 24, 25, and 26 Minimum acreage requirement-40 acres), Use unit 23 (Mining and Mineral Processing), Bed and Breakfast, Cultural or Heritage Centers, Public or Private Attractions, and Commercial Resort, Facilities- (Minimum acreage of 40 acres apply).

1002.3 Use Conditions

a. Churches when located within an AG or R District.
   1. Minimum lot area of 1 acre.
   2. No parking shall be permitted within a required front yard.

b. Schools.
   1. Public School uses, except as an accessory use to a private use, are restricted from locating within the Special Theme District, Riverfront Appearance District, and Riverfront Entertainment District as defined by Appendix “A” Jenks Comprehensive Plan provided that any property under Jenks Public School Ownership prior to adoption of this Zoning Code shall not be included in this restriction.

c. College, university, convent, monastery, novitiate, hospital.
   1. A minimum site area of 1 acre shall apply.

d. Commercial Recreation, Intensive
   1. See Use Unit 20

e. Bed and Breakfast Inns
   1. May be allowed by Specific Use Permit in all Jenks Comprehensive Plan "plan category intensities" except those areas designated as Residential by the Jenks Comprehensive Plan Map.
   2. Bed and Breakfast Inns are not allowed "by right" in any zoning district.
classification, but may be approved in zoning district classifications in accordance with Section 1703.1.

3. The host family must be the operator and resident of the property proposed to be used as a Bed and Breakfast Inn. Any Specific Use Permit granted to operate a Bed and Breakfast shall expire when the operator ceases to be a resident of the property. (* The operator may reside in a separate structure on the same or adjacent properties).

4. Bed and Breakfast Inns shall provide a minimum of one (1) bathroom for every three (3) guest rooms.

5. The property must be developed, maintained, and operated so that the principal building, accessory buildings, yard, drive and street frontage have the appearance and character of its adjacent neighborhood and does not detract from abutting properties.

6. The Specific Use Permit may allow the Bed and Breakfast structure(s) to be rented for special events, such as weddings, receptions, anniversaries, private dinner parties, business seminars, etc.

7. The Planning Commission may prohibit or establish the maximum number of special events per year, the number of days allowed for any special event, and may establish the maximum number of guests per any single event based on the availability of off-street parking and the compatibility with the surrounding land use. A Bed and Breakfast located in an R district and which has been approved for special events shall conduct said special events between the hours of 6:00 a.m. and 11:00 p.m. Sunday through Thursday, and between the hours of 6:00 a.m. and 12:00 midnight on Friday and Saturday.

8. The operator shall maintain a register of bed and breakfast guests and special events for each calendar year and shall make such register available to the City upon request. The maximum length of stay for any guest shall be limited to 30 days per calendar year.

9. The Specific Use Permit shall establish the number of guest rooms permitted (per lot of record); provided, however, the Planning Commission and City Council shall not approve more than twelve (12) guest rooms.

10. Cooking facilities shall not be permitted in any of the guest rooms.

11. A public restaurant is not permitted. Meals may only be served to overnight guests and for special events as permitted by the Specific Use Permit.

12. One (1) non-illuminated sign not more than four (4) square feet in area shall be allowed. Design, color(s), text and location shall be identified in the Specific Use Permit applications. The words "hotel" or "motel" shall not be allowed. The sign shall conform to the appearance and character of
the adjacent neighborhood and shall not detract from abutting properties.

13. The Planning Commission may require a Bed and Breakfast when located in an R district or on a lot which is abutting an R district, to be screened from the abutting R district by the erection and maintenance of a screening wall or fence not less than six (6) feet in height along the lot line or lines in common with the R district.

14. A Site Plan (plot plan) showing the location and size of structures including driveways and off-street parking open spaces; setbacks from property lines; number of guest rooms; proposed location, size, height, and details of any sign, and, any screening fence or wall shall be submitted at the time of application for a Specific Use Permit.

15. Bed and Breakfast Inns shall meet the minimum standards of the City of Jenks building, electrical, plumbing and fire codes, and Tulsa City-County Health Department regulations. Off-street parking surfacing drainage and earth-change permits shall be approved by the City Engineer.

16. Every new operator shall file within three (3) days of engaging in the accommodations (Bed and Breakfast Inn) business, an application for a City of Jenks license and registration and a Sales Tax Permit issued by the State of Oklahoma Tax Commission. City licenses and registration to be made by application to the Jenks City Clerk and shall conform to the requirements of the City Code, which levies an accommodations tax of 5% on gross receipts of Bed and Breakfast Inns and similar businesses.

f. Cultural or Heritage Centers, public or private attractions, or commercial resort facilities primarily providing individuals, groups and organizations lodging, meeting, recreational, cultural, heritage or activities, the principal activities of which are usually a combination of open-air and indoor activities.

1. Commercial resort facilities may provide guest rooms in a building or group of buildings under one ownership containing sleeping rooms occupied, intended or designed to be occupied as the more or less temporary abiding place of persons who are lodged with or without meals for compensation, and which may also provide meeting room/conference center facilities and/or, commercial recreation facilities on-site to guests who pay a fee for activities and services, including traditional Bed and Breakfast Inn uses.

2. An application for a Specific Use Permit - Resort is required and shall encompass tracts of land not less than forty (40) acres.

   (a) An application for a Specific Use Permit - Resort shall include a Detailed Site Plan encompassing the entire property to be developed as a resort.

   (b) The City Manager or designee shall be the nominee of City Council for purposes of review and approval of minor alterations of the detailed site
plans such as relocation of approved uses or additional facilities within the scope of the permit and its specifications.

(c) Upon recommendation of the City Planner and approval by the City Manager, any activities, events or land uses not expressly enumerated herein and not determined to be in compliance with an approved Specific Use Permit master plan shall be disallowed, unless a Specific Use Permit revision has been submitted to the Planning Commission and approved by the City Council.

3. Mobile home parks and campgrounds are strictly prohibited. Service vehicles may be on a site for a maximum of thirty (30) days.

4. Hunting and/or Fishing recreational uses approved under a Specific Use Permit-Resort shall strictly conform to all applicable Federal and State laws, and local ordinances relating to such uses. No part of the approved Specific Use Permit shall grant uses or waive requirements of Federal, State, or local laws.

5. "Time-share" agreements; leasing and/or renting of facilities are prohibited. "Bed and Breakfast" uses shall conform to the Required Conditions of this ordinance.

6. Setbacks: no building other than ornamental, or control gate shall be located within 250 feet of the front property line as measured from the centerline of public collector street(s) and 100 feet from the front of property line as measured from the centerline of private streets, nor within 100 feet of any side property line, nor within 100 feet of any rear property line.

7. Maximum Building Coverage: The total ground floor area of all non-residential buildings and resort facilities shall not exceed 25% of the total tract acreage. Residential uses, including Bed and Breakfast facilities shall not exceed four (4) units per acre.

8. Roadways and Streets: Interior streets shall be private streets. Emergency Vehicles may use any roadway available. Any control access gates shall conform to City policy and procedure for same.

9. Landscaping, fencing, and lighting shall comply with the criteria as specified within the Corridor Appearance District (see chapter 16).

10. Off-Street Parking: No parking or loading shall be permitted on any street or road or at any other place than the parking or loading areas provided in accordance with the following, and each owner or operator shall be responsible for compliance by his employees and visitors.

(a) Location: Off-Street parking areas shall be located at least 250 feet from a public street and at least 100 feet from tract boundary property lines.
(b) Paving: All driveways and parking areas shall be constructed with a hard dust free surface (asphalt or concrete) and shall include adequate drainage facilities to dispose of all storm water, and the design of these facilities shall be subject to the approval by the City Engineer. Overflow parking in excess of ordinary requirements may be provided not in conformance with Item (b) if submitted and approved within the master plan.

11. Bed and Breakfast Inns may be allowed as part of an approved Specific Use Permit-Commercial Resort. In addition to or in replacement of the criteria as specified in Section 1002.3.d the following items shall apply to Bed and Breakfast Inns within a Commercial Resort Facility.

(a) Specific Use Permit Commercial Resort may allow the Bed and Breakfast Inn structure(s) to be rented for special events, such as weddings, receptions, anniversaries, private dinner parties, business seminars, etc. The Planning Commission and City Council may prohibit or establish the maximum number of special events per year, the number of days allowed for any special event; and may establish the maximum number of guests per any single event based on the availability of off-street parking and the compatibility with the surrounding land use.

(b) A Bed and Breakfast Inn located in a Commercial Resort facility and which has been approved for special events shall conduct said special events between the hours of 6:00 a.m. and 11:00 p.m. Sunday through Thursday, and between the hours of 6:00 a.m. and 12:00 midnight on Friday and Saturday.

(c) Bed and Breakfast Inn uses located within a Commercial Resort Facility shall meet the following parking and loading requirements.

<table>
<thead>
<tr>
<th></th>
<th>Parking Spaces</th>
<th>Loading</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2 plus 1 per guestroom</td>
<td>1 per 10,000 to 100,000 SF</td>
</tr>
<tr>
<td></td>
<td>plus 1 for every 40 SF of reception area for special events</td>
<td>plus 1 per each additional 100,000 SF of floor area</td>
</tr>
</tbody>
</table>

12. Smoke. Fumes, Gases, Dust, Odors: The limits of any emission of air pollutants shall be subject to the approval or acceptance by the City of Jenks or the appropriate governmental agency.

13. Vibration: There shall be no vibration beyond the immediate site on which such Specific Uses are conducted which shall adversely affect any other adjacent properties.
14. Noise: Operational noise measured from any point on the exterior property lines of the subject tract shall be in conformity with approved uses and shall not exceed sixty (60) decibels as determined by a competent noise engineer.

15. Re-Subdividing Prohibited: No tract or lot approved with a Specific Use Permit - Resort shall be split or sub-divided or re-subdivided by the owner or operator unless written approval is received from the City of Jenks.

16. Every owner approved for a Specific Use Permit - Resort which includes Bed and Breakfast or accommodations business uses shall file within three (3) day of engaging in said business, an application for a City of Jenks license and registration. Said filing to be made with the Jenks City Clerk and conform to the requirements of Jenks City Code, which levies an excise tax on gross receipts of Bed and Breakfast Inns and similar businesses. Every owner shall file within three (3) days of engaging in the accommodations or Bed and Breakfast Inn business, a Sales Tax Permit issued by the State of Oklahoma Tax Commission.

17. Every owner approved for a Specific Use Permit - Resort shall file a Sales Tax Permit or proof of exemption issued by the Stale of Oklahoma Tax Commission within three (3) days of engaging in the Resort business.

g. Conditions or Criteria established for any identified Specific Use through the Specific Use Permit process and approved by the Jenks City Council in accordance with Chapter 17 of the Jenks Zoning Code.

### 1002.4 Off-Street Parking and Loading Requirements

<table>
<thead>
<tr>
<th></th>
<th>Parking Spaces</th>
<th>Loading Berths</th>
</tr>
</thead>
<tbody>
<tr>
<td>Airport</td>
<td>1 per each 500 sq. ft. of enclosed passenger terminal area</td>
<td>1 per 2,000-40,000 sq. Ft. of floor area, plus 1 per 40,000-100,000 sq. ft., plus 1 per each additional 100,000 sq. ft.</td>
</tr>
<tr>
<td>Aquarium, Museum,</td>
<td>1 per 400 sp. Ft. of floor area</td>
<td>1 per 10,000-200,000 sq. ft. plus 1 per each additional 200,000 sq. ft. of floor area</td>
</tr>
<tr>
<td>Detention Center (Adult and juvenile)</td>
<td>1 per 1,000 sq. ft. of floor area</td>
<td>1 per 10,000-100,000 sq.ft. of floor area, plus 1 per each additional 100,000 sq. ft. of floor area</td>
</tr>
<tr>
<td>Facility Type</td>
<td>Minimum Floor Area</td>
<td>Maximum Floor Area</td>
</tr>
<tr>
<td>---------------</td>
<td>--------------------</td>
<td>--------------------</td>
</tr>
<tr>
<td>Juvenile Delinquency Center Half-way House</td>
<td>1 per 1,000 sq. ft. of floor area</td>
<td></td>
</tr>
<tr>
<td>Church</td>
<td>1 per 40 sq. ft. of chapel or sanctuary floor area</td>
<td>1 per 10,000-200,000 sq. ft., plus 1 per each additional 200,000 sq. ft. of floor area</td>
</tr>
<tr>
<td>College, university</td>
<td>1 per 400 sq. ft. of classroom floor area plus 1 per 4 dormitory beds plus 1 per 3 stadium seats</td>
<td>1 per 10,000-200,000 sq. ft., plus 1 per each additional 200,000 sq. ft. of floor area</td>
</tr>
<tr>
<td>Community Center</td>
<td>1 per 200 sq. ft. of floor area</td>
<td>1 per 10,000-100,000 sq. ft., plus 1 per each additional 100,000 sq. ft. of floor area</td>
</tr>
<tr>
<td>Convent, monastery, novitiate</td>
<td>1 per 800 sq. ft. of floor area</td>
<td>1 per 10,000 to 200,000 sq. ft. plus 1 per each additional 200,000 sq. ft. of floor area</td>
</tr>
<tr>
<td>Golf Course</td>
<td>6 per green plus 1 per 400 sq. ft. of clubhouse floor area</td>
<td>1 per 10,000-200,000 sq. ft., plus 1 per each additional 100,000 sq. ft. of floor area</td>
</tr>
<tr>
<td>Hospital</td>
<td>1 per bed</td>
<td>1 per 10,000-100,000 sq. ft., plus 1 per each additional 100,000 sq. ft. of floor area</td>
</tr>
<tr>
<td>Private Club</td>
<td>1 per 250 sq. ft. of floor area</td>
<td>1 per 10,000-100,000 sq. ft., plus 1 per each additional 100,000 sq. ft. of floor area</td>
</tr>
<tr>
<td>Bed &amp; Breakfast Inn</td>
<td>2 plus 1 per guest room plus 1 for every 40 SF of reception area for special events</td>
<td>1 per 10,000 to 100,000 sq. ft. plus 1 per each additional 100,000 SF of floor area</td>
</tr>
<tr>
<td>Schools: Elementary and Junior High</td>
<td>1 per 800 sq. ft. of floor area</td>
<td>1 per 10,000-200,000 sq. ft., plus 1 per each additional 200,000 sq. ft. of floor area</td>
</tr>
</tbody>
</table>
Senior High
High School, School 1 per 400 sq. ft. of 1 per 10,000-200,000 sq. ft.
Administration floor area plus 1 per each additional 200,000 sq. ft. of floor area

High School  
Stadiums  

Additional  
1 per 3 stadium seats

Other Uses Requirements: As may be required by the Jenks City Council in granting
 the Specific Use Permit.

SECTION 1003 USE UNIT 3 AGRICULTURE

Agriculture uses and services and certain other uses suitable for location in an
agricultural environment. The use of land for agricultural purposes, including farming,
dairying, pasturage, apiculture, horticulture, floriculture, viticulture and animal and
poultry husbandry and the necessary accessory uses for packing, treating, or storing the
produce; provided, however, that the operation of any such accessory uses shall be
secondary to that of the normal agricultural activities. The operation of commercial feed
ing pens, sales yards and auction yards, for cattle or hogs shall be deemed an industrial and
not an agricultural use.

1003.2 Included Uses

Animal and poultry raising, farming, fishery, ranching, chick hatchery, guest or dude
ranch, and riding stable or academy, dairy farming and veterinary hospital (large animal).

1003.3 Use Conditions

Veterinary hospital (large animal) – minimum lot area of two acres

1003.4 Off-Street Parking and Loading Requirements

None.

SECTION 1004 USE UNIT 4 PUBLIC PROTECTION AND UTILITY AND OPEN AIR
FAILITIES (TEMPORARY)

1004.1 Description

Public protection and utility facilities which may have technical location requirements
necessitating specific locations in or around areas serviced, and certain temporary open
air land uses which can be objectionable to certain other uses and are, therefore,
permitted in certain districts by special exception and in the remaining districts by right.
1004.2 Included Uses

Ambulance service, pressure control station (gas or liquid, excluding storage or service garages and yards), shelter (civil defense or storm), water storage facility NEC, horticultural nursery, temporary open air facilities such as carnival, Christmas tree sales, circus, and tent revival.

1004.3 Use Conditions

Temporary open air facilities may continue for a period not to exceed sixty (60) days per each application for special exception approved by Board of Adjustment.

1004.4 Off-Street Parking and Loading Requirements

None.

SECTION 1005 USE UNIT 5 COMMUNITY SERVICES AND CULTURAL FACILITIES

1005.1 Description

Community services and cultural facilities which are needed in residential areas to serve the residents or need a residential environment, but which are, or may be objectionable to nearby residential uses. These uses are permitted by special exception in some districts, by right in some districts, and prohibited in other districts.

1005.2 Included Uses

Art gallery (not operated for profit), children’s nursery (Not including Home Occupation), cultural facility not elsewhere classified (NEC), day camp, emergency and protective shelter, library, planetarium, residential treatment center, private club or lodge (the chief activity which is a service and is not operated as a business for profit, and which hold and maintain an income tax exempt status. Includes charitable, eleemosynary, educational and recreational establishments) public tennis court, sanitation, and transitional living center.

1005.3 Use Conditions

1005.4 Off-Street Parking and Loading Requirements

<table>
<thead>
<tr>
<th></th>
<th>Parking Spaces</th>
<th>Loading Berths</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art gallery, planetarium, Cultural facility NEC</td>
<td>1 per 400 sp. ft. of floor area</td>
<td>1 per 10,000-200,000 sq. ft. of floor area plus 1 per each additional 200,000 sq. ft.</td>
</tr>
<tr>
<td>Use</td>
<td>Parking Spaces</td>
<td>Loading Berths</td>
</tr>
<tr>
<td>-------------------------</td>
<td>-----------------------------------------------------</td>
<td>-------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Care home, nursing home</td>
<td>1 per 500 sq. ft. of floor area</td>
<td>1 per 10,000-100,000 sq. ft. plus 1 per each additional 100,000 sq. ft. of floor area</td>
</tr>
<tr>
<td>Children’s Nursery</td>
<td>1 per 400 sq. ft. of floor area</td>
<td>N/A</td>
</tr>
<tr>
<td>Foster Home</td>
<td>1 per 1,000 sq. ft. of Floor area</td>
<td>N/A</td>
</tr>
<tr>
<td>Library</td>
<td>1 per 300 sq. ft. of floor area</td>
<td>1 per 10,000-200,000 sq. ft., plus 1 per each additional 100,000 sq. ft. of floor area</td>
</tr>
<tr>
<td>Public Park</td>
<td>1 per 3 stadium seats plus 1 per 200 sq. ft. of Community Center or recreation building, plus 1 per 200 sq. ft. of pool area</td>
<td>1 per 10,000-100,000 sq. ft., plus 1 per each additional 100,000 sq. ft. of floor area</td>
</tr>
<tr>
<td>Sanitarium</td>
<td>1 per 1,000 sq. ft. of floor area</td>
<td>1 per 10,000 to 100,000 sq. ft. plus 1 per each additional 100,000 sq. ft. of floor area</td>
</tr>
<tr>
<td>Tennis Court</td>
<td>2 per court, plus 1 per 400 sq. ft. of club house area</td>
<td>1 per 10,000-100,000 sq. ft., plus 1 per each additional 100,000 sq. ft. of floor area</td>
</tr>
</tbody>
</table>

SECTION 1006 USE UNIT 6 SINGLE-FAMILY DWELLING

1006.1 Description

Single-family detached dwelling.

1006.2 Included Uses

Single-family detached dwelling.
1006.3 Use Conditions

None.

1006.4 Off-Street Parking and Loading Requirements

<table>
<thead>
<tr>
<th></th>
<th>Parking Spaces</th>
<th>Loading Berths</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family detached</td>
<td>2 per dwelling unit</td>
<td>N/A</td>
</tr>
<tr>
<td>dwelling</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

SECTION 1007 USE UNIT 7 DUPLEX DWELLING

1007.1 Description

Duplex Dwelling.

1007.2 Included Uses

Duplex Dwelling.

1007.3 Use Conditions

None.

1007.4 Off-Street Parking and Loading Requirements

<table>
<thead>
<tr>
<th></th>
<th>Parking Spaces</th>
<th>Loading Berths</th>
</tr>
</thead>
<tbody>
<tr>
<td>Duplex Dwelling</td>
<td>2 per dwelling unit</td>
<td>N/A</td>
</tr>
</tbody>
</table>

SECTION 1008 USE UNIT 8 MULTI-FAMILY DWELLING AND SIMILAR USES

1008.1 Description

Multi-family dwellings and similar uses

1008.2 Included Uses

Fraternity or sorority house, multifamily dwelling, rooming/boarding house and townhouse.

1008.3 Use Conditions

a. Fraternity, sorority, rooming/boarding house
In the determination of the applicable bulk and area requirements, a fraternity, sorority, or rooming/boarding house shall be considered a multifamily dwelling, with each 600 square feet of floor area constituting a one-bedroom dwelling unit.

b. Townhouse

A townhouse use is subject to the submission to and approval of a subdivision plat by the City Council after receiving prior review and recommendations of the Planning Commission, in accord with existing laws and regulations, and the subsequent filing in the office of the county clerk where the property is located.

c. Screening Requirements

The use included in Use Unit 8, when located on a lot abutting an RE, RS or RD district, shall be screened from the abutting RE, RS and RD district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with these R districts.

<table>
<thead>
<tr>
<th>Use</th>
<th>Parking Spaces</th>
<th>Loading Berths</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fraternity or Sorority House</td>
<td>1 per 2 beds</td>
<td>1 per 10,000-200,000 sq. ft. plus 1 per each additional 200,000 sq. ft.</td>
</tr>
<tr>
<td>Multi-Family Dwelling</td>
<td>1.5 per efficiency or 1 Bedroom dwelling unit; 2 per 2 or more bedroom dwelling unit.</td>
<td>N/A</td>
</tr>
<tr>
<td>Rooming/ Boarding House</td>
<td>1 per 1 bed</td>
<td>1 per 10,000-200,000 sq. ft. plus 1 per each additional 200,000 sq. ft.</td>
</tr>
<tr>
<td>Townhouses</td>
<td>1.5 per efficiency or 1 bedroom dwelling unit; 2 per 2 or more bedroom dwelling unit</td>
<td>N/A</td>
</tr>
</tbody>
</table>

SECTION 1009 USE UNIT 9 MOBILE HOME DWELLING

1009.1 Description

Mobile Home dwelling.
1009.2 Included Uses

Mobile home dwelling.

1009.3 Use Conditions

The mobile home dwelling when located within an RMH district and located on a lot which is abutting an RE, RD, or RS district shall be screened from the abutting RE, RS, or RD district by the erection and maintenance of a screening wall or fence along the lot line in common with the RE, RS, or RD district.

1009.4 Off-Street Parking and Loading Requirements

<table>
<thead>
<tr>
<th></th>
<th>Parking Spaces</th>
<th>Loading Berths</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mobile home</td>
<td>2 per each mobile</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>home dwelling unit</td>
<td></td>
</tr>
</tbody>
</table>

SECTION 1010 USE UNIT 10 OFF-STREET PARKING AREAS

1010.1 Description

Off-street parking areas which are principal uses.

1010.2 Included Uses

Off-street parking areas

1010.3 Use Conditions

Off-street parking areas shall conform to the design, lighting, and improvement requirements for off-street parking contained in Chapter 11.

1010.4 Off-Street Parking and Loading Requirements

Not applicable

SECTION 1011 USE UNIT 11 OFFICES AND STUDIOS

1011.1 Description

Offices, studios, medical and dental laboratories, and certain other compatible or supporting services.

1011.2 Included Uses
Abstract company, advertising agency, artist’s studio, broadcasting or recording studio, computing service, copying service, data processing service, drafting service, dental clinic and laboratory, employment agency, financial institution (other than pawn shop), funeral home, medical and dental offices, clinics, and laboratories, general business offices (excluding on premise sale of merchandise), optician or optical laboratories, photography studio, prescription pharmacy (provided that no sundry or other merchandise is sold or offered for sale), studio or school for teaching ballet, dance, drama, fine arts, music, language, business, or modeling, transportation ticket office, travel agency, and veterinary office (excluding boarding services).

1011.3 Use Conditions

The uses included in Use Unit 11, when located on a lot which is abutting an R district, shall be screened from the abutting R district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R district.

1011.4 Off-Street Parking and Loading Requirements

<table>
<thead>
<tr>
<th>Use Unit</th>
<th>Parking Spaces</th>
<th>Loading Berths</th>
</tr>
</thead>
<tbody>
<tr>
<td>Funeral Home</td>
<td>1 per 40 sq. ft. of assembly floor area plus 1 per 300 sq. ft. of non-assembly floor</td>
<td>1 per 10,000-100,000 sq. ft., plus 1 per each additional 100,000 sq. ft. of floor area</td>
</tr>
<tr>
<td>Medical and Dental Offices, Clinics, and Laboratories</td>
<td>1 per 200 sq. ft. of floor area</td>
<td>1 per 10,000-100,000 sq. ft., plus 1 per each additional 100,000 sq. ft. of floor area</td>
</tr>
<tr>
<td>Other Uses</td>
<td>1 per 400 sq. ft. of floor area</td>
<td>1 per 10,000-100,000 sq. ft., plus 1 per each additional 100,000 sq. ft. of floor area</td>
</tr>
</tbody>
</table>

SECTION 1012 USE UNIT 12 EATING PLACES OTHER THAN DRIVE-INS

1012.1 Description

Eating places offering on premise consumption of food and drink within the principal structure and/or providing carry-out service if no curb service is provided, and if no in-car on premise consumption is permitted. Use Unit 12 is established in recognition of the desirability of providing dining facilities in certain environments in which commercial facilities of a higher use intensity would be objectionable.

1012.2 Included Uses
Eating places such as: cafeteria, coffee shop, delicatessen, and restaurant.

1012.3 Use Conditions

The uses included in Use Unit 12, when located within a district other than an R district and located on a lot which is abutting an R district, shall be screened from the abutting R district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R district.

1012.4 Off-Street Parking and Loading Requirements

<table>
<thead>
<tr>
<th>Eating Places</th>
<th>Parking Spaces</th>
<th>Loading Berths</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 per 100 sq. ft. of floor area</td>
<td>1 per 2,000-10,000 sq. ft., plus 1 per each additional 15,000 sq. ft. of floor area</td>
</tr>
</tbody>
</table>

SECTION 1013 USE UNIT 13 CONVENIENCE GOODS AND SERVICES

1013.1 Description

Retail trade and service establishments which are desirable conveniences in certain residential and office districts. Use Unit 13 is established to permit the location of convenience goods and services in certain environments in which commercial facilities of a higher use intensity would be objectionable.

1013.2 Included Uses

Retail trade establishments such as a drug store, florist, bakery, candy and confection and/or nut store, dairy store, food specialty store, grocery, health food store, ice cream store, novelty, and souvenir shop, liquor store, newsstand, tobacco store; and service establishments such as dry cleaning and pickup, barber shop, beauty shop, and laundry and pickup.

1013.3 Use Conditions

a. In the CS district there shall be no open air storage or display of merchandise offered for sale within 200 feet of an abutting R district.

b. The uses included in Use Unit 13, when located within a district other than an R district and located on a lot which is abutting an R district, shall be screened from the abutting R district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R district.

c. Gasoline sales as accessory use to a convenience store are not permitted within the Riverfront Entertainment District as designated by the Jenks Comprehensive Plan.
1013.4 Off-Street Parking and Loading Requirements

<table>
<thead>
<tr>
<th></th>
<th>Parking Spaces</th>
<th>Loading Berths</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grocery Store</td>
<td>1 per 200 sq. ft. of floor area</td>
<td>1 per 2,000-10,000 sq. ft. of floor area</td>
</tr>
<tr>
<td>Retail trade and</td>
<td>1 per 200 sq. ft. of floor area</td>
<td>1 per 5,000-10,000 sq. ft. plus 1 per each</td>
</tr>
<tr>
<td></td>
<td></td>
<td>additional 15,000 sq. ft. of floor area</td>
</tr>
</tbody>
</table>

SECTION 1014 USE UNIT 14 SHOPPING GOODS AND SERVICES

1014.1 Description
Retail establishments engaged in the merchandising of shopping goods and services.

1014.2 Included Uses
Retail trade establishments such as commercial art gallery, antique shop, artist supply store, automotive parts and accessories store, bicycle shop, book store, business and office machine sales establishment, camera and photographic supply store, clothing and accessories store, cosmetic shop, department store, dressmaking shop, dry goods store, fur storage, furriers, garden supply store, hardware store, hobby shop, home furnishing store (selling appliances, china, glassware, metal ware, draperies, curtains, upholstery, floor coverings, and furniture), jewelry store, leather goods and luggage store, medical instrument and supply store, office furnishing establishment, office supplies store, paint store, pet shop, phonograph and record shop, radio and TV sales, reducing salon, shoe repair shop, shoe store, sporting goods store, stationery store, tailor shop, toy shop, variety store, wallpaper store, wig shop; and retail building material establishments, exclusive of fabrication or repair, such as building materials, electrical supply, and plumbing fixtures; and service establishments, such as caterer, costume rental service, dry cleaning (limited to 7,000 sq. ft. of floor area), gunsmith, household appliance repair, interior decorating, self-service Laundromat, (coin-operated), locksmith, photofinishing, picture framing, radio and television repair, and watch and jewelry repair.

1014.3 Use Conditions
a. In the CS district there shall be no open air storage or display of merchandise offered for sale within 200 feet of an abutting R district.

b. The uses included in Use Unit 14, when located on a lot which is abutting an R district, shall be screened from the abutting R district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R district.
1014.4 Off-Street Parking and Loading Requirements

<table>
<thead>
<tr>
<th>Use Type</th>
<th>Parking Spaces</th>
<th>Loading Berths</th>
</tr>
</thead>
<tbody>
<tr>
<td>Furniture Store</td>
<td>1 per 300 sq. ft. of</td>
<td>1 per 2,000-25,000 sq. ft. plus</td>
</tr>
<tr>
<td></td>
<td>floor area</td>
<td>1 per each additional 25,000 sq.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ft. of floor area</td>
</tr>
<tr>
<td>All other uses</td>
<td>1 per 200 sq. ft. of</td>
<td>1 per 5,000-25,000 sq. ft. plus</td>
</tr>
<tr>
<td></td>
<td>floor area</td>
<td>1 per each additional 25,000 sq.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ft. of floor area</td>
</tr>
</tbody>
</table>

SECTION 1015 USE UNIT 15 OTHER TRADES AND SERVICES

1015.1 Description

Trade establishments primarily providing business and household maintenance goods and services ordinarily not found in the primary retail districts because of differing market and site requirements.

1015.2 Included Uses

Trade establishments, including incidental fabricating, processing, installation, and repair: air conditioning and heating, bait shops, wholesale bakery, bottled gas, carpeting, decorating, fence, fuel oil, general merchandising establishment NEC, glass, greenhouse, heating equipment, ice plant, lumber yard, monument (excluding shaping), pawn shop, plastic materials, plumbing shop, printing and publishing, reproduction services, and vending machine sales and services; service establishments such as disinfecting and exterminating services, janitorial services, and window cleaning; contract construction service such as air conditioning, carpentry, decorating, electrical, furnace cleaning, painting, paper hanging, plastering, plumbing, sign painting, tile setting; armored car service; and personal services such as auctioneer, bindery, cabinet maker, drapery service, frozen food locker, kennel, laundry, linen supply and industrial laundry, packing and crafting of household and other similar goods, rug cleaning, taxidermist, veterinary hospital (small animals) excluding outside animal runs and principal boarding services, woodworking shop; repair services such as armature rewinding service, business machine repair, electrical repair service, furniture, mattresses and pillows, re-upholstery, and rug repair; and schools such as barber, beauty, trade and mini-storage.

1015.3 Use Conditions

The uses included in Use Unit 15, when located on a lot which is abutting an R district, shall be screened form the abutting R district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R district.
### 1015.4 Off-Street Parking and Loading Requirements

<table>
<thead>
<tr>
<th>Establishment</th>
<th>Parking Spaces</th>
<th>Loading Berths</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trade establishments</td>
<td>per 400 sq. ft. of floor area</td>
<td>1 per 5,000-25,000 sq. ft., plus 1 per each additional 25,000 sq. ft. of floor area</td>
</tr>
<tr>
<td>Service establishments</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

### 1016 USE UNIT 16 GASOLINE SERVICE STATIONS

#### 1016.1 Description

Establishments engaged in the retail sale of gasoline, lubricants, tires, batteries, and automobile accessories and performing minor repair, installation, and maintenance services.

#### 1016.2 Included Uses

Gasoline service stations.

#### 1016.3 Use Conditions

- **a.** The uses included in Use Unit 16, when located on a lot which is abutting an R district, shall be screened from the abutting R district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R district.

- **b.** Within the CS district there shall be no open air storage or display of merchandise offered for sale or rental within 200 feet of an adjoining R district, except the incidental open air display of tires, batteries, lubricants, and automobile accessories.

#### 1016.4 Off-Street Parking and Loading Requirements

Not applicable.
SECTION 1017 USE UNIT 17 AUTOMOTIVE ALLIED ACTIVITIES

1017.1 Description
Automotive and allied activities.

1017.2 Included Uses
Sales: aircraft, agriculture, implement, automobile (new and used), boat, camper, mobile home, motorcycle, and truck; and services: automobile rental, auto wash, vehicle repair and service.

1017.3 Use Conditions
a. The uses included in Use Unit 17, when located on a lot which is abutting an R district, shall be screened from the abutting R district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R district.

b. Within the CS district, there shall be no open air storage or display of merchandise offered for sale within 20 feet of an adjoining R district.

1017.4 Off-Street Parking and Loading Requirements

<table>
<thead>
<tr>
<th>Activity</th>
<th>Parking Spaces</th>
<th>Loading Berths</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture implements, automotive, camper, motorcycle, and truck sales</td>
<td>1 per 600 sq. ft. of floor area plus 1 per 1,000 sq. ft. of open air display storage, or services area.</td>
<td>1 per 5,000-10,000 sq. ft. plus 1 per each additional 15,000 sq. ft. of floor area.</td>
</tr>
<tr>
<td>Automobile rental</td>
<td>1 per 600 sq. ft. of floor Area plus adequate off-street parking shall be provided for storage of rental vehicles. No on-street parking of rental vehicles shall be permitted.</td>
<td>N/A</td>
</tr>
<tr>
<td>Vehicle repair</td>
<td>1 per 200 sq. ft. of floor Area.</td>
<td>N/A</td>
</tr>
<tr>
<td>Auto wash</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>
SECTION 1018 USE UNIT 18 DRIVE-IN RESTAURANTS

1018.1 Description

Eating establishments providing curb service or offering food or drink for on-premise consumption within parked motor vehicles, or permitting the on-premise consumption of food or drink within the parked motor vehicle or outside the principal structure.

1018.2 Included Uses

Drive-in restaurants

1018.3 Use Conditions

The uses included in Use Unit 18, when located on a lot which is abutting an R district, shall be screened from the abutting R district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R district.

1018.4 Off-Street Parking and Loading Requirements

<table>
<thead>
<tr>
<th></th>
<th>Parking Spaces</th>
<th>Loading Berths</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drive-in restaurant</td>
<td>N/A</td>
<td>1 per 5,000-25,000 sq. ft. of floor area plus 1 per additional 25,000 sq. ft. of floor area.</td>
</tr>
</tbody>
</table>

SECTION 1019 USE UNIT 19 HOTEL, MOTEL, AND RECREATION FACILITIES

1019.1 Description

Commercial amusement establishments ordinarily, not requiring large sites, and which have use characteristics permitting their location in or near developed commercial trade areas.

1019.2 Description

Billiard parlor, bowling alley, dance hall, enclosed commercial recreation establishments NEC, gymnasium, health club, hotel, motel, motion picture theatre (enclosed), night club, skating rink (enclosed) swimming pool (enclosed), tavern, and slot car track.

1019.3 Use Conditions

The uses included in Use Unit 19, when located on a lot which is abutting an R district, shall be screened from the abutting R district by the erection of a screening wall or fence along the lot line or lines in common with the R district.
### 1019.4 Off-Street Parking and Loading Requirements

<table>
<thead>
<tr>
<th></th>
<th>Parking Spaces</th>
<th>Loading Berths</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hotel, motel</td>
<td>1 per sleeping room plus 1 per 200 sq. ft. of accessory facilities such as restaurants and taverns</td>
<td>1 per 40,000-150,000 sq. ft. plus 1 per each additional 150,000 sq. ft. of floor area, plus 1 per 5,000-25,000 sq. ft. of accessory facilities such as restaurants and taverns plus 1 per each additional 25,000 sq. ft. of floor area</td>
</tr>
<tr>
<td>All other uses</td>
<td>1 per 200 sq. ft. of floor area</td>
<td>1 per 5,000-25,000 sq. ft., plus 1 per each additional 25,000 sq. ft. of floor area</td>
</tr>
</tbody>
</table>

### SECTION 1020 USE UNIT 20 COMMERCIAL RECREATION: INTENSIVE

#### 1020.1 Description

Commercial recreation facilities, the principal activities of which are usually open air, located in undeveloped outlying sections of the city.

#### 1020.2 Included Uses

Amusement activities NEC, arena, drag strip, drive-in theatre, fair grounds, go-cart track, golf driving range, miniature auto track, outdoor recreation NEC, race tracks (auto, dog, horse), rodeo grounds, stadiums NEC, music concerts, festivals.

#### 1020.3 Use Conditions

The uses included in Use Unit 20, when located on a lot which is abutting an R district, shall be screened from the abutting R district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R district.

#### 1020.4 Off-Street Parking and Loading Requirements

<table>
<thead>
<tr>
<th></th>
<th>Parking Spaces</th>
<th>Loading Berths</th>
</tr>
</thead>
<tbody>
<tr>
<td>Golf driving</td>
<td>1 per tee</td>
<td>N/A</td>
</tr>
<tr>
<td>Drive-In theater</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>
Uses providing spectator seating such as stadiums, arenas, and rodeo grounds

<table>
<thead>
<tr>
<th>Other uses</th>
<th>Parking Spaces</th>
<th>Loading Berths</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 per 600 sq. ft. of site area</td>
<td>1 per 5,000-25,000 sq. ft.</td>
<td>1 per 5,000-25,000 sq. ft.</td>
</tr>
<tr>
<td>plus 1 per each additional 25,000 sq. ft. of floor area</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

SECTION 1021 USE UNIT 21 BUSINESS SIGNS, OUTDOOR ADVERTISING, AND BILLBOARDS

1021.1 Description

Business signs and outdoor advertising signs defined.

a. A sign - Any fabricated display structure including its support, consisting of any letter, figure, character, flag, tinsel, balloon, streamer, mark, poster, pointer, marquee, advertisement, picture, stripe, trademark, reading matter, or illuminating device, constructed, attached, erected, fastened or manufactured in any matter whatsoever so that the same shall be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine or merchandise and displayed in any manner for recognized advertising purposes.

b. Outdoor Advertising (Billboard) Sign. A large, permanent sign that directs attention to a business, commodity, service or entertainment conducted, sold, or offered elsewhere than on the premises and only incidentally on the premises, if at all and generally at a size of 14’ x 48’ and located along a United States, State, or Turnpike Highway.

c. Portable sign. A sign which is not permanently attached to the ground, another sign, a structure, a trailer, or any part of a vehicle, except for signs painted or inscribed on a self propelled vehicle, and intended only to be displayed for a short period of time. Portable sign definition includes banners. See 1021.4 (t).

d. Business Sign. A sign which directs attention to a business, commodity, service, or entertainment conducted on the premises.

e. Canopy Sign. A sign wholly supported by a canopy projecting from a building or an extended roof or pitched roof and which does not extend above the mean height level of the roof of the building.

f. Construction Sign. A temporary sign erected during the period of construction advertising the construction of improvements on the property.
g. Ground Sign. A sign which is attached to or is a part of a self supporting structure other than a building or portion of a building.

h. Projecting Sign. A sign affixed to a building and which extends horizontally more than 12" from the sign supporting portion of the building.

i. Real estate sign. A temporary sign advertising the sale, rental or lease of the premises.

j. Roof Sign. A sign which is affixed to a roof, pitched roof or canopy and which extends above the mean height level of the roof.

k. Wall Sign. A sign affixed to a building wall which does not project horizontally more than 12" from the wall nor extend above the height of the wall.

l. A-Frame Sign. A sign consisting of two sheets of wood or plastic material a maximum of 24" (inches) wide, no more than 2" (inches) thick, and no taller than 3' (feet) in height which are attached in such a way so as to create a triangular display on two sides and which sign is to be taken indoors after dusk daily.

1021.2 Included Uses

Business signs, Billboard signs, outdoor advertising signs.

1021.3 Appearance Review Districts.

a. No business or outdoor advertising sign shall be located within a designated Appearance Review District unless approved through the established Appearance Review Process as outlined in Chapter 16 of the Jenks Zoning Code.

1021.4 General Use Conditions

a. No business sign shall be located within 40 feet of an R district if visible from such district.

b. Any ground sign shall maintain a minimum separation of 40 feet from any other ground sign except side by side ground signs located on a common line perpendicular to the nearest street need to a maintain a 40 feet separation.

c. Only one side of a double-faced sign shall be included in the computation of display surface area.

d. The following shall not be included in the computation of display surface area in calculating Zoning District compliance; however these signs may require specific criteria as specified in the Jenks City Code Chapter 4:
1. Nameplates, attached to the face of the wall and not exceeding two (2) square feet in surface area.

2. Signs painted on glass surfaces of windows or doors pertaining to the business conducted therein, provided that Chapter 16 Section 1640.4 applies to signs painted on glass surfaces of windows or doors pertaining to the business conducted therein.

3. Tablets built into the wall of a building or other structure and used for inscriptions or as memorial tablets or for similar purposes and not exceeding two (2) square feet.

4. Signs of warning, directive, or instructional nature erected by a public agency, franchised transportation company, or governmental agency.

5. Legal notices and street numbers in accordance with the Jenks City Code.

6. Election campaign signs, defined as a sign that makes known the name or information concerning a political campaign or election issue of any nature. Campaign signs may be erected on private property provided that the consent of the property owner is obtained and that the signs do not exceed 9 square feet in size, nor exceed an aggregate display area for all political signs of 45 square feet, political signs shall not be placed more than 30 days prior to an election (Portable Sign/Banner Requirements Section 1021.4.s establish time considerations, fees excluded) and shall be removed within 48 hours following an election. Location of campaign signs are not allowed in public right of way.

   A. The Chief Building Official of the City of Jenks may conclude that the placement of any election campaign sign constitutes a traffic hazard or endangers the health, safety, and general welfare of the citizens of the city. The Chief Building Official is granted the authority to require any such sign to be removed.

   B. Failure to remove an election campaign sign within the time periods identified or failure to remove after being ordered to remove for health, safety, and general welfare purposes, shall constitute a violation of the Zoning Code subject to enforcement as prescribed in Chapter 14 of this Code.

   C. The allowance of such signs prior to an election is in addition to the display of other permitted election and political messages on existing permanent signs. Political message substitution for elections is allowed for existing reader boards or digital LED signage in compliance with display requirements as specified by Section 1021 of the Zoning Code.

7. Signs located within a building.
8. Signs not exceeding three (3) square feet of display surface area of a warnings, directive, or instructional nature, including entrance, exit, and restroom signs.

9. Signs which are attached labels of a commodity offered for sale and not exceeding four (4) square feet.

10. Garage sale signs for a period of seventy-two (72) hours, provided in compliance with Chapter 4 of Jenks City Code.

e. In computing permitted display surface area, the lineal footage of an abutting non-arterial street shall not be combined with the lineal footage of any abutting arterial street which is included in the computation of permitted display surface area.

f. Ground signs shall be set back from the centerline of an abutting street ½ the right-of-way width designated on the major street plan or ½ of the dedicated right-of-way, whichever is greater; or 25 feet if the street is not designated on the major street plan.

g. Setback: No sign shall be erected, maintained or overhang into any street, easement, required parking stall, right of way, or any area designated in the Jenks Plan as a future street right of way except as an integral part of an approved awning, unless approval of the Jenks City Council has been obtained and a written agreement is entered into by the City of Jenks providing for removal of such sign upon notice at the sole expense of the property owner.

h. Appearance Review District. No sign shall be erected within an Appearance Review District unless and until approval by the Appearance Review Committee and Planning Commission is received.

i. Traffic Signal Clearance. No sign shall be located in such a way as to obstruct or obscure or in any manner interfere with any traffic signal light or public warning sign.

j. Obstruction of View Signs. When located in such a manner so as to prevent any motorist from obtaining a clear view of approaching vehicles for a distance of five hundred (500) feet along an expressway or any other public right of way, are prohibited. Signs are prohibited where by reason of the position, shape, color or combination thereof, the same interferes with or obstructs the view of or may be confused with an authorized traffic signal, sign or device.

k. Intersection Setback. No sign shall be located less than thirty-five (35) feet from the intersection of the pavement of two streets or from the intersection of street pavement and a railroad track.

l. Outdoor Advertising (Billboard) Sign Requirements.

1. Outdoor advertising signs shall be permitted in CS, CG, CH, IL, and
IM zoning districts only when located within 650 feet of United States Federal Highways, Federal Interstate Highways, State of Oklahoma Highways, U.S. or State Toll ways or Turnpikes. Outdoor advertising signs may be permitted in Planned Unit Developments, in accordance with Chapter 9 of this code, so long as the same is zoned CS, CG, CH, IL, or IM.

2. A minimum spacing of 1,200 lineal feet shall be required between approved billboard signs erected along the frontages of officially designated United States Federal Highways, Federal Interstate Highways, State of Oklahoma Highways, U.S. or State Toll ways or Turnpikes. The spacing requirement shall apply to either side of the roadway regardless of which side of the roadway the sign is located upon.

3. No outdoor advertising sign shall be located within one hundred fifty (150) feet of a public park. The one hundred fifty (150) feet shall be measured in a straight line from the nearest point on a sign structure to the nearest point on the property of the park.

4. Outdoor advertising signs, if visible from an R district other than street, highway or freeway right-of-way, or if visible from a designated residential development area, shall be setback from such district or area a minimum distance as follows:

   a. One hundred fifty (150) feet if the display surface area is three hundred (300) square feet or less; or

   b. Two hundred (200) feet if the display surface area is greater than three hundred (300) square feet.

   c. The setback requirement imposed by this paragraph shall be measured in a straight line from the nearest point on a sign structure to the nearest point of an R district or residential development area boundary line.

5. No portion of an outdoor advertising sign shall be located within ten (10) feet of a freeway right-of-way. The ten (10) feet shall be measured in a straight line from the nearest point on a sign structure to the nearest point of the freeway right-of-way boundary line.

6. No outdoor advertising sign shall contain more than two (2) sides, and only one (1) side shall be included in the computation of display surface area. The two (2) sides shall face in opposite directions. "Opposite" shall, in addition to its ordinary meaning, include V-shaped signs when the angle of separation of the display surfaces does not exceed thirty degrees (30°).

7. An outdoor advertising sign shall be oriented to be primarily
visible from the freeway.

8. No outdoor advertising sign shall contain flashing, blinking or traveling lights or reflective glitter.

9. Cutouts or extensions shall be permitted, in addition to the display surface area permitted in this section, so long as the cutouts or extensions do not exceed fifteen percent (15%) of the display surface area.

10. No outdoor advertising sign shall be supported by more than one (1) post or column unless required by site engineering considerations and is certified as such by a registered professional engineer.

11. Outdoor advertising signs which have animation, revolving or rotating components or movement shall be subject to the following limitations;

   a. No such sign shall be located within fifty (50) feet of the driving surface of a signalized intersection. The fifty (50) feet shall be measured in a straight line from the nearest point on a sign structure to the nearest point of the signalized intersection;

   b. No such sign shall be located within twenty (20) feet of the driving surface of a street. The twenty (20) feet shall be measured in a straight line from the nearest point on a sign structure to the nearest point of the street curb, or edge of the traveled roadway marked or understood as such; and

   c. No such sign, if visible from an R district other than street, highway or freeway right-of-way, or if visible from a designated residential development area, shall be located within two hundred (200) feet of such district or area. The two hundred (200) feet shall be measured in a straight line from the nearest point on a sign structure to the nearest point of an R district or residential development area boundary line.

12. Illumination on the face of outdoor advertising signs shall not be permitted to exceed seventy (70) foot candles measured at a two (2) foot distance.

13. Outdoor advertising signs shall maintain a minimum separation of thirty (30) feet from any roof, projecting or ground sign. The thirty (30) feet shall be measured in a straight line from the nearest point on the structure of the outdoor advertising sign to the nearest point of any roof, or the structure of any projecting sign or ground sign.

14. Any illumination shall be by constant light.

15. Outdoor Advertising Height Limitations
1. Outdoor advertising signs shall not exceed thirty five (35) feet from ground level to the base of the sign face, provided that outdoor advertising signs located along US Highway 75 and the Creek Turnpike wherein the road surface is elevated above the adjacent ground, the sign shall be allowed to locate thirty five (35) feet as measured from the elevation of the road surface to the base of the sign face.

2. Outdoor Advertising Signs allowed to an increased height above sixty (60) feet from ground level may increase sign face limitation by 75 square feet.

16. Outdoor advertising sign faces shall be limited to a maximum size of 14 feet by 48 feet and may include an addition of a 3 feet by 48 feet marquee located at the base of the sign face, unless expansion of the sign face is approved by Variance process through the Jenks Board of Adjustment or as specified in Section 1021.4.n.

17. No outdoor advertising sign shall be permitted to be located upon or constructed within a required parking space or loading berth, nor to otherwise obstruct vehicular or pedestrian access or circulation, or pose any other hazard to motor vehicle traffic exiting, entering or traveling within the site on which the sign is located.

18. A sign permitted as a business sign shall not thereafter be changed to an outdoor advertising sign without a permit for such use; nor shall a sign permitted as an outdoor advertising sign be changed to a business sign without a permit for such use.

19. Digital Outdoor advertising signs shall comply with Section 1021.4.n of the Jenks Zoning Code.

m. Flashing and beacon signs prohibited.

1. Signs that emit either flashing light or project either spot light or concentrated beam or beacon of light in any manner are prohibited.

n. The placement of LED Video/Board signs shall comply with the following criteria:

1. Streaming video and audio prohibited except during times when a special event permit has been issued for activities on or adjacent to the location of the sign through a Staff Administrative Process being appealable through the Jenks Appearance Review Process; otherwise

2. Each message must be displayed a minimum of 8 seconds

3. Change of message must be accomplished in 2 seconds
4. Change of message must occur simultaneously on entire sign

5. No flashing, dimming or brightening except to accommodate a message change

6. Signs must contain a default mechanism that freezes an image in case of malfunction.

7. Automatically adjust intensity of display based on natural ambient light conditions. No such sign shall display an illuminative brightness exceeding five hundred (500) NITs at any time between one half hour after sunset until one half hour before sunrise or 6500 NITs between one half hour before sunrise until one half hour after sunset.

8. Be able to display multicolor high quality images based on display size Multi-color display shall be able to show a minimum of 281 trillion color shades.

<table>
<thead>
<tr>
<th>Size of LED Panel</th>
<th>Maximum Pixel Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>10 s/f to 25 s/f</td>
<td>10 mm</td>
</tr>
<tr>
<td>25 s/f to 75 s/f</td>
<td>16 mm</td>
</tr>
<tr>
<td>75 s/f to 125 s/f</td>
<td>19 mm</td>
</tr>
<tr>
<td>125 s/f and greater</td>
<td>23 mm</td>
</tr>
</tbody>
</table>

9. Be turned off between the hours of 10:00 p.m. and 7:00 a.m. Monday through Friday and 2:00 a.m. and 8:00 a.m. on Saturday and Sunday when located within 300 feet of a residential lot unless approved through the Planned Unit Development Process.

10. Operators must be able to respond to a malfunction or safety issue within one hour of notification.

11. Applications shall be reviewed by the City Engineer and determined that the sign placement does not interfere with traffic control devices within 300 ft of the sign or traffic circulation upon roadways, if determination is not approved by City Engineer a report from a traffic engineer certifying that the proposed sign does not interfere with the design characteristics of the traffic circulation and traffic control devices shall be required.

12. Single color LED Boards must comply with Section 1021.4.n items 2, 3, 4, 5, 7, 9 and 10 above.

Temporary development construction signs limited.
1. Temporary development construction signs shall be allowed for the first six (6) months of use during construction. After six (6) months, the Planning Commission shall review all signage related to the construction in regards to construction activity and to the status of the project. The Planning Commission shall determine if the construction signs are unnecessary because the development is substantially complete, if the signs should remain for another six (6) months or other specified time period, or if signs are in need of repair.

2. The Planning Commission shall require the removal of signs which are no longer considered temporary construction signs, or shall require repair or maintenance of signs in need thereof.

3. An appeal to the City Council of the Planning Commission determination shall require notice by the sign owner to the City Clerk within ten (10) of the action of the Planning Commission. Request for an appeal to the City Council shall be accompanied by the payment of a twenty-five ($25.00) dollar fee.

p. Abandoned signs prohibited.

1. Except as otherwise provided in this article, any sign that is located on property which becomes vacant and is unoccupied for a period of thirty (30) days or more, or any sign which pertains to a time, event, or purpose which no longer applies, shall be deemed to have been abandoned. Permanent signs applicable to a business temporarily suspended because of a change of ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of six (6) months or more. An abandoned sign is prohibited and shall be removed by the owner of the sign or the owner of the premises. The Building Inspector, at his discretion, may fine the owner of the premises for signs which have been abandoned and not removed, and/or may remove the same and charge the cost of removal to the owner or occupant thereof.

q. Maintenance of signs required.

1. Every sign, including those specifically exempt from this code in respect to permits and permit fees, shall be maintained in good structural condition at all times. All signs shall be kept neatly painted, including all metal parts and supports thereof that are not galvanized or of rust-resistant material. The building official shall have the authority to order the painting, repair, alteration, or removal of a sign which shall constitute a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, or obsolescence.
r. Non-conforming Signs in an Appearance Review District.

1. Prior to any sign within an Appearance Review District being significantly altered or substantially replaced, which sign was non-conforming to the requirements of the signage in the Appearance Review Districts at the time of the creation of the Districts, the proposed alterations and or replacement shall be submitted to the Appearance Review Committee for approval and process.

2. All proposed alterations or replacement of signs shall be submitted to the Appearance Review Committee for its determination as to whether such proposed alteration is so significant or proposed partial replacement is so substantial to require the altered or modified signage to comply with the requirements of signage in the District. Mere maintenance or repair of the existing signage shall not be considered a significant alteration imposing compliance with Appearance Review District signage requirements.

3. The Appearance Review Committee shall establish guidelines for signage in the Appearance Review Districts, including criteria for determining if the proposed alteration or replacement of a non-conforming sign is so significant to warrant conformance with the District signage requirements. Such guidelines shall be submitted to the Jenks Planning Commission for approval.

s. Portable Signs

1. Permits for portable signs shall be allowed for a business for thirty (30) days by a one-time annual permit at a cost of $30.00, and for fourteen day periods with intervals between the use of portable signs for fourteen days, with a maximum number of 5 times or 10 weeks per year permitted at a cost of $14.00 per fourteen day permit.

2. Portable signs shall conform to all applicable regulations in this section and will be further governed by the ICC Code and in the case of conflicts between requirements of this Article and the ICC regulations, the most restrictive will apply.

3. Only banner style Portable signs are allowed within an Appearance Review District requiring Administrative Review as specified for non permit activities within the District (see chapter 16). Except for public entity related to public transportation under Section 1021.4.t.

4. Framed Marquee portable signs being arrow style or box frame, whether illuminated or not, are prohibited.
t. A-Frame signs.

1. A-Frame signs shall only be authorized within the downtown Special Theme District, Riverfront Appearance District, Riverfront Entertainment District (as defined by the Jenks Comprehensive Plan), or within a Mixed Use Planned Unit Development.

2. A-Frame signs must be located on the sidewalk and must be located in such a manner to not obstruct pedestrian passage. An unobstructed passage no less than meeting ADA requirements shall be maintained.

3. An Appearance Review Process is required for approval of any A-frame sign (see Chapter 16).

3. Permits for A-frame signs shall be for a period of one year and shall be required to be renewed annually on July 1 (fiscal year) each year. Permit fee shall be $40.00 for the fiscal year from July 1 to June 30. Fee requirements for first year shall not be reduced in consideration of issuance date.

4. A-frame signs shall be constructed sufficiently to withstand moderate winds and shall be brought indoors daily before dusk or in the event of inclement weather consisting of high winds. A maximum of one A-frame sign per business is allowable where provisions of this ordinance are met.

1021.5 Construction requirements established.

a. License. No person, firm or corporation shall engage in the business as an electrical (sign) contractor until they have secured a license and paid a fee of one hundred dollars ($100.00) per annum in advance. The same shall become due and payable on July 1st of each year. All sums of money for licenses shall be paid to the Jenks City Clerk. Each license shall state the name of the person, firm or corporation to whom it is issued, the location of his, its or their place of business, the date of issuance and be signed by the City Clerk. Upon payment of the license fee, the City Clerk shall issue to the applicant a license to be known and designated as the "Electrical (Sign) Contractor's License", and issuance of such license shall entitle the holder to carry on the business of sign contracting under the regulations and provisions of this ordinance provided bond and insurance hereafter referred to are in full force. (Amended Ord. #410, August 3, 1981).

b. An individual may erect a sign for his business without a license providing that no electrical service is necessary for the sign, the sign has been professionally constructed and that a sign permit and proper inspections are approved.

c. Identification of personnel. Employees of licensed electrical (sign) contractors shall bear identification attesting to their relationship.
d. Bond. Every electrical (sign) contractor shall execute a surety bond and deposit the same with the City Clerk, in the sum of two thousand dollars ($2,000.00) on a form approved by the City Attorney to assure all work is being performed according to the provisions of this article. No permit shall be issued for any work to be done by any sign contractor unless such bond is executed and in full force.

e. Insurance. The electrical (sign) contractor shall obtain insurance and the same shall indemnify the City of Jenks and the public in the amount of not less than twenty-five thousand dollars ($25,000.00) for bodily injury or to death of one person in any accident; in an amount of not less than fifty thousand dollars ($50,000.00) for personal injury or death of more than one person; and in an amount of not less than five thousand dollars ($5,000.00) for property damage; all arising out of work to be performed under said license. Said policy may not be canceled except on at least ten (10) days notice to the City of Jenks.

f. Electrical sign work. Electrical sign work shall be restricted to holders of electrical license issued by the City of Jenks, appropriate to the type of work to be done.

g. Building permits required. No sign shall be erected or altered without a permit issued by the Building Inspector except as otherwise provided herein. No permit required for any sign work shall be issued and no sign for which such permit is required shall be erected unless the person, partnership or corporation erecting same shall have paid the current license fees herein provided and shall have executed and delivered a bond and insurance as herein provided. The contractor or applicant shall submit on forms supplied by the Jenks Building Inspector a building permit application. Sign construction plans and a plot plan showing exact sign location shall be submitted with the building permit application. The Building Inspector may refuse to issue a building permit if, in the Building Inspector's judgment, the sign is structurally or electrically unsafe or is located in violation of the provisions of this article.

h. Inspections required. The Building Inspector shall inspect, or cause to be inspected, at various intervals, all construction work for which a permit is required. The Building Inspector, upon notification from the permit holder or his agent, shall make as may be applicable the following inspections as may be necessary and shall either approve that portion of the construction as completed or shall notify the permit holder or his agent wherein the same fails to comply with the applicable standards.

1. Foundation inspection: to occur when the signs vertical supports are set or when the sign is attached to an existing structure.

2. Electrical inspection: to occur when the electrical wiring is complete but before said wiring is concealed.
3. Final inspection: to occur when the sign is complete and ready for use.

i. Permit fees. The permit fee shall be 0.0025 of the estimated sign valuation or twenty-five dollars ($25.00) whichever is greater, except for portable signs as specified herein.

j. Re-inspection fee. A fee of ten dollars ($10.00) shall be charged for each extra trip of the Building Inspector caused by faulty work or work not completed and ready for inspection at the time such inspection is scheduled.

k. Payment of permit and inspection fees. The applicant shall pay all required fees at the time a permit is issued or at the time an inspection is scheduled, whichever is applicable.

l. The sign permit fee provided for herein may be waived by the City Manager or his designee if the applicant for the sign permit is a non-profit civic, charitable, educational or religious organization and the sign is to be temporary in nature for a specific event. The applicant will still need to file a permit application and meet the other requirements on signs provided for herein. The applicant shall request the waiver at the time of filing the permit application. In the event the fee waiver is denied, the applicant may Building, Plumbing and Electrical Installations appeal the denial to the Jenks City Council by filing a written notice of appeal with the Jenks City Clerk within ten (10) days of notice of denial of the permit fee waiver.

1021.6 Enforcement and penalties.

a. Fine imposed. Any person, firm, or corporation or other legal entity violating the requirements of this article shall be guilty of an offense, and upon conviction thereof shall be fined no more than one hundred dollars ($100.00) plus court costs, and each day's violation thereof shall constitute a separate offense thereof.

b. Fine not exclusive remedy. In addition to the fine, the City of Jenks may institute appropriate actions or proceedings at law or equity for the enforcement of the provisions of this article or to correct the violations thereof. The conviction or punishment of any person hereunder shall not relieve such person from responsibility to correct prohibited conditions or to remove prohibited signs nor prevent the enforcement, correction or removal thereof.

1021.7 AG District Use Conditions

a. One identification sign may be erected on each street frontage of a permitted non-residential use. The sign shall not exceed 32 square feet in surface area, nor 15 feet in height, and illumination, if any, shall be by constant light.
1021.8 CS District Use Conditions

a. A ground sign shall not exceed 30 feet in height, measured from the mean curb level of the lot upon which it is erected, unless in addition to the minimum setback prescribed in subsection 1021.4 (f) the sign is setback one foot for each foot of height exceeding 30 feet provided the sign shall not exceed 50 feet regardless of setback. Within 100 feet of the right-of-way of an abutting elevated street, a ground sign may be erected to a height of 15 feet above the elevation of the street if the sign is designed to be viewed primarily from the elevated street and the sign height does not exceed 60 feet.

b. A roof sign shall be prohibited unless established as an integral part of the construction of a building and included within a Planned Unit Development.

c. A projecting sign shall not extend more than 1 foot above the roof level of the structure to which it is affixed.

d. A lot located in a CS district may utilize for business signs and outdoor advertising.

   1. An aggregate display area for wall or canopy signs of three square feet per each lineal foot of the building wall to which the sign or signs are affixed.

   2. In addition to the wall or canopy signs permitted in (1) above, a lot containing one business establishment may utilize for business signs an aggregate display surface area of projecting or ground signs as follows:

      a. If not more than one projecting or ground sign is erected, two square feet of display surface area per each lineal foot of street frontage.

      b. If more than one projecting or ground sign is erected, one square foot of display surface area per each lineal foot of street frontage.

   3. In addition to the wall or canopy signs permitted in (1) above, a lot containing more than one business establishment may erect projecting or ground signs as follows:

      a. One sign for each street frontage identifying the commercial complex and individual tenants therein, not exceeding in aggregate display surface area one square foot per each lineal foot of street frontage.

      b. In addition to the sign or signs permitted in (a) above:

         1. One sign for each tenant may be erected not exceeding 1 square foot of display surface area per each lineal foot of
frontage building wall of the tenancy or 60 square feet, whichever is greater.

2. If more than one sign is erected for a single tenant, the aggregate display surface area shall not exceed 1 square foot per each lineal foot of front building.

1021.9 CG, CH and IL District Use Conditions

a. For business signs a lot may utilize an aggregate display surface area as follows:

1. If one or more than one projecting or ground sign is erected, 2 square feet of display surface area per each lineal foot of street frontage for the aggregate display of the signs.

2. Within the CG and CH Zoning District for commercial uses an aggregate display area for wall or canopy signs of three square feet per each lineal foot of the building wall to which the sign or signs are affixed is permitted.

3. Within the IL Zoning District for industrial uses an aggregate display area for wall or canopy signs of two square feet per each lineal foot of the building wall to which the sign or signs are affixed is permitted provided that a limitation of 100 square feet shall apply.

4. In addition to the wall or canopy signs permitted in (2) above, a lot containing more than one business establishment may erect projecting or ground signs as follows:

   a. One sign for each street frontage identifying the commercial complex and individual tenants therein, not exceeding in aggregate display surface area one square foot per each lineal foot of street frontage.

   b. In addition to the sign or signs permitted in (a) above:

      1. One sign for each tenant may be erected not exceeding 1 square foot of display surface area per each lineal foot of frontage building wall of the tenancy or 60 square feet, whichever is greater.

      2. If more than one sign is erected for a single tenant, the aggregate display surface area shall not exceed 1 square foot per each lineal foot of front building.
1021.10 IM Districts Use Conditions

Within IM Districts, display surface area limitations of 100 sq. ft. shall apply.

1021.11 Off-Street Parking and Loading Requirements

Not applicable.

SECTION 1022 USE UNIT 22 WAREHOUSING AND WHOLESALING

1022.1 Description

Warehousing, wholesaling, and trucking often located adjacent to the central business district, in industrial parks served by rail and highway transportation, and port areas.

1022.2 Included Uses

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

1022.3 Use Conditions

The uses included in Use Unit 22, when located on a lot which is abutting the boundary of an R district, shall be screened from the abutting R district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R district (See Section 250.1).

1022.4 Off-Street Parking and Loading Requirements

<table>
<thead>
<tr>
<th>All uses</th>
<th>Parking Spaces</th>
<th>Loading Berths</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 per 500 sq. ft. of floor area</td>
<td>1 per 5,000-25,000 sq. ft. plus 1 per each additional 25,000 sq. ft. of floor area</td>
</tr>
</tbody>
</table>

SECTION 1023 USE UNIT 23 MINING AND MINERAL PROCESSING

1023.1 Description

Extractive operations, certain mineral processing operations, and manufacturing operations which directly utilize minerals at or near the source.

1023.2 Included Uses

Drilling, mining, quarrying, drilling of oil and gas wells; mining, quarrying or extraction of coal, ores, stone, sand, or gravel; processing of mineral products such as crushing, washing, and grading of coal, ore, stone, sand, or gravel; manufacture of Portland
cement, concrete or asphaltic concrete, at the source of supply of crushed rock, sand, or gravel, for utilization off the premises. Oil well drilling and cleaning contracting service.

1023.3 Use Conditions

The City Council, in granting a mining and mineral processing use by Specific Use Permit, shall consider potential environmental influences, such as dust and vibration, and shall establish in the particular instance appropriate protective conditions, such as setbacks, screening, and method of operation as will mitigate the adverse effect on approximate land uses.

1023.4 Off-Street Parking and Loading Requirements

<table>
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<th></th>
<th>Parking Spaces</th>
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<tr>
<td>All uses</td>
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</tr>
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</table>

1023.5 Drilling Operations for Oil and Gas

Drilling operations for oil and gas require a Specific Use Permit and additional permits as required under Article 7, Chapter 5-7-1 through 5-7-26 of the Jenks City Code.

SECTION 1024 USE UNIT 24 LIGHT MANUFACTURING AND INDUSTRIAL RESEARCH DEVELOPMENT

1024.1 Description

Light manufacturing and industrial uses having slight or no objectionable environmental influences by reason of the emission of odor, heat, smoke, noise, or vibration; and facilities for scientific research, development, and testing, which are customarily located on large, landscaped sites and the operation of which does not produce objectionable environmental effects.

1024.2 Included Uses

Enclosed scientific research, testing, and development, bottling plant, building contract construction service and storage, contractors equipment storage yard; (such as plumbing, heat and air, electrical, cesspool cleaning, concrete construction service, grain elevators, heavy construction contracting service, masonry, oil well drilling and cleaning, roofing, sheet metal, stone work, water well drilling and cleaning, and welding shop); any light industrial or manufacturing use is permitted except the following: aluminum, brass, copper, iron or steel foundry of works, acetylene gas manufacture in excess of 15 pounds pressure per square inch, ammonia bleaching powder, or chlorine manufacture, asphalt manufacture or refining, auto salvage yards, blast furnace, except as a minor and incidental part of another permitted industrial use, boiler works or forge works, brick, tile, or terra cotta manufacture, celluloid manufacture, coke manufacture, creosote
manufacture or treatment, disinfectant or insecticide manufacture, creosote manufacture or treatment, distillation of bones, coal, tar, or wood, dyestuff manufacture, fat rendering, fertilizer manufacture (organic), gas (heating or illuminating) manufacture or storage, except where such gas is to be entirely consumed on the same premises, glue, gelatin, or size manufacture, incineration or reduction of dead animals, garbage, offal or refuse other than that accumulated and consumed within the order on the same premises, lamp black manufacture, oilcloth or linoleum manufacture, pickle, sausage, sauerkraut, or vinegar manufacture, paint, oil, varnish, or turpentine manufacture, paper or pulp manufacturing by sulphide processes emitting noxious gases or odors, printing ink manufacture, rayon or cellophane manufacture, refining of petroleum or other crude materials, rolling mill; rubber manufacture from crude materials, shoddy manufacture, soda ash, caustic soda and washing compound and manufacture, slaughtering of animals, exclusive of poultry and rabbit killing, smelting, soap manufacture, starch, glucose, dextrin manufacture, stock yards, storage of dismantled automobiles or any form of junk, sugar refining, acid manufacture for wholesale, tallow, grease, or lard manufacture or refining, tanning or curing of leather, raw hides or skins or storage of raw hides or skins, tar distillation or manufacture, tar roofing or tar water proofing manufacture, wool scouring, hair manufacture, yeast manufacture for wholesale, trades, industries, or uses having moderately objectionable environmental influences by reason of the emission of odor, heat, smoke, noise or vibration.

1024.3 Use Conditions

a. Enclosed scientific research, testing, and development facilities included in the Use Unit 24, when located in an IL district, shall be conducted within enclosed buildings.

b. All other uses included in Use Unit 24, which are located within 300 feet of an R district, shall be conducted within enclosed buildings.

c. The uses included in Use Unit 24, when located on a lot which is abutting an R district, shall be screened from the abutting R district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R district (See Section 250.1).

1024.4 Off-Street Parking and Loading Requirements

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<tr>
<th></th>
<th>Parking Spaces</th>
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<tr>
<td>Research and Dev. facilities</td>
<td>1 per 500 sq. ft. of floor area</td>
<td>1 per 5,000-25,000 sq. ft. plus 1 per 40,000-100,000 sq. ft., plus 1 per each additional 100,000 sq. ft. of floor area</td>
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</table>
SECTION 1025 USE UNIT 25 MODERATE MANUFACTURING AND INDUSTRY

1025.1 Description

Manufacturing and industrial uses having moderately objectionable environmental influences by reason of the emission of odor, heat, smoke, noise, or vibration.

1025.2 Included Uses

All industrial and manufacturing uses except the following: cement, lime, gypsum, plaster of paris, or asphalt manufacturing; chloride or hydrochloric, nitric, picric, sulphurous, sulphuric acid, or ammonia manufacture; distillation of bones, explosive manufacture or storage; fat rendering; fertilizer manufacture from mineral or organic materials; garbage, offal, or dead animal reduction or dumping; glue manufacture, petroleum refining; refuse dump; slaughter of animals; smelting, stockyards; and trades, industries, or uses that have heavily objectionable environmental influences by reason of the emission of odor, heat, smoke, noise, or vibration.

1025.3 Use Conditions

a. The uses included in Use Unit 25, which are located within 300 feet of an R district, shall be conducted within enclosed buildings.

b. The uses included in Use Unit 25, when located on a lot which is abutting an R district, shall be screened from the adjacent R district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R district.

1025.4 Off-Street Parking and Loading Requirements

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<tbody>
<tr>
<td>All Other Uses</td>
<td>1 per 800 sq. ft. of floor area</td>
<td>1 per 2,000-4,000 sq. ft. plus 1 per 40,000-100,000 sq. ft. plus 1 per each additional 100,000 sq. ft. of floor area</td>
</tr>
</tbody>
</table>
SECTION 1026 USE UNIT 26 HEAVY MANUFACTURING AND INDUSTRY

1026.1 Description

Manufacturing and industrial uses having substantial objectionable environmental influences by reason of the emission of odor, heat, smoke, noise, or vibration.

1026.2 Included Uses

Manufacturing or industrial uses not elsewhere classified.

1026.3 Use Conditions

None.

1026.4 Off-Street Parking Loading Requirements

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<tr>
<td>All Uses</td>
<td>1 per 800 sq. ft. of floor area</td>
<td>1 per 2,000-4,000 sq. ft. plus 1 per 40,000-100,000 sq. ft., plus 1 per each additional 100,000 sq. ft. of floor area</td>
</tr>
</tbody>
</table>

SECTION 1027 USE UNIT 27 TATTOO AND MASSAGE PARLORS

1027.1 Tattoo Parlors

1. Definitions.

a. "Tattooing" means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment; provided, that medical micropigmentation, performed pursuant to the provisions of the Oklahoma Medical Micropigmentation Regulation Act, shall not be construed to be tattooing.

b. "Tattoo operator" means any person who owns, controls, operates, conducts, or manages any permanent tattooing establishment whether performing the work of tattooing or not, or a temporary location that is a fixed location at which an individual tattoo operator performs tattooing for a specified period of not more than seven (7) days in conjunction with a single event or celebration, where the primary function of the event or celebration is tattooing.
c. "Tattoo parlor" means a facility properly licensed by the State of Oklahoma and the City of Jenks where the act of tattooing and/or body piercing takes place.

d. Body Piercing means a procedure in which an opening is created in a human body solely for the purpose of inserting jewelry or other decoration; provided, however, this does not include ear piercing.

e. "Artist" means a person who actually performs the body piercing or tattooing procedure.

f. "Apprentice" means the person who is training under the supervision of a licensed tattoo artist. That person cannot independently perform the work of tattooing. Apprentice also means any person who is training under the supervision of a licensed body artist. That person cannot independently perform the work of body piercing.

1027.2 Tattoo Parlor Use Conditions

1. Licensing.
   a. It shall be unlawful and an offense for any person to operate a tattoo parlor or body piercing establishment without having first obtained a current license to do so, as provided by Chapter 5 Article 15 of the Jenks City Code.

2. Application, fees, and annual license fees.
   a. The operator of the tattoo or body piercing establishment seeking to obtain a license for commercial property shall submit a written application to the Finance Department in compliance with the City Code of the City of Jenks Chapter 5 Article 15.

   b. Tattoo Parlor establishment licensing requirements must be satisfied prior to issuance of an occupancy certificate for any structure for said use.

3. Existing operations.
   a. The provisions as outlined shall be applicable to all persons and businesses described herein as identified from the date of the adoption of this code. Any business Tattoo parlor legally established prior to this code and not located within a CG (General Commercial) Zoning District may continue said business or operation in compliance with Chapter 12 Pre-Existing Nonconforming Uses of the Jenks Zoning Code all in regards to the location of said business. Licensing requirements for Pre-Existing
businesses is addressed within the City Code of the City of Jenks Chapter 5 Article 15.

2. **State license required for permit.**
   a. All applicants for the annual body piercing or tattoo parlor permit shall be required to show proof of their license with the Oklahoma Department of Health.
   b. All applicants for the annual body piercing or tattoo artist permit shall be required to show proof of their license with the Oklahoma Department of Health.

3. **Pre-existing Tattoo Parlor Establishments**
   a. Any person operating a body piercing or tattoo parlor, which was open, operating and permitted prior to the enactment of this article, shall be allowed to continue said operation of the facility in compliance with the Pre-Existing Nonconforming Sections of the Jenks Zoning Code, however said business shall be subject to State and Local Licensing requirements.

5. **Operation contrary to provisions.**
   a. Any tattoo parlor establishment operated, conducted, or maintained contrary to the provisions of this article shall be and the same is hereby declared to be unlawful and a public nuisance. At the discretion of the city council, the city attorney, in addition to all other remedies set forth hereunder, may commence an action or actions for the abatement, removal and enjoinder thereof, in the manner provided by law to such court or courts as may have jurisdiction to grant such relief.

1027.3 **Massage Parlors**

1. **Definitions.** As used in this article, the following words and phrases shall have the meanings ascribed hereto:
   a. Massage establishment means any place of business where any person regularly engages in, conducts, carries on, or permits to be conducted any business of the manipulation of the body by means of massage, as defined, either on or off the premises.
   b. Operator means any person owning or operating a massage establishment, including but not limited to the manager or person in charge of a corporate business, which operates a massage establishment.
c. Out-call service means a service where massage as defined is conducted offsite of the street address of the operator's business.

2. Exceptions. The following classes of persons and establishments are exempted from this article:

a. "Physicians" as that term is defined in Title 59 Section 725.2 of the Oklahoma Statutes and physical therapists, licensed in the State of Oklahoma. Provided that employees or contractors of licensed "physicians" may, by written contract, provide an out-call service in the private residences of their patients, and such massages at the patient's home are also exempt.

b. Registered nurses and licensed practical nurses that are licensed in the State of Oklahoma, performing such services in their usual nursing duties.

c. Beauticians and barbers duly licensed under the laws of this state in the course of practice of their usual and ordinary vocation and profession, as defined by the laws of this state; except that this exemption shall apply solely to the massaging of the neck, face, scalp, hands or feet of a patron for cosmetic purposes.

d. Massage practices at the athletic department of any state-accredited school, college, university, seminary, or in connection with the conduct of athletics.

e. Hospitals, clinics, nursing and convalescent homes and other similar institutions dedicated to medical or nursing practices, licensed under the laws of this state, where massage and baths may be given to their patients. Employees and contractors of the respective institutions shall be exempt from this article while in the normal course of their employment within the institution.

f. Massage practiced by students in a state certified institution of learning established for such instruction.

g. Massage of the head, neck, hands, wrists, ankles, or feet only of an otherwise clothed person. Provided that furniture such as a couch or chair that contains vibratory equipment may also be used by the massage recipient contemporaneously with the massage of the named extremities.

1027.4 Massage Parlors Use Conditions

1. Licensing.

a. It shall be unlawful and an offense for any person to operate a massage establishment or out-call service without having first obtained a current
license to do so, as provided by Chapter 5 Article 14 of the Jenks City Code.

2. Application, fees, and annual license fees.

a. The operator of the massage establishment seeking to obtain a license for commercial property shall submit a written application to the Finance Department in compliance with the City Code of the City of Jenks Chapter 5 Article 14.

b. Massage Establishment licensing requirements must be satisfied prior to issuance of an occupancy certificate for any structure for said use.

3. Existing operations.

a. The provisions as outlined shall be applicable to all persons and businesses described herein as identified from the date of the adoption of this code. Any business massage parlor legally established prior to this code and not located within a CG (General Commercial) Zoning District may continue said business or operation in compliance with Chapter 12 Pre-Existing Nonconforming Uses of the Jenks Zoning Code all in regards to the location of said business. Licensing requirements for Pre-Existing businesses is addressed within the City Code of the City of Jenks Chapter 5 Article 14.

4. Operation contrary to provisions.

a. Any massage establishment operated, conducted, or maintained contrary to the provisions of this article shall be and the same is hereby declared to be unlawful and a public nuisance. At the discretion of the city council, the city attorney, in addition to all other remedies set forth hereunder, may commence an action or actions for the abatement, removal and enjoinment thereof, in the manner provided by law to such court or courts as may have jurisdiction to grant such relief.

1027.5 Off-Street Parking and Loading Requirements

<table>
<thead>
<tr>
<th></th>
<th>Parking Spaces</th>
<th>Loading Berths</th>
</tr>
</thead>
<tbody>
<tr>
<td>All uses</td>
<td>1 per 200 sq. ft. of floor area</td>
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</table>
SECTION 1028 USE UNIT 28 SEXUALLY ORIENTED BUSINESS

1028.1 Description/Definitions

1. As used in this section, the terms sexual conduct and specified anatomical areas shall mean as follows:

Sexual Conduct includes the following:

a. The fondling or other touching of human genitals, pubic region, buttocks, or female breasts;

b. Ultimate sex acts, actual or simulated, including intercourse, oral copulation, or sodomy;

c. Masturbation; and

d. Excretory functions as part of or in connection with any of the activities set forth in (a) through (c) above.

Specified Anatomical Areas includes the following:

a. Human genitals, pubic region, buttocks, and female breasts below a point immediately above the top of the areola;

b. Human male genitals in a discernible turgid state, even if completely and opaquely covered.

1028.2 Included Uses

1. For purposes of this ordinance, the sexually-oriented businesses are defined as follows:

a. Adult Amusement or Entertainment: Amusement or entertainment which is distinguished or characterized by an emphasis on acts or material depicting, describing or relating to Sexual Conduct or Specified Anatomical Areas, as defined herein, including but not limited to topless or bottomless dancers, exotic dancers, strippers, male or female impersonators or similar entertainment.

b. Adult Bookstore: An establishment wherein 10% or more of its display area consists of books, films, videos, magazines, periodicals, games, novelties or other materials which are distinguished or characterized by an emphasis on depicting or describing Sexual Conduct or Specified Anatomical Areas (hereinafter referred to as "sexually oriented materials").
1. Display Area as used herein shall be measured as follows: For bookshelves, magazine racks and similar display devices, display area shall be calculated by multiplying the length times the width of such devices. If sexually oriented materials are mixed with non-sexually oriented materials in or on such devices, the entire device shall be considered as consisting of sexually oriented materials.

2. For table tops, counters, display cases and similar display devices, display area shall be calculated by multiplying the length times the width of each surface on which merchandise is displayed. If sexually oriented materials are mixed with non-sexually oriented materials on such surfaces, the entire surface shall be considered as consisting of sexually oriented materials.

3. For walls, display area shall be the area of the wall enclosed by the smallest imaginary rectangle which contains each item.

4. The display area of merchandise hanging or suspended from the ceiling shall be calculated by multiplying the item's length or width, whichever is longer, times the item's height.

c. Adult Mini Motion Picture Theater: An enclosed building with a capacity of less than 50 persons used for presenting material distinguished or characterized by an emphasis on depicting or describing Sexual Conduct or Specified Anatomical Areas.

d. Adult Motion Picture Arcade: Any place to which the public is permitted or invited wherein coin or slug-operated, electrically or mechanically controlled, still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing Sexual Conduct or Specified Anatomical Areas.

e. Adult Motion Picture Theater or Adult Drive in Theater: An enclosed building or outdoor drive in facility with a capacity of 50 or more persons used for presenting material distinguished by the motion picture rating system as XXX with an emphasis on depicting or describing Sexual Conduct or Specified Anatomical Areas.

f. Sexual Encounter Center: Any building or structure which contains, or is used for commercial entertainment where the patron directly or indirectly is charged a fee to engage in personal contact with or to allow personal contact by, employees, devices or equipment or by personnel provided by the establishment which appeals to the prurient interest of the patron.
Use Conditions

a. Prohibition. No person shall exercise supervisory control, manage, operate, cause the establishment or permit the establishment of any of the sexually-oriented businesses as defined in Subsection 650, except by special exception process in an area zoned CG only. In addition, no person shall exercise supervisory control, manage, operate, cause the establishment or permit the establishment of any of the sexually-oriented businesses, as defined in Subsection 650, within:

1. The Jenks Riverfront Entertainment District and Riverfront Appearance Review District as defined by the Jenks Comprehensive Plan; and

2. 1,000 feet from any other sexually-oriented business. The 1,000 feet shall be measured in a straight line from the nearest point of the wall of the portion of the building in which a sexually-oriented business is conducted, to the nearest point of the wall of the portion of the building in which another sexually-oriented business is conducted; and

3. 1000 feet from a church. Church as used herein shall mean all contiguous property owned or leased by a church upon which is located the principal church building or structure, irrespective of any interior lot lines; the 1000 feet shall be measured in a straight line from the nearest point of the wall of the portion of the building in which a sexually-oriented business is conducted to the nearest point of the church; provided, however, for a church use located in a building principally used for commercial or office purposes (as in a shopping center), the 1000 feet shall be measured to the nearest building wall of the portion of the building used for church purposes; and

4. 1000 feet from a school of the type which offers a compulsory education curriculum; school as used herein shall mean all contiguous property owned or leased by a school upon which is located the principal school building(s) irrespective of any interior lot lines; the 1000 feet shall be measured in a straight line from the nearest point of the wall of the portion of the building in which a sexually-oriented business is conducted to the nearest point of the school; and

5. 1000 feet from a public park or private park. The 1000 feet shall be measured in a straight line from the nearest point of the wall of the portion of the building in which a sexually-oriented business is conducted to the nearest point on the property of the park; and
6. 1000 feet from areas zoned residential. The 1000 feet shall be measured in a straight line from the nearest point of the wall of the portion of the building in which a sexually-oriented business is conducted, to the nearest point on a Residential Zoning District boundary line (not including residentially zoned expressway right-of-way); and

7. 1000 feet from a Child Care Center as defined by Chapter 16 of the Jenks Zoning Code. The 1000 feet shall be measured in a straight line from the nearest point of the wall of the portion of the building in which a sexually-oriented business is conducted to the nearest point of the Child Care Center.

b. Operation contrary to provisions.

1. Any sexually-oriented business operated, conducted, or maintained contrary to the provisions of this article shall be and the same is hereby declared to be unlawful and a public nuisance. At the discretion of the city council, the city attorney, in addition to all other remedies set forth hereunder, may commence an action or actions for the abatement, removal and enjoinder thereof, in the manner provided by law to such court or courts as may have jurisdiction to grant such relief.

Note: The establishment of a sexually-oriented business shall include the opening of such business as a new business, the relocation of such business, the enlargement of such business in either scope or area, or the conversion of an existing business location to any of the uses described.

1028.4 Special Exception Required.

a. The Board of Adjustment shall hold a public hearing in compliance with Chapter 13 of the Jenks Zoning Code, and upon the concurring vote of three members, may grant the Special Exception after finding that the Special Exception will be in harmony with the spirit and intent of the code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. Provided that the Board in granting a Special Exception shall prescribe appropriate conditions and safeguards, and may require such evidence and guarantee or bonds as it may deem necessary to enforce compliance with the conditions attached.

b. The designation of a Special Exception Process as possible within a Zoning District does not constitute an authorization or an assurance that such use will be permitted. Rather, each Special Exception application shall be valued as to its probable effect on the adjacent property and community welfare and may be approved or denied as the findings indicate appropriate.
### 1028.5 Off-Street Parking and Loading Requirements

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<th>Parking Spaces</th>
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<td>1 per 200 sq. ft. of floor area</td>
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<td>Glue, Gelatin, or Size Manufacturing</td>
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<td>Go-Cart Track</td>
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<td>Home Furnishing Store</td>
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<td>Incineration, Reduction of Dead Animals, Garbage, Refuse</td>
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<td>Industry:</td>
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<td>Light</td>
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<td>Insecticide Manufacturing</td>
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<td>Interior Decorating</td>
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<td>Junk Yard</td>
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</tbody>
</table>
Juvenile Delinquency Center

(K)

Kennel

(L)

Laboratory, Medical and Dental
Lamp Black Manufacturing
Language School
Laundromat, Self-Service
Laundry, Industrial
Laundry, Pick-up
Laundry Service
Leather Goods Store
Library
Lime, Cement, Plaster of Paris Manufacturing
Linen Supply
Linoleum Manufacturing
Liquor Store
Loan Office
Locksmith
Lodge
Luggage Store
Lumber Yard

(M)

Machine Shop
Manufacturing:
Light
Moderate
Heavy
Marina
Masonry Construction Service
Massage Parlor
Match Manufacturing
Mattress and Pillow Repair
Mausoleum
Meat Market
Medical Clinic, Lab
Medical, Dental Supply
Metal Foundry
Mineral Products Processing
Miniature Auto Track
Mining
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<td>Monument Sales</td>
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<td>Motion Picture Theater, Enclosed</td>
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<td>Motorcycle Sales</td>
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<td>Moving &amp; Storage Facility</td>
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<td>Museum</td>
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<td>Musical Instrument Sales</td>
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<td>Newspaper Publishing</td>
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<td>Nursery Horticultural</td>
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<td>Nut Store</td>
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<td>Office Machine Sales</td>
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<td>Office and Studio</td>
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<td>Off-Street Parking</td>
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<tr>
<td>Oil and Gas Well Drilling</td>
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<td>Oil Cloth or Linoleum Manufacturing</td>
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<td>Oil Products</td>
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<td>Oil Refinery</td>
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<td>Oil Well Drilling and Cleaning</td>
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<td>Optician or Optical Lab</td>
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<td>Other Schools, with compulsory education curriculum</td>
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<tr>
<td>Other Trades and Services</td>
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<td>Outdoor Advertising</td>
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<tr>
<td>Overnight Campground-Recreational Vehicles</td>
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Paint, Oil, Varnish, Turpentine Manufacturing ------------------------------------- 25
Paper Hanging ------------------------------------------------------------------------ 15
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Photo Finishing -------------------------------------------------------------------- 14
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Photography Supply Store ----------------------------------------------------------- 14
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Picture Framing -------------------------------------------------------------------- 14
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Plastic Materials Sale ------------------------------------------------------------- 15
Plumbing Construction Service ---------------------------------------------------- 15
Plumbing Fixtures Sales ----------------------------------------------------------- 14
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Poultry Raising --------------------------------------------------------------------- 3
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Printing Ink Manufacturing -------------------------------------------------------- 25
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Protection and Services ----------------------------------------------------------- 4
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Public Park -------------------------------------------------------------------------- 5
Public Schools ---------------------------------------------------------------------- 2

(Q)

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(R)

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<td>Rayon or Cellophane</td>
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<td>Record Shop</td>
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<td>Recreation, Indoor Commercial</td>
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<td>Recreational Vehicle Park</td>
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<td>Recycling Center</td>
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<td>Reducing Salon</td>
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<td>Refining, Petroleum &amp; Other Crude Materials</td>
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<td>Refuse Dump</td>
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<td>Rendering Plant</td>
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<td>Reproduction Service</td>
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<td>Duplex</td>
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<td>Salvage Yards of all types</td>
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</table>
Beauty
Business
Dance
Drama
Fine Arts
Languages
Modeling
Music
Public
Trade
Other Schools, offering a compulsory education curriculum
Scientific Research, Testing, Development
Self-Service Laundromat
Services and Protection
Service Station
Sewage Disposal Facility
Sexual Related Business
Sheet Metal Contracting Service
Shelter, Civil Defense, Storm
Shoddy Manufacturing
Shoe Repair
Shoe Store
Shopping Goods and Services
Sign Advertising
Sign Painting
Single-Family Dwelling
Skating Rink, Enclosed
Slaughtering of Animals NEC
Slot Car Track
Smelting
Soap Manufacturing
Soda Ash, Caustic Soda & Washing Compound Manufacturing
Sorority House
Souvenir Shop
Sporting Goods Store
Stable
Stadium NEC
Starch, Glucose, Dextrine Manufacturing
Stationery Store and Card Shop
Stock Yards
Stonework Contracting Service
Storage, General
Storage of Dismantled Autos in any Form
Street Sign
Studio and Office
Sugar Refining
Swimming Pool, Enclosed
Tailor Shop
Tallow, Grease, Lard Manufacturing or Refining
Tank Farm, Petroleum
Tanning of Leather or Hides
Tar Distillation or Manufacturing
Tar Roofing Manufacturing
Tattoo Parlor
Tavern
Taxidermist
Television Repair
Television Sales
Tennis Court
Tent Revival
Theater, Motion Picture, Enclosed
Thoroughfare
Ticket Office
Tile Setting Office
Tobacco Shop
Townhouse
Toy Shop
Trade Schools
 Trades Emitting Objectionable Odor, Heat, Smoke, Noise
Transmitting Tower
Transportation Ticket Office
Travel Agency
Truck Rentals
Truck Sales
Trucking Establishments
Turpentine Manufacturing
University
Upholstery Repair
Utility Line
Variety Stores
Varnish Manufacturing
Vehicle Repair and Service
Vending Machine Sales, Service
Veterinary Office
Veterinary Hospital (large animals)----------------------------------------------- 3, 15
Veterinary Hospital (small animals) ---------------------------------------------- 15
Vinegar Manufacturing ------------------------------------------------------------- 25

(W)

Wall Paper Store --------------------------------------------------------------------- 14
Warehouses NEC ---------------------------------------------------------------------- 22
Washing Compound Manufacturing ---------------------------------------------------- 25
Waste Paper Salvage and Reclamation ----------------------------------------------- 25
Watch Repair ------------------------------------------------------------------------ 14
Water Storage Facility --------------------------------------------------------------- 2
Water Treatment Plant --------------------------------------------------------------- 2
Water Well Drilling and Cleaning Service -------------------------------------------- 24
Welding Shop ------------------------------------------------------------------------ 24
Wholesale Establishments NEC -------------------------------------------------------- 22
Wig Shop ------------------------------------------------------------------------- 14
Window Cleaning---------------------------------------------------------------------- 15
Wild Life Preserve------------------------------------------------------------------ 1
Woodworking Shop-------------------------------------------------------------------- 15
Wool Scouring, Hair Manufacturing -------------------------------------------------- 25

(Y)

Yeast Manufacturing --------------------------------------------------------------- 25
USES ALLOWABLE IN THE CH ZONE

Use Unit 1  open land uses such as:

arboretum cultivation planting
public uses such as:
  fire alarm
  historical marker
  street sign
  thoroughfare

Use Unit 2  airport
  heliport
  bus station
  cemetery
  convict pre-release center
  crematory
  governmental services juvenile
delinquency center detention
center juvenile-adult hydro-
electric generation plant
  mausoleum
  post office rifle
  and skeet gun
  club sanitary
  landfill
  sewage disposal facility
  halfway house
  commercial theme parks
  refuse transfer station
  recycling center
  golf course
  golf driving range
  kennel
  mini-storage
  water storage facility
  fire protection facility
  fire station
  transmitting tower (excluding amateur radio towers)
  churches
  college or university
  hospital
  library nursing home
  convalescent home
  recreational vehicle park
  public schools
trade schools
other schools, with compulsory education curriculum
museum
offices—use unit 11 (minimum acreage requirement-40 acres)
industrial uses—use unit 24, 25, and 26 (minimum acreage requirement-40 acres)
Use Unit 20 (Recreational Facilities)
Use Unit 23 (mining and mineral processing)
bed and breakfast
cultural or heritage centers
public or private attractions
commercial resort
facilities – minimum acreage of 40 acres apply

Use Unit 4  ambulance service
shelter (civil defense or storm).
horticultural nursery
temporary open air facilities such as:
carnival
christmas tree sales
circus
tent revival

Use Unit 5  aquarium
art gallery (not operated for profit)
children’s nursery
community center
convent
cultural facility NEC
foster home
marina
monastery
novitiate
planetarium
private club or lodge (the chief activity which is a service and is not operated as a business or for profit, and which hold and maintain an income tax exempt status)
public park

Use Unit 8  Fraternity or sorority houses
Multifamily dwelling
rooming/boarding house
townhouse

Use Unit 10 off-street parking areas
Use Unit 11
abstract company
advertising agency
artist’s studio
broadcasting or recording studio
computing service
copying service
data processing service
drafting service
dental clinic and laboratory
employment agency
financial institution ( other than pawn shop )
funeral home
medical and dental offices
clinics and laboratories
general business offices ( excluding on premise sale )
optician or optical laboratories
photography studio
prescription pharmacy
studio or school for teaching ballet, dance, drama, fine arts, music, language, business or modeling
transportation ticket office
travel agency
veterinary office ( excluding boarding service )
genral office

Use Unit 12
eating places such as:
cafeterias
coffee shop
delicatessen and restaurant

Use Unit 13
retail trade establishment such as:
drug store
florist
bakery
candy and confection and/or nut store
dairy store
food specialty store
grocery
health food store
ice cream store
gift, novelty and souvenir shop
liquor store
newsstand
tobacco shop and service establishments such as:
dry cleaning and pickup
barber shop
beauty shop and laundry and pickup
Use Unit 14 retail trade establishments such as:
commercial art gallery
antique shop
artist supply store
automotive parts and accessories store
bicycle shop
book store
business and office machine sales establishment
camera and photographic supply store
clothing and accessories store
cosmetic shop
department store
dressmaking store
dry goods store
fur storage
furriers
garden supply store
hardware store
hobby shop
home furnishing store (selling appliances, china,
glassware, metalware, draperies, curtains, upholstery,
floor coverings and furniture
jewelry store
leather goods and luggage store
medical, dental and orthopedic appliance and supply store
musical instrument and supply store
office furnishing establishment
office supplies store
paint store
pet shop
phonograph and record shop
radio and TV sales
reducing salon
shoe repair shop
shoe store
sporting goods store
stationery shop
tailor shop
toy shop
variety shop
wall paper store
wig shop and retail business establishments, such as:
building materials
electrical supply and plumbing fixtures, and
service establishments, such as:
caterer
costume rental service
dry cleaning (limited to 7,000 sq. ft. of floor area)
gunsmith
household appliance repair
interior decorating
self-service laundromat (coin operated)
lock smith
photofinishing
picture framing
radio and television repair and watch and jewelry repair

Use Unit 15 Trade establishment including incidental fabricating
processing
installation and repair
air conditioning and heating
bait shops
wholesale bakery
bottled gas
carpeting
decorating
fence
general merchandising establishment NEC
glass
greenhouse
heating equipment
ice plant
lumber yard
monument (excluding shaping)
pawn shop
plastic materials
plumbing shop
printing and publishing
reproduction services and vending machines sales & serv.

service establishments such as:
disinfecting and exterminating services
janitorial services and window cleaning

contract construction services such as:
air conditioning
carpentry
decorating
electrical
furnace cleaning
painting
paper hanging
plastering
plumbing
sign painting
tile setting
armed car service and personal services such as:
auctioneer
bindery
cabinet maker
drapery service
frozen food locker
laundry
packing and crating of household and other similar goods
rug cleaning
taxidermist

Use Units 15  Veterinary hospital ( small animals ), excluding outside
animal runs and principal boarding services
woodworking shop
repair service such as: armature rewinding service
business machine repair
computer repair
data processing machine repair
electrical repair service
furniture
mattresses and pillow
re-upholstery and rug repair
schools such as:
  barber
  beauty and trade

Use Unit 16 gasoline service stations

Use Unit 17  sales:
  aircraft
  agricultural implement
  automobile ( new and used )
  boat
  camper
  mobile homes
  motorcycle and truck and services: truck and automobile
    rental
  auto wash and vehicle repair

Use Unit 18 drive-in restaurants

Use Unit 19  billiard parlor
  bowling alley
  dance hall
  enclosed commercial recreation
  establishments NEC
gymnasium
health club
hotel
motel
motion picture theater (enclosed)
night club
skating rink (enclosed)
swimming pool (enclosed)
tavern

**Use Unit 20** amusement activities NEC
arena
drag strip
drive-in theater
fairgrounds
go-cart track miniature
auto track outdoor
recreation NEC
race track (auto, dog, horse)
rodeo grounds
stadiums NEC and overnight camping for recreational vehicles

**Use Unit 21** business signs, outdoor advertising signs

**Use Unit 24** By Planned Unit Development Only
enclosed scientific research, testing, and development
bottling plant
building contract construction services and storage such as:
cesspool cleaning
concrete construction service
grain elevators
heavy construction contracting service
masonry
oil well drilling and cleaning
roofing
sheet metal
stone work
water well drilling and cleaning and welding shop
any light industrial or manufacturing use except the following:
aluminum
brass
copper
iron or steel foundry or works
acetylene gas manufacture
per square inch
ammonia
bleaching powder or chlorine manufacture
asphalt manufacture or refining
blast furnace except as a minor or incidental part of
another permitted industrial use
boiler works or forge works
brick
tile or terra cotta manufacture
celluloid manufacture
coke manufacture
creosote manufacture or treatment
disinfectant or insecticide manufacture
distillation of bones, coal, tar or wood
dyestuff manufacture (organic)
gas (heating or illuminating) manufacture or storage
except where gas is to be entirely consumed on the
same premises
glue
gelatin or size manufacture
incineration or reduction of dead animals, garbage,
offal, or refuse other than that accumulated and
consumed within order on the same premises
lamp black manufacture
match manufacture
lime, cement or plaster of paris manufacture
oilcloth or linoleum manufacture
pickle
sausage
sauerkraut or vinegar manufacture
paint, oil, varnish or turpentine manufacture
paper or pulp manufacturing by sulphide processing
emitting noxious gases or odors
printing ink manufacture
rayon or cellophane manufacture
refining or petroleum or other crude materials
rolling mill
rubber manufacture from crude materials
shoddy manufacture
soda ash, caustic soda and washing compound manufacture
slaughtering of animals exclusive of poultry and
rabbit killing
smelting
storage of dismantled automobiles or any form of junk
sugar refining
acid manufacture for wholesale
tallow
grease or lard manufacture or refining
  tanning or curing of leather, raw hides or skins or
    storage of raw hides or skins
  tar distillation or manufacture or refining
  tar roofing or tar water-proofing manufacture
  wool scouring
  hair manufacture
  yeast manufacture for wholesale trades
  industries or uses having moderately objectionable
    environmental influences by reason of the emission
    of odor, heat, smoke, noise or vibration
  soap manufacture
  starch
  glucose
  dextrine manufacture
  stock yards
CHAPTER 11
OFF-STREET PARKING AND OFF-STREET LOADING

SECTION 1100 APPLICABILITY OF REQUIREMENTS

The off-street parking and off-street loading facilities, whether they are principal uses, accessory uses, or a minimum requirement for the initiation, enlargement, or change of use, shall meet the requirements of this chapter as follows:

a. For all buildings and structures erected and all uses of land established after the effective date of this code, parking and loading facilities shall be provided as required by the applicable use unit.

b. When the intensity of use of any building, structure, or premises shall be increased through the addition of dwelling units, floor area, seating capacity, or other units of measurement specified here in for required parking or loading facilities, parking and loading facilities as required herein shall be provided for such increase in intensity of use.

c. Whenever the existing use of a building or structure shall hereafter be changed to a new use, parking and/or loading facilities shall be provided as required for such new use. However, if the building or structure was erected prior to the effective date of this code, additional parking and/or loading facilities are mandatory only in the amount by which the requirements for the new use would exceed those for the existing use, if the latter were subject to the parking and loading provisions of this code.

SECTION 1110 GENERAL REQUIREMENTS

a. Off-street parking and off-street loading facilities shall not occupy required livability space. Space allocated to any required off-street loading berth shall not be used to satisfy the space requirements for any off-street parking facilities. Space allocated to any required off-street parking shall not be used to satisfy the space requirements of any off-street loading facilities.

b. Within the front and exterior side yards in the RM-1 and RM-2 districts, not more than one vehicle shall be parked for each 600 square feet of area contained in the front or exterior side yards.
c. Required off-street parking spaces and required off-street loading berths shall not be used for the storage, sales, dismantling, or servicing of any vehicle, equipment, materials, or supplies.

d. Required off-street parking spaces and required off-street loading berths shall be located on the lot containing the use for which the required spaces or berths are to be provided.

e. Required enclosed off-street parking and loading areas shall meet the bulk and area requirements of the use district in which located, except that enclosed off-street-parking and loading areas which are required shall not be included in the computation of permitted floor area.

f. The capacity of an off-street parking area shall be the number of parking spaces having minimum dimensions of 9’ x 20’ that are located thereon in such a manner that each space an be entered without passing through another space in RE and RS districts, where accesses may be obtained through another parking space.

SECTION 1120 SETBACKS

a. Off-street loading areas shall not be located within 50 feet of any abutting property which is within an R district unless it is wholly within an enclosed building or screened on all sides abutting the R district by a screening wall or fence.

b. Unenclosed off-street parking and loading areas shall be setback from abutting streets as set forth in Table 1 below.

<table>
<thead>
<tr>
<th>In an R district</th>
<th>Parking Area 1-5 spaces</th>
<th>Parking Area 6+ spaces</th>
<th>Loading Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory to a dwelling</td>
<td>28 ft.</td>
<td>35 ft.</td>
<td>N/A</td>
</tr>
<tr>
<td>Accessory to another use</td>
<td>40 ft.</td>
<td>50 ft.</td>
<td>50 ft.</td>
</tr>
<tr>
<td>Not in an R district, but within 50’ of an R district</td>
<td>40 ft.</td>
<td>50 ft.</td>
<td>50 ft.</td>
</tr>
</tbody>
</table>

* If the right-of-way width designated on the Major Street Plan exceeds 50 feet, add ½ of the amount by which the designated right-of-way exceeds 50 feet.
SECTION 1130 DESIGN STANDARDS FOR OFF-STREET PARKING AREAS

a. A required off-street parking space shall be at least 9 feet in width and at least 20 feet in length exclusive of access drives or aisles. Such space shall have a vertical clearance of at least 6 feet 6 inches.

b. Each required parking space shall be accessible from a public street without passing through another required space, except in the RE and RS district.

c. Lighting used to illuminate an off-street parking area, if any, shall be by constant light and shall be so arranged as to direct the light away from properties within an R district which do not contain uses for which the parking is being provided.

d. Unenclosed off-street parking areas shall be surfaced with a dust free all-weather material generally asphalt or concrete or the functional equivalent.

e. Unenclosed off-street parking areas which are principal uses shall be screened by the erection of a screening wall or fence on the lot line or lines in common with an R district. Unenclosed off-street parking areas, containing six or more spaces, which are accessory to uses not required to provide screening shall be screened by the erection of a screening wall or fence on the lot line or lines in common with an RE or RS district provided that if the parking area is located more than 50 feet from the RE or RS lot line or lines the screening requirement shall not apply.

f. Off-street parking areas shall require submittal of storm water drainage plans in compliance with City of Jenks Storm Water Management program and Design Criteria to the City Engineer for review and approval prior to installation.

SECTION 1140 DESIGN STANDARDS FOR OFF-STREET LOADING AREAS

a. Unless otherwise specified, a required off-street loading berth shall be at least 10 feet in width and 30 feet in length, exclusive of aisles, and shall have a vertical clearance of at least 14 feet. However, every off-street loading berth shall be of sufficient size and design to permit the safe and efficient loading and unloading of merchandise and materials without obstructing or impeding aisles, driveways, alleys, public streets and right-of-ways and public walkways.

b. Required off-street loading berths shall be provided access to and from a public street or alley by an access drive of at least 15 feet in width designed to permit convenient access to the berth by semi-trailer trucks.

c. Unenclosed off-street loading areas shall be surfaced with a dust free all-weather material generally asphalt or concrete or the functional equivalent.

d. Unenclosed off-street loading berths shall not be located within 50 feet of any property in an R district unless it is screened on all sides abutting the R district by a screening wall or fence.
e. Lighting used to illuminate an off-street loading area, if any, shall be by constant light and shall be so arranged as to direct the light away from properties within an R district which do not contain uses for which the loading area is being provided.

f. Off-street loading areas shall require submittal of storm water drainage plans in compliance with City of Jenks Storm Water Management program and Design Criteria to the City Engineer for review and approval prior to installation.
CHAPTER 12

PRE-EXISTING NONCONFORMITIES

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>1200</td>
<td>General</td>
</tr>
<tr>
<td>1210</td>
<td>Pre-Existing Nonconforming Uses of Unimproved Land</td>
</tr>
<tr>
<td>1220</td>
<td>Pre-Existing Nonconforming Uses of Buildings</td>
</tr>
<tr>
<td>1230</td>
<td>Pre-Existing Nonconforming Signs</td>
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<td>1240</td>
<td>Pre-Existing Nonconforming Lots</td>
</tr>
<tr>
<td>1250</td>
<td>Structural Pre-Existing Nonconformities</td>
</tr>
<tr>
<td>1260</td>
<td>Repairs</td>
</tr>
</tbody>
</table>

SECTION 1200 GENERAL

Within the districts established by the Jenks Zoning Code on September 28, 1972, or amendments that have been adopted or may later be adopted there exist uses, structures, and lots which were lawful before this code was adopted or amended by which would be prohibited under the terms of this code or future amendment to this code. These uses; structures, and lots, herein referred to as “Pre-Existing Nonconformities,” may continue as regulated by this Chapter. A use lawfully existing prior to the effective date of this code September 28, 1972, or amendments thereto, which do not comply with a parking, loading, screening, bulk, and area, accessory sign, or enclosure requirement or requirements, but which is otherwise lawful, shall not constitute a nonconforming use within the meaning of Sections 1210 and 1220.

a. A pre-existing nonconforming use may be changed only insofar as it applies to the zone in which it is located. Once changed to a conforming use no building or land shall be permitted to revert to a nonconforming use.

b. Nothing contained in this ordinance shall require any change in the plans, construction, alteration, or designated use of a structure on which construction has physically, lawfully and substantially commenced prior to the adoption of this ordinance, provided the structure, if nonconforming or intended for a nonconforming use, is completed and in use within two (2) years from the time construction was commenced.

c. When a pre-existing nonconforming use of a structure or property is discontinued for a period in excess of thirty (30) consecutive days, the structure or property shall not thereafter be used except in conformance with the zone in which it is located.

d. Any use in violation of the Jenks Zoning Code at the time the use was established is recognized as an unlawful use. No unlawful use of property existing at the time of passage of this ordinance shall be deemed a pre-existing nonconforming use.
e. Upon approval of a rezoning request, the previous use of a property if not permitted within the new zoning district shall be deemed an unlawful use and shall not be considered for rights extended to pre-existing nonconforming uses.

f. Nothing in this ordinance shall be construed to limit the sale, transfer, or other conveyance of property on which exists a pre-existing nonconforming building, structure or use, so long as such sale, transfer, or other conveyance does not otherwise violate the provisions of this ordinance.

SECTION 1210 PRE-EXISTING NONCONFORMING USES OF UNIMPROVED LAND

When at the effective date of this code or amendment thereto a lawful use of land exists, which would not be permitted by the terms of this code or amendment thereto, and the only structures employed in connection with such use are all accessory or incidental to such use and in aggregate do not cover more than 10 percent of the lot area devoted to the nonconforming use, such use shall be deemed a pre-existing nonconforming use of unimproved land and shall terminate as follows:

a. If the replacement costs of the accessory structures (other than fences) is $1,000.00 or more, the nonconforming use shall be terminated within five years from the effective date of this code or from the date the use became nonconforming, whichever is later.

b. If the replacement costs of the accessory structures (other than fences) is $1,000.00 or more, the nonconforming use shall be terminated on the basis of amortization of the replacement cost of the accessory structures at a rate $200.00 per year from the effective date of this code or from the date the use became nonconforming, whichever is later.

Pending termination, the pre-existing nonconforming use of land may be continued provided:

a. No such pre-existing nonconforming use shall be changed to another nonconforming use, nor enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of this code or amendment thereof.

b. No such pre-existing nonconforming use shall be moved in whole or in part to any portion of the lot or parcel or other than that occupied by such use at the effective date of this code or amendment thereof.

c. No additional structure (other than fences) shall be erected in connection with such pre-existing nonconforming use of land.

d. If any such pre-existing nonconforming use of land ceases for any reason for a period of more than thirty (30) consecutive days (except with government action
which impedes access to or use of the premises), any subsequent use of such land shall conform in all respects to the regulations of the district in which located.

SECTION 1220 PRE-EXISTING NONCONFORMING USE OF BUILDINGS OR BUILDINGS AND LAND IN COMBINATION

When at the effective date of this code or amendment thereto, there exists a lawful use of a building, or use of a principal building and land, or use of land and accessory structures, such structures covering more than 10 percent of the lot area, and such use would not be permitted by the terms of this code or amendment thereto, such use shall be deemed pre-existing nonconforming and may continue subject to the following provisions:

a. No building devoted to a pre-existing nonconforming use shall be enlarged or extended, except in changing the use of the building to a use permitted in the district in which it is located.

b. A pre-existing nonconforming use of a portion of a building may be extended to the remaining portions of the building if such portions were manifestly arranged and designed for such use but such use shall not be extended to occupy any land outside the building.

c. A pre-existing nonconforming use of a building, or building and land in combination, if superseded by a permitted use shall not thereafter be resumed.

d. A pre-existing nonconforming use of a building or building and land in combination, if discontinued for 30 consecutive days (except when governmental action impedes access to or the use of the premises), shall not thereafter be resumed.

e. Where nonconforming use status applies to a building and land in combination, termination of the use of the building within the meaning of (d) above shall eliminate the pre-existing nonconforming status of the use of the land.

f. A pre-existing nonconforming use of a building or of a building and land in combination when located within a residential district shall not be changed unless changed to a use permitted in the district in which located. A pre-existing nonconforming use of a building or of a building and land in combination, when located within a district other than a Residential District, may, as a Special Exception, be changed upon approval of the Board of Adjustment after finding that the proposed use will not result in any increase of incompatibility with the present and future use of proximate properties. The change of a use to another use contained within the same use unit shall not constitute a “change of use” within the meaning of this section.

1. Alteration of a pre-existing nonconforming use in any District may be permitted by Special Exception when the alteration is necessary to comply
with Federal, State, County, or City of Jenks, health, code, or safety requirements.

g. A pre-existing nonconforming building, structure or use which is damaged by fire, flood, wind, earthquake or other calamity or act of God or the public enemy, may be restored and the occupancy or use of such building or structure or part thereof, which existed at the time of such partial destruction may be resumed, provided;

1. The restoration is commenced within a period of ninety (90) days and is diligently prosecuted to completion.

2. The restoration or reconstruction of a pre-existing nonconforming building, structure, or use may not increase the floor area or create a greater nonconformance than existed at the time of damage or destruction.

3. Must comply with Chapter 8 Flood Plain Overlay District if greater than 50% damaged based upon value of the structure.

SECTION 1230 PRE-EXISTING NONCONFORMING SIGNS

A sign lawfully existing at the effective date of the adoption or amendment of this code but which would be prohibited under the terms of this code or amendment to the code, shall be deemed pre-existing nonconforming, and may continue, including normal maintenance and change of the face, if not rebuilt, enlarged, extended, or relocated, provided: if the sign was erected within an AG District after the effective date of this code and becomes nonconforming upon a rezoning to an R or O District and is not accessory to an on-site principal use, the sign shall be removed within six months from the effective date of the rezoning; other nonconforming signs if located in an R District and not accessory to an on-site principal use, shall be removed within six months from the date the sign became nonconforming.

SECTION 1240 PRE-EXISTING NONCONFORMING LOTS

a. In the residential districts, on any lot which title is filed of record on or before September 28, 1972, or on any lot within a subdivision having received the approval of the Council of the City of Jenks, Oklahoma on or before September 28, 1972, a single-family detached dwelling may be erected without complying with the required area or width or the required side yard which abuts a public street, provided that no side yard shall be less than five (5) feet and all other requirements of the use district are complied with.

b. In districts other than residential districts, any use permitted by right in the applicable district may be located on any lot of official record at the effective date of this code, irrespective of its area or width, provided the other requirements of the use district are complied with.
SECTION 1250 PRE-EXISTING STRUCTURAL NONCONFORMITIES

A structure, lawfully existing at the effective date of the adoption or amendment of this code, but which would be prohibited by the terms of this code by reason of restrictions on floor area, density, intensity, height, yards, its location on the lot, or other requirements concerning the structure, shall be deemed pre-existing nonconforming and may continue, subject to the following provisions:

a. No such pre-existing nonconforming structure may be enlarged or altered in any manner which increases its nonconformity, but any structure may be altered to decrease its nonconformity, provided that the addition of a mezzanine or similar alteration which does not increase the cubic content of the structure shall not constitute an “increase in nonconformity”.

b. A pre-existing nonconforming building or structure which is damaged by fire, flood, wind, earthquake or other calamity or act of God or the public enemy, may be restored and the occupancy or use of such building or structure or part thereof, which existed at the time of such partial destruction may be resumed, provided:

1. The restoration is commenced within a period of ninety (90) days and is diligently prosecuted to completion.

2. The restoration or reconstruction of a pre-existing nonconforming building or structure may not increase the floor area or create a greater nonconformance than existed at the time of damage or destruction.

c. Should a structure as defined in Section 1250.b be moved for any distance whatever, it shall thereafter conform to the provisions of the district in which located.

SECTION 1260 REPAIRS

a. On any building containing a pre-existing nonconforming use or any pre-existing nonconforming structure, ordinary repairs and maintenance may be made provided that the cubic content of the building is not increased, and structural nonconformity is not increased.

b. If a pre-existing nonconforming structure or a structure containing a pre-existing nonconforming use is in need of repairs and maintenance, and said maintenance or repairs exceed 50% of the value of the structure or a structure containing a nonconforming use it shall not thereafter be used, restored, repaired, or rebuilt until approved by special exception in compliance with Chapter 13 of this code and in compliance with the following:

1. The repairs will be of no greater adverse impact to the surrounding land uses;
2. Other provisions of this ordinance, such as property development standards, are met.

3. Any of the following conditions may be imposed as conditions of approval to assure compatibility of the proposed development with the surrounding area:

a. Special yards and spaces.

b. Fences and walls.

c. Special parking and/or loading provisions.

d. Street dedication and improvements or bonds in lieu of improvements.

e. Control of points of vehicular ingress and egress.

f. Special provisions for signs.

g. Landscaping and maintenance of grounds.

h. Control of noise, vibration, odors, or other similar nuisances.

i. Limitation of time for certain activities, a time period in which a proposed use shall be developed, a limit of total duration of use.

c. If a pre-existing nonconforming structure or a structure containing a pre-existing nonconforming use becomes physically unsafe or unlawful due to lack of repairs and maintenance, and a final order of vacation or demolition is entered by any duly authorized official by reason of physical condition, it shall not thereafter be used, restored, repaired, or rebuilt except in conformity with the provisions of the zoning district in which located.
CHAPTER 13

BOARD OF ADJUSTMENT

1300 Establishment of the Board of Adjustment
1310 Powers of the Board
1320 Proceedings of the Board
1330 Notice of Public Hearing
1340 Fees
1350 Appeals from the Building Inspector
1360 Interpretation
1370 Variances
1380 Special Exceptions
1390 Appeals to the District Court

SECTION 1300 ESTABLISHMENT OF THE BOARD OF ADJUSTMENT

There is hereby established a Board of Adjustment of the City of Jenks, Oklahoma, with the powers and duties hereinafter set forth. The Board of Adjustment shall consist of five members who shall be residents of the City of Jenks, Oklahoma. Each member shall serve without pay for a term of three years and vacancies shall be filled for an unexpired term of any member in the manner set forth for appointments to a full term.

A board member, upon written charges and after public hearing, may be removed by the appointing council for any one of the following causes: (1) failure to attend three consecutive regular or special meetings, or failure to attend two-thirds of the regular or special meetings held during any six-month period; (2) actions and conduct unbecoming to a public official of the City of Jenks, Oklahoma, and (3) repeated acts and conduct detrimental to the peace, health, safety, and welfare of the citizens of Jenks.

The Board shall organize, elect its chairman, vice-chairman, and secretary, and adopt rules necessary to the conduct of its affairs.

SECTION 1310 POWERS OF THE BOARD

The Board shall have the power to hear appeals from the determinations of the building inspector in enforcing this code, to grant special exceptions, to grant variances, and to make interpretations of the zoning map and text, in accordance with the substantive and procedural standards hereinafter set forth.

SECTION 1320 PROCEEDINGS OF THE BOARD

Meetings shall be held at the call of the chairman and at such other times as the Board may determine. The chairman, or in their absence, the acting chairman, may administer oaths compel attendance of witnesses. All meetings, deliberations, and voting of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, the
indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the City Clerk and shall be a public record. In all matters, the Board shall decide within 90 days after the filing of an application for relief. The quorum, notice, filing and substantive requirements of the Board shall be as set forth in the following sections concerning the Board’s exercise of a particular power.

SECTION 1330 NOTICE OF PUBLIC HEARING

a. The Board of Adjustment shall give notice and conduct a public hearing before acting on any appeal from a determination of the Building Inspector or before granting any Special Exception or Variance. Notice of the public hearing before the Board of Adjustment shall be given a publication in a newspaper of general circulation in Jenks and by mailing written notice by the clerk of the Board of Adjustment to all owners of property within a three hundred (300) feet radius of the exterior boundary of the subject property. A copy of the published notice may be mailed in lieu of written notice. Notice may also be given by posting sign notice of such hearing on the affected property. Publication, written and sign notices shall be published, mailed and posted at least ten (10) days prior to the hearing.

The Clerk of the Board of Adjustment obtains the names and addresses of all owners of property within a three hundred (300) foot radius of the exterior boundary of the subject property as well as postage for the written notice, all included within the processing fee established for Board of Adjustment actions. Costs associated with required notices in a general circulation newspaper shall be billed to the applicant.

b. The notice, whether by publication or mail, of a public hearing before the Board of Adjustment shall contain:

1. Legal description of the property and the street address or approximate location in the municipality;

2. Present zoning classification of the property and the nature of appeal, variance or exception requested; and

3. Date, time and place of the hearing.

c. The sign notice of a public hearing before the Board of Adjustment shall contain:

1. Present zoning classification of the property and the nature of the appeal, variance or exception requested;

2. Date, time and place of the hearing; and
3. Other information as deemed necessary to provide adequate and public notice.

4. The sign and the lettering thereon shall be of sufficient size so as to be clearly visible and legible from the public street or streets toward which its faces.

d. On hearings involving minor variances or exceptions, notice shall be given by the clerk of the Board of Adjustment by mailing notice to all property owners of property adjacent to the subject property. The notice shall be mailed at least ten (10) days prior to the hearing and shall contain the facts listed in subsection (b) of this section. The Board of Adjustment shall set forth in a statement of policy what constitutes minor variances or exceptions, subject to approval or amendment by the Jenks City Council.

SECTION 1340 FEES

An application for an appeal from the building inspector, variance, or special exception shall be accompanied by the payment of a $50.00 application fee and a $125.00 processing fee.

SECTION 1350 APPEALS FROM THE BUILDING INSPECTOR

1350.1 General

An appeal to the Board of Adjustment may be taken by any person aggrieved or by an officer, department, board or bureaus of the City affected, where it is alleged there is error in any order, requirement, decision or determination of the Planning Director/Building Inspector in the enforcement of this code or Building Code.

1350.2 Notice of Appeal

An appeal shall be taken within ten days from the determination complained of by filing with the Planning Director/Building Inspector and with the Secretary of the Board a notice of appeal, specifying the grounds thereof. The Planning Director/Building Inspector, upon receipt of notice, shall transmit to the Secretary of the Board and the City Clerk certified copies of all the papers constituting the record of said matter. Upon receipt of the record, the Secretary shall cause an investigation to be made upon the appeal and shall set the matter for public hearing.

1350.3 Board of Adjustment Action

The Board shall hold the public hearing. The Board may reverse or affirm, wholly or in part, or may modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken. The Board shall make its decision within 30 days after the final hearing, and the decision shall
be in writing and filed of record in the office of the City Clerk. The concurring vote of
three members of the Board shall be necessary to reverse in any order, requirement,
decision, or determination of the Planning Director/Building Inspector. A decision of the
Board shall not become final until the expiration of 15 days from the date such decision is
made, unless the Board shall find the immediate taking of said decision is necessary for
the preservation of property or personal rights and shall so certify on the record.

1350.4 Stay of Proceedings

An appeal stays all proceedings in furtherance of the action appealed from, unless the
Planning Director/Building Inspector from whom the appeal is taken certifies to the
Board of Adjustment, after the notice of appeal shall have been filed with him, that by
reason of facts stated in the certificate, a stay would in his opinion cause imminent peril
to life or property. In such case, proceedings shall not be stayed other than by a
restraining order granted by the Board or by the Court of proper jurisdiction on due and
sufficient cause shown.

SECTION 1360 INTERPRETATION

a. The Board shall interpret the text of this code or the Official Zoning Map upon an
appeal from a determination of the Planning Director after compliance with the
procedural standards of Section 1350.

b. Where a question arises as to the zoning district classification of a particular use,
the Board of Adjustment, upon written request of the Planning Director, may find
and determine the classification of the use in question and may, prior to such
determination, order the giving of notice and hold a public hearing.

c. The Board shall interpret the text of the building code in compliance with the
criteria established within that code upon an appeal from a determination of the
Chief Building Inspector after compliance with the procedural standards of
Section 1350.

SECTION 1370 VARIANCES

1370.1 General

The Board of Adjustment, upon application, and after notice (when notice is required)
and public hearing, and subject to the procedural and substantive standards hereinafter set
forth, may grant such variance from the terms of this code as will not cause substantial
detriment to the public good or impair the spirit, purposes and intent of this code, or the
Comprehensive Plan, whereby reason of exceptional narrowness, shallowness, shape,
topography, or other extraordinary or exceptional situation, condition, or circumstances
peculiar to a particular property, the literal enforcement of the code will result in
unnecessary hardship. The Board shall not vary any jurisdictional requirement, such as
notice.
1370.2 Application

A request for a variance shall be initiated by the filing of an application with the City Clerk and shall be set for public hearing by the Secretary in accordance with the rules established by the Board.

1370.3 Board of Adjustment Action

The Board shall hold the public hearing and, upon the concurring vote of three members, may grant a variance after finding:

a. That by the reasons of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure, or building involved, the literal enforcement of the terms of the code would result in unnecessary hardship.

b. That such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district.

c. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit and intent of the code, or the comprehensive plan.

Provided that the Board in granting a variance shall prescribe appropriate conditions and safeguards, and may require such evidence and guarantee or bond as it may deem necessary to enforce compliance with the conditions attached.

1370.4 Time Limitation on Variances

A variance which has not been utilized within one year from the date of the order granting the variance shall thereafter be void. For the purpose of this provision, utilization shall mean actual use or the issuance of a building permit, when applicable, provided construction is diligently carried to completion.

SECTION 1380 SPECIAL EXCEPTIONS

1380.1 General

The Board of Adjustment, upon application, and after notice (when notice is required) and public hearing, subject to the procedural and substantive standards hereinafter set forth, may grant the following special exceptions:

a. Special Exception uses as designated and regulated within the permitted use provisions of the zoning districts.

b. The change of a nonconforming use as provided in Section 1220 (f), Chapter 12, Nonconformities.
c. The restoration of a partially destroyed structure containing a nonconforming use as provided in Section 1220 (g), Chapter 12, Nonconformities.

d. The restoration of a partially destroyed nonconforming structure as provided in Section 1260, Chapter 12, Nonconformities.

e. The modification of a screening requirement, as provided in Section 250, Chapter 2, District Provisions: General.

f. Off-street parking use of property located within a residential district, when the property is abutting an office, commercial or industrial district and not considered special event parking.

1380.2 Application

A request for a Special Exception shall be initiated by the filing of an application with the City Clerk and shall be set for public hearing by the Secretary in accordance with the rules established by the Board.

1380.3 Board of Adjustment Action

The Board of Adjustment shall hold the public hearing and, upon the concurring vote of three members, may grant the Special Exception after finding that the Special Exception will be in harmony with the spirit and intent of the code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. Provided that the Board in granting a Special Exception shall prescribe appropriate conditions and safeguards, and may require such evidence and guarantee or bonds as it may deem necessary to enforce compliance with the conditions attached.

1380.4 Time Limitation on Special Exceptions

A Special Exception which has not been utilized within two years from the date of the order granting same shall thereafter be void. For the purpose of this provision, utilization shall mean actual use or the issuance of a building permit, when applicable, provided construction is diligently carried to completion.

SECTION 1390 APPEALS TO THE DISTRICT COURT

1390.1 Procedure

An appeal from any action, ruling decision, judgment, or order of the Board of Adjustment may be taken by any person or persons aggrieved, or any taxpayer or officer, department, board, or bureau of the city to the District Court, by filing with the City Clerk and with the Secretary of the Board within ten days from the date of such action, a notice of appeal, which notice shall specify the grounds of such appeal. No bond or deposit for costs shall be required for such appeal. Upon filing of the notice of appeal, the City Clerk shall transmit to the Court Clerk of the County the original or certified copies
of all the papers constituting, the record in the case, together with the order, decision, or ruling of the Board. Said case shall be heard and tried de novo in the District Court of Tulsa County, Oklahoma. An appeal shall lie from the action of the District Court as in all other civil actions. All issues in any proceedings under this section shall have preference over all other civil actions and proceedings. Costs shall not be allowed against the Board unless it shall appear to the Court that it acted with gross negligence or in bad faith, or with malice in making the decision being appealed.

1390.2 Stay of Proceedings

An appeal to the District Court stays all proceedings in furtherance of the action appealed unless the Chairman of the Board certifies to the Court, after notice thereof shall have been filed, that by reasons of fact stated in the certificate, a stay would cause imminent peril to life or property. In such case, proceedings shall not be stayed other than by a restraining order granted by the District Court.
CHAPTER 14

ENFORCEMENT

1400 Duty of Planning Department and Other Officials
1410 Zoning Clearance Permit
1420 Penalties for Violation

SECTION 1400 DUTY OF THE PLANNING DEPARTMENT AND OTHER OFFICIALS

By authority granted by the City Manager it shall be the duty of the Planning Department to enforce this code. If the Planning Director shall find that any of the provisions of this code are being violated, he shall cause to notify in writing the persons responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it, and shall take such other action to ensure compliance with or to prevent violation of its provisions as is authorized by law.

All departments, officials, and employees of the City of Jenks, Oklahoma, vested with the duty or authority to permits or licenses shall comply with the provisions of this code and shall issue no permit or licenses for any use, purpose, excavation, construction, structure, building, or sign in conflict with the provisions of this code.

SECTION 1410 ZONING CLEARANCE PERMIT

1410.1 Zoning Clearance Permit Required

It shall be unlawful for any person to erect, move, add to, or structurally alter any building or structure, or to use or change the use of any building or land or to permit the aforementioned actions, until a Zoning Clearance Permit has been issued by the Building Inspector.

1410.2 Application for Zoning Clearance Permit

An application for a Zoning Clearance Permit shall be accompanied by a legal description of the lot, and plans in duplicate, drawn to scale in black line or blueprint, showing the actual shape and dimension of the lot; the location, size, and height of an existing building or structure and portion of the lot; the number of dwellings the building is intended to accommodate, if any; and such other information with regard to the lot and neighboring lots as may be necessary to determine and provide for the enforcement of this code.

1410.3 Planning Department to Act Within Three Days

The Zoning Official shall act upon each application for a Zoning Clearance Permit within three days after it is filed in compliance with the provisions herein. He shall return one
copy of the plans and issue a Zoning Clearance Permit or notify the applicant, in writing, of his refusal to issue a permit setting forth the reasons therefore.

1410.4 Fees for Zoning Clearance Permits

No Zoning Clearance Permit shall be issued until appropriate fees have been paid. Fees shall be as follows:

- Single-Family Residence or Duplex $ 20.00
- Multiple Building Complex $ 40.00
- All other single building or structure $ 20.00
- Change of Occupancy to include Required Inspections $ 38.00

SECTION 1420 PENALTIES FOR VIOLATION

Any person, firm, or corporation violating any provisions of this code or failing to comply with any of its requirements, including violations of conditions and safeguards established in connection with grants or variances or special exceptions, shall be deemed guilty of an offense, and upon conviction thereof, shall be fined not more than $100.00 plus court costs and each day’s violation thereof shall constitute a separate offense.

Nothing herein contained shall prevent the City of Jenks, Oklahoma or its authorized officials from taking other action, authorized by law, to remedy violations.
CHAPTER 15

AMENDMENTS
Chapters 1-18

1500 General
1510 Policy on Zoning Map Amendments
1520 Zoning Text Amendments
1530 Zoning Map Amendments

SECTION 1500 GENERAL

The regulations, restrictions, prohibitions, and limitations imposed and the districts created by Chapters 1-18 may from time to time be amended, supplemented, changed, modified, or repealed by ordinance, but no change shall be made until the Planning Commission, after notice and public hearing, files with the City a report and recommendation on the proposed change. In addition to the procedural provisions hereinafter set out, the Planning Commission shall adopt procedural rules for the conduct of zoning public hearings.

SECTION 1510 POLICY ON ZONING MAP AMENDMENTS

It shall be the policy of the City of Jenks, Oklahoma that in the consideration of proposed amendments to this code that:

Amendments will be adopted to recognize changes in the Comprehensive Plan, to correct error, or to recognize changed or changing conditions in a particular area or in the jurisdictional area generally.

SECTION 1520 ZONING TEXT AMENDMENTS

The Planning Commission, upon its own motion, may, or at the direction of the City Council shall, hold a public hearing, giving notice thereof, of a proposed text amendment. At least fifteen (15) days notice of the date, time and place of the hearing shall be published in a newspaper of general circulation in Jenks. After holding the public hearing, the Planning Commission shall within thirty (30) days transmit its report and recommendation to the City Council.

SECTION 1530 ZONING MAP AMENDMENT

1530.1 Application and Fees

a. An amendment to the zoning map shall be initiated by the filing of an application with the City Clerk through the Jenks Planning Department. The application shall be in such form and content as the Planning Commission may by resolution establish. The application shall be accompanied by payment of an application and processing fee as follows:
<table>
<thead>
<tr>
<th>Processing Fee</th>
<th>In Addition to Application Fee</th>
<th>Zone Amendments Specific Use Permits Subdivisions Planned Unit Developments</th>
<th>$200.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning Text and Map Amendments Low Intensity Districts</td>
<td>AG, RE, RS-1, RS-2, RS-3, RD Maximum Fee $100.00</td>
<td>$35.00 Five Acres or $ 3.00 For Each Additional Acre</td>
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</tr>
<tr>
<td>Zoning Text and Map Amendments Medium Intensity Districts</td>
<td>RM-1, RM-2, OL, OM, CS Maximum Fee $150.00</td>
<td>$50.00 Five Acres or $ 5.00 For Each Additional Acre</td>
<td></td>
</tr>
<tr>
<td>Zoning Text and Map Amendments High Intensity Districts</td>
<td>CG, CH, IL, TM, IH Maximum Fee $300.00</td>
<td>$100.00 Five Acre or $ 10.00 For Each Additional Acre</td>
<td></td>
</tr>
<tr>
<td>Zoning Text and Map Amendments, Low and Medium Intensity Districts</td>
<td>Multiple Zoning Application Maximum Fee $300.00</td>
<td>$50.00 Five Acres or $ 5.00 For Each Additional Acre</td>
<td></td>
</tr>
<tr>
<td>Specific Use Permits</td>
<td>All Zones</td>
<td>$ 100.00</td>
<td></td>
</tr>
<tr>
<td>Request for City Council Hearing</td>
<td>Planning Commission Recommended Denied Zoning Request.</td>
<td>$25.00</td>
<td></td>
</tr>
<tr>
<td>Planned Unit Development</td>
<td>Planned Unit Development</td>
<td>$250.00 Five Acre or $ 1.00 For Each Additional Acre</td>
<td></td>
</tr>
</tbody>
</table>

b. An application shall be filed with the City Clerk at least thirty (45) days prior to the date of public hearing and shall be set for public hearing.

1530.2 Notice Required

a. The Planning Commission shall give at least fifteen (15) days notice of a public hearing on a proposed map amendment by publication in a newspaper of general circulation. In addition, at least twenty (20) days notice of public hearing may be given by posting sign notice of such hearing on the affected property and by written notice by the secretary of the planning commission to all owners of property within a three hundred (300) foot radius of the exterior boundary of the subject property. A copy of the published notice may be mailed in lieu of written notice.
b. The Jenks Planning Department obtains the names and addresses of all owners of property within a three hundred (300) foot radius of the exterior boundary of the subject property as well as postage for the written notice, all included within the processing fee established by ordinance for zoning cases. Costs associated with required notices in a general circulation newspaper shall be billed to the applicant.

c. In addition to the notice required in subsection (a) of this Section, if the zoning change requested permits the use of treatment facilities, multiply family facilities, transitional living facilities, halfway houses and any housing or facility that may be used for medical or nonmedical detoxification, the Planning Commission shall mail a written notice within thirty (30) days of the hearing to all real property owners within one-quarter (1/4) of a mile where the area to be affected is located. The processing fee shall be $200.00 or at actual cost whichever is greater. Such fees shall not include publication and sign costs, which shall be billed to the applicant.

Written and published notice shall contain:

a. Legal description of the property and the street address or approximate location in the municipality;

b. Present zoning and classification of the property and the classification sought by the application; and,

c. Date, time, and place of public hearing.

d. A map of the area in question.

The sign notice if posted shall contain:

a. The date, time and place of the public hearing;

b. By whom the public hearing will be conducted;

c. The desired zoning classification;

d. The proposed use of the property; and,

e. Other information as deemed necessary to provide adequate and timely public notice.

The sign and lettering thereon shall be of sufficient size so as to be clearly visible and legible from a public street or streets toward which it faces.

Notice of a proposed RM-2 rezoning shall confer jurisdiction on the Planning Commission and City Council to consider and act upon RM-2, RM-1, RD, RS-3, RS-2,
RS-1, and RE, or combinations thereof in disposition of the application, and in like manner, notice of any R district, including RMH, shall confer jurisdiction to consider any less dense R district, except RMH.

1530.3 Planning Commission Action on Zoning Map Amendments

After notice and public hearing, the Planning Commission shall vote to:

a. Recommend to the City Council that the application be approved as submitted, or as amended, or be approved subject to modification or,

1. An application recommended for approval or approval subject to modification, shall be transmitted, with the report and recommendations of the Planning Commission, to the City Council within 15 days from the date of Planning Commission action.

b. Deny the Application.

1. An application recommended for denial shall not be considered further unless the applicant within 15 days from the date of the Planning Commission action files a written request with the City Clerk for a hearing by the City Council. Said request shall be filed at least 10 days prior to the City Council action. The request for hearing shall be accompanied by the payment of a $30.00 fee plus all costs for mailing notices to all property owners within a three hundred (300) foot radius of the exterior boundary of the subject tract of which shall be billed to the applicant. Upon notice of such request, the Planning Commission shall forthwith transmit the application and its report and recommendations to the City Council.

c. In the event the Planning Commission arrives at a tie vote, the application shall be transmitted, with a report and notation of the tie vote, to the City Council within 15 days from the date of the Planning Commission action.

d. Prior to the submission to the City Council, all data, materials recommendations and other pertinent information transmitted to the City Council from the actions taken by the Planning Commission at a public hearing shall be approved for accuracy by the chairman, or in his absence, the secretary of the Planning Commission.

1530.4 City Council Action on Zoning Map Amendments

The City Council shall hold a hearing on each application regularly transmitted, and on each application transmitted pursuant to a written request for further hearing and shall approve the application as submitted, supplemented, or as amended, or approve the application subject to modification, or deny the application. In case of a protest against such amendment, change, or repeal shall have been filed a minimum of three (3) days prior to a public hearing, signed by the owners of twenty percent (20%) or more of the
area of the lots included in such proposed change, or by fifty percent (50%) or more of
the owners of the area of the lots immediately abutting any side of the territory included
in such proposed change, or separated there from only by an alley or street less than three
hundred (300) feet wide, such amendment, change or repeal shall not become effective
except by favorable vote of three-fifths (3/5) of all the members of the City Council.

Prior to the adoption and publication of a rezoning ordinance, the applicant shall remit to
the office of the City Clerk the payment necessary to cover the cost of the ordinance
publication. The City Clerk shall not cause the ordinance to be published prior to such
payment.
CHAPTER 16

APPEARANCE REVIEW DISTRICTS

1600 Appearance Review Districts
1610 Establish Appearance Review Committee ARC
1620 ARC Committee Duties
1630 Planning Commission Duties
1640 Development Plan
1650 Exemptions
1660 Guidelines

SECTION 1600 APPEARANCE REVIEW DISTRICTS

A. Special Theme District created as defined by Appendix “A”- Jenks Comprehensive Plan for the purpose of creating an overall turn-of-the-century theme of Western and Victorian architecture and appearance.

B. Riverfront and/or Boardwalk District created as defined by Appendix “A”- Jenks Comprehensive Plan for the purpose of promoting the redevelopment and expansion of existing businesses in the downtown shopping district, and to encourage and attract a variety of new retail, service, and higher density residential uses, and to create an area to provide residential, commercial and public attractions of educational, scientific, and cultural significance as stated in the approved and adopted Riverfront District Guidelines.

C. Corridor Appearance District created as defined by Appendix “A”- Jenks Comprehensive Plan for the purpose of extending Appearance Review standards and guidelines to achieve aesthetically pleasing and environmentally sensitive development areas through alternative compliance methods, including landscaping; building material selection, structural design and color-scheme provisions, sound reduction methods, improved air quality, and to provide attractive sites for non-residential, commercial development, and industrial development to the benefit of Jenks visitors and residents.

SECTION 1610 ESTABLISHMENT OF THE APPEARANCE REVIEW COMMITTEE

There is hereby established an Appearance Review Committee (ARC) of the City of Jenks, Oklahoma, with the powers and duties hereinafter set forth. The A.R.C. shall consist of two (2) professional architects or building designers, two (2) representatives of the local business community, one (1) member of the local Chamber of Commerce and City staff members as designated by the Jenks City Manager. Members of the A.R.C. shall be appointed by the City Manager, with alternates designated, for terms of two years. The A.R.C. will meet on call of the City Planner. Failure of a member to attend three (3) scheduled meetings within any three (3) month period will result in automatic removal of said member. Said removed member shall be eligible for reappointment.
SECTION 1620 APPEARANCE REVIEW COMMITTEE DUTIES

A. The A.R.C. shall review proposed development plans related to building construction, architectural style, building materials, signage, landscaping, and lighting in accordance with prescribed appearance criteria for the Appearance Review District in which a property is located. Recommendations on the proposed project by the A.R.C. will be forwarded to the Planning Commission for their review.

SECTION 1630 PLANNING COMMISSION DUTIES

1630.1 The Planning Commission shall review the plan proposal at a public hearing. The Commission shall review the site plan, the A.R.C. recommendations, and the applicable appearance criteria for the proposal. The Commission shall approve, approve with conditions, or disapprove the application within 30 days of the first meeting on the application.

1630.2 The decision of the Planning Commission shall be final, unless the applicant or others appeal the Planning Commission action within 15 days of the action, by filing a written request with the City Clerk for a hearing by the City Council. The request shall be accompanied by the payment of a $25.00 fee.

SECTION 1640 DEVELOPMENT PLAN

1640.1 Prior to the construction or reconstruction of any structure, exterior remodeling, placement of exterior lighting or signs, or any proposed construction requiring the issuance of a building permit other than a small job permit for a property located within an Appearance Review District, an application for Detailed Site Plan approval shall be made and shall be subject to the Appearance Review District guidelines in which the specific property is located.

1640.2 The applicant shall submit to the City Planner one reproducible copy of a proposed site plan and one reproducible copy of a proposed building plan, Appearance Review application and the appropriate sign or building permit application. Plans shall be submitted for remodeling, new construction, and signage. Applicants are encouraged to submit photographs and material samples for review. The Building Plan shall show:

1. Proposed features and materials to be used for the building or remodeling with a front, side and rear view to be shown;

2. Proposed size and location of any sign.

1640.3 An application for new construction shall include a site plan identifying the following:

1. Scale and north arrow;
2. Address of site;

3. Proposed location of uses, including off-street parking, open spaces and public uses;

4. Proposed screening and landscaping including lighting fixtures, benches, planter boxes or other decorative items;

5. Proposed size and location of any sign;

6. Relationship to surrounding structures and street centerlines;

7. Other information the Planning Commission or its staff may deem necessary to properly evaluate the proposal such as setbacks, right of way etc.

1640.4 Prior to the construction or reconstruction of any structure, exterior remodel, placement of exterior lighting or signs, landscaping, or other proposed exterior appearance changes to any structure or tract of land located within the boundaries of the Appearance Review Districts that does not require a building permit, the project owner shall be required to submit a proposal to the Office of City Planner for review and determination of the project’s potential for creating significant impacts to the Appearance Review Districts. The following procedures shall be required when meeting these conditions.

1. The Office of the City Planner shall cause the basic scope of the project to be presented to the Planning Director, the Chief Building Official, and the City Engineer for a preliminary determination by at least two of these staff members that the proposed project appears to have a significant impact within the applicability of the Appearance District criteria.

   a. A finding that no significant impact exists allows the project to move forward without further review.

2. Upon concurrence of two of the above staff members that the project potentially creates a negative impact to the Appearance Review District, the City Planner shall require that the project owner make formal application for appearance review.

3. The application shall then be processed in the usual manner as if a building permit were pending for the project requiring review by the Appearance Review Committee and approval by the Planning Commission.

4. Nothing in this section shall prohibit the Planning Commission, upon consideration of the application, to make a finding that no significant impact exists and the project may proceed.
SECTION 1650 EXEMPTIONS

1650.1 Residential Zoning Districts; Planned Unit Developments (PUD’s); Specific Use Permits, and other zoning classifications or districts with Restrictive Covenants and/or Development Text when determined at the time of zoning approval to meet the Appearance Review District guidelines.

SECTION 1660 APPEARANCE DISTRICT GUIDELINES

1660.1 Special Theme District Guidelines

A. General

1. The criteria are designed to be flexible in nature, but provide a cohesive theme for the defined special district. Architectural designs that were typical of the turn of the century are the theme for the special district. The overall appearance of structures within the defined district should adhere to the main theme as described below.

2. Conformance to the Historic Turn-of-the-Century Architectural Design Theme, especially Victorian or Western styles, shall be required. The site plan submitted shall conform to a flexible turn-of-the-century design theme of plus or minus 14 years surrounding the year of 1900 time period. Evaluation of the conformance to the architectural theme will be contingent upon the facade color scheme, and material selection for remodeling as well as landscape and decorative treatments proposed. An artist's rendition which is located in City Hall and which shows a streetscape of the theme, shall be conformed with as closely as possible.

3. The proposed plan shall show an overall compatibility with the design theme and streetscape. A blending of similar treatments of surrounding structures with the use of such things as period street lighting, window boxes, or pedestrian benches, is encouraged.

4. Materials selected for the proposed plan shall be compatible in appearance and texture of the overall architectural theme.

   a. The following factors will govern the Planning Commission evaluation of a proposal in the Special Theme District:

      1. Conformance with the design theme.
      2. Compatibility with surrounding area.
4. Landscaping and screening.

5. Material Selection.

5. Traditional Turn-of-the-Century color schemes and combinations of those colors should be used for all exterior wall coverings. Fluorescent or luminescent colors should be prohibited, unless measures are in place to "soften" the effect on adjoining properties.

B. Parking/Landscaping

1. Parking
   a. Off-street parking areas/ off-street loading areas should conform to the design, lighting, and improvements as required by the Jenks Zoning Code.
   b. Lighting used to illuminate off-street parking areas shall be by constant light and shall be so arranged as to direct the light away from abutting properties within a Residential Zoning District.
   c. Unenclosed off-street parking areas shall be surfaced with a dust-free all-weather material.
   d. Parking and internal traffic circulation should be established within each separate development in a way that will result in a substantial reduction in the number of existing and new public street and private drive access points to major arterial street frontages.

2. Landscaping
   a. Street frontages within the Theme District should provide a sense of open-space and should be buffered from the streets by landscaped drives, lawns, or parking. Preservation of existing large trees and other natural physical or scenic features should be given high priority during the initial development planning phases.
   b. Trees and shrubbery utilized for landscaping purposes should conform to the species recommended and approved.
   c. Locations along or near to the proposed routes of the Jenks Trail System should be encouraged to provide for pedestrian, bicycle access to the System.
   d. Commercial, Industrial, and other non-residential uses within the
Theme District should provide a minimum landscaped open space as follows:

1. Office Uses 15% of lot area
2. Commercial Uses 10% of lot area
3. Industrial Uses 5% of lot area

3. Fencing

   a. Development and redevelopment within the Theme District should include adequate screening and buffering to avoid negative impacts on adjacent residential areas.

   b. Screening should be wooden fencing, faux wooden fences, masonry, or brick walls providing visual barriers, or combinations thereof. Screening fences shall be solid and no chain-link fences should be allowed.

   c. When the provisions of the Zoning Code or Theme District guidelines require the construction of a screening wall or fence, as a condition for the initiation and subsequent continuation of a use the screening wall or fence shall comply with the following:

      1. Should be constructed, designed, and arranged to provide visual separation of uses, irrespective of vegetation or landscaping;

      2. Should not be less than six (6) feet in height;

      3. Should be erected within thirty (30) days following the occupancy of the building or initiation of the use required to be screened;

      4. Should be of the type of materials compatible with the surrounding area;

      5. Screening walls or fences shall be maintained by the owner or occupant of the lot containing the use required to construct the screening.

      6. Modifications of fencing requirements that may be considered include:

         (A) Modify or remove the screening requirement where existing physical features or approved landscaping
features provide visual separation of uses;

(B) Extensions of time to erect a screen where properties which are to be benefited by the screening are undeveloped; and,

(C) Remove the screening requirement where the purpose of the screening requirement cannot be achieved.

C. Signage

1. All signs, as defined in the Jenks Zoning Code, should be designed to be compatible with and complementary to the adjacent neighborhood. All signs should be designed and erected in compliance with the Jenks City Code, Zoning Code and Sign Code without the necessity of variances. Variances of height, size, setback, and other Code requirements should not be supported within the Theme District.

2. Back lighting of signs within the Theme District shall be discouraged.

3. Ground signs or pole signs should not generally exceed 26 feet in height. A projecting sign shall not extend more than 1 foot above the mean roof level of the structure to which it is affixed.

4. Outdoor advertising signs and billboards shall not be allowed in the Theme District.

5. Signs that emit either a flashing light or project either spot light or concentrated beam or beacon of light in any manner are prohibited by the City of Jenks except as outlined in Section 1021.4.

6. Portable signs may be allowed in accordance with Jenks City Code provisions for one-time 30 day permit, or 14 day permit with 14 day interval between the use of portable signs, up to maximum number of 5 times or 10 weeks per year.

7. A-Frame signs are allowed in compliance with Use Unit 21 of the Jenks Zoning Code and the Theme District Guidelines.

D. Lighting

1. All lighting, including exterior and parking lot lighting, should be so designed to complement the building structures constructed and those located in adjacent areas.

   a. Lighting used to illuminate off-street parking areas shall be by constant light and shall be so arranged as to direct the light away
from abutting properties within a Residential Zoning District.

b. Lighting incorporating Period lighting fixtures and conforming to the approved City street lighting studies are required.

E. Storage & use of yards and outbuildings

1. Outbuildings and accessory structures should be of the same architectural style, material and color scheme as the principal building or buildings on the lot.

2. Outside storage buildings and outside open areas, other than retail product display allowed by the Zoning Code, should be screened by visual barriers located on the rear and side portions of the site.

3. No outside storage areas should extend beyond the building setback lines into setback areas. Outside storage or warehousing shall not be permitted as a principal use in the Theme District. No use shall be allowed which requires outside warehousing or storage of recyclable materials or products.

4. No waste materials or refuse shall be dumped upon or permitted to remain upon any part of property outside of the building proper. Occupants shall maintain solid waste disposal service with a City of Jenks licensed hauler at all times.

5. Trash or garbage collection areas shall be screened from streets and from abutting properties by an approved sight-proof barrier, and receptacles for such purpose when placed outside a building shall be closed type containers.

6. Collection and disposal of all solid waste shall comply with the City of Jenks solid waste ordinance. Applicants should show proof of solid waste service and detail location and type of solid waste disposal facilities on the subject property.

1660.2 Riverfront District Guidelines

A. Appearance/Design

1. Building Design and Site Plan details should be so designed to provide building exterior walls and structural facades of a style reflecting a Riverfront/Boardwalk, or a Victorian, or a Turn-of-the-Century theme in order to minimize the impact of proposed new buildings and uses on adjacent and nearby properties. Exterior walls of buildings visible from the fronting street(s) must provide an aesthetic pleasing appearance utilizing approved Riverfront District design features, landscaping, color
schemes, and other architectural treatments to eliminate monotone or monolithic exterior walls or structural facades in order to be compatible and complementary to adjacent and nearby properties within the Riverfront District.

2. In addition to complementary exterior wall design and building materials, the use of building setbacks, screening fences, landscaping, signage, lighting, and other site-specific amenities should be used to increase compatibility of the building and any outdoor storage areas and outbuildings with adjacent and nearby properties. It is recognized that each individual building site has its own existing specific environmental character. The design of new structures or alteration of existing structures should be responsible to the character of its environment and the adjacent neighborhood.

3. Insofar as possible, the design of buildings and site improvements for a particular piece of land should take into consideration the physical location, size, topography, existing zoning, including adjacent and abutting properties, and the intensity of land use as specified in the Jenks Comprehensive Plan.

4. Use of Planned Unit Developments (PUD's) are encouraged for development and redevelopment of properties within the Riverfront District in order to minimize the impact of proposed uses and to increase compatibility of uses with adjacent and nearby low intensity land use while providing a greater degree of design flexibility. Cooperative development by abutting property owners utilizing Zero Lot-Line construction may be considered.

5. All roof-mounted heating and air conditioning equipment (HVAC) shall be screened.

B. Building Materials

1. The design of new structures and of additions to existing structures, including new site improvements, should take into account the architectural style, general design, arrangement, texture, material and color of other structures and premises in the adjacent neighborhood and those of typical riverfront uses. Additions to existing structures or remodels in keeping with the existing architectural style may be allowed so long as such construction is compatible with the essential purposes and integrity of other structures in the Riverfront District.

2. All new structures and all reconstruction or remodeling of existing structures within the Riverfront District should utilize exterior materials such as masonry, face brick, stone, wood, or metal which give the appearance of material such as those in use at turn of the century. Use of
contemporary materials, such as aluminum or other metals, fiberglass, and plastics for exterior surfaces must contribute to the preservation or enhancement of traditional materials and preserve the overall theme, integrity and appearance of the Riverfront District.

3. Traditional Turn-of-the-Century color schemes and combinations of those colors should be used for all exterior wall coverings. Fluorescent or luminescent colors should be prohibited, unless measures are in place to "soften" the effect on adjoining properties.

C. Parking/Landscaping

1. Parking

   a. Off-street parking areas/ off-street loading areas should conform to the design, lighting, and improvements as required by the Jenks Zoning Code.

   b. Lighting used to illuminate off-street parking areas shall be by constant light and shall be so arranged as to direct the light away from abutting properties within a Residential Zoning District.

   c. Unenclosed off-street parking areas shall be surfaced with a dust-free all-weather material.

   d. Parking and internal traffic circulation should be established within each separate development in a way that will result in a substantial reduction in the number of existing and new public street and private drive access points to major arterial street frontages.

2. Landscaping

   a. Street frontages within the Riverfront District should provide a sense of open-space and should be buffered from the streets by landscaped drives, lawns, or parking. Preservation of existing large trees and other natural physical or scenic features should be given high priority during the initial development planning phases.

   b. Trees and shrubbery utilized for landscaping purposes should conform to the species recommended and approved. Use of water features such as fountains are encouraged.

   c. Locations along or near to the proposed routes of the Jenks Trail System should be encouraged to provide for pedestrian, bicycle access to the System.
d. Commercial, Industrial, and other non-residential uses within the Riverfront District should provide minimum landscaped open space as follows:

1. Office Uses 15% of lot area
2. Commercial Uses 10% of lot area
3. Industrial Uses 5% of lot area

3. Fencing

a. Development and redevelopment within the Riverfront District should include adequate screening and buffering to avoid negative impacts on adjacent residential areas.

b. Screening should be wooden fencing, faux wooden fences, masonry, or brick walls providing visual barriers, or combinations thereof. Screening fences shall be solid and no chain-link fences should be allowed except for interior security fences. If chain-link is used, the chain-link fence must be either vinyl-clad or screened.

c. When the provisions of the Zoning Code or Riverfront District guidelines require the construction of a screening wall or fence as a condition for the initiation and subsequent continuance of a use, the screening wall or fence shall comply with the following.

1. Should be constructed, designed, and arranged to provide visual separation of uses, irrespective of vegetation or landscaping;
2. Should not be less than six (6) feet in height;
3. Should be erected within thirty (30) days following the occupancy of the building or initiation of the use required to be screened;
4. Should be of the type of materials compatible with the surrounding area;
5. Screening walls or fences shall be maintained by the owner or occupant of the lot containing the use required to construct the screening;
6. Modifications of fencing requirements that may be considered include:
(A) Modify or remove the screening requirement where existing physical features or approved landscaping features provide visual separation of uses;

(B) Extensions of time to erect a screen where properties which are to be benefited by the screening are undeveloped;

(C) Remove the screening requirement where the purpose of the screening requirement cannot be achieved.

D. Signage

1. All signs, as defined in the Jenks City Code, should be designed to compatible with and complementary to the adjacent neighborhood. All signs should be designed and erected in compliance with the Jenks City Code, Zoning Code and Sign Code without the necessity of variances. Variances of height, size, setback, and other Code requirements should not be supported within the Riverfront District.

2. Ground signs or pole signs should not generally exceed 35 feet in height. A projecting sign shall not extend more than 1 foot above the mean roof level of the structure to which it is affixed.

3. Outdoor advertising signs and billboards should not be allowed in the Riverfront District.

4. Signs that emit either a flashing light or project either spot light or concentrated beam or beacon of light in any manner are prohibited by the Jenks City Code.

5. Portable signs may be allowed in accordance with Jenks City Code provisions for one-time 30 day permit, or 14 day permit with 14 day interval between the use of portable signs, up to maximum number of 5 times or 10 weeks per year.

E. Lighting

1. All lighting, including exterior and parking lot lighting, should be so designed to complement the building structures constructed and those located in adjacent areas.

   a. Lighting used to illuminate off-street parking areas shall be by constant light and shall be so arranged as to direct the light away from abutting properties within a Residential Zoning District.

   b. Lighting incorporating period lighting fixtures similar to the
Theme District and conforming to approved City street lighting studies are encouraged.

F. Storage & use of yards and outbuildings

1. Outbuildings and accessory structures should be of the same architectural style, material and color scheme as the principal building or buildings on the lot.

2. Outside storage buildings and outside open areas, other than retail product display allowed by the Zoning Code, should be screened by visual barriers located on the rear and side portions of the site.

3. No outside storage areas should extend beyond the building setback lines into setback areas. Outside storage or warehousing shall not be permitted as a principal use in the Riverfront District. No use shall be allowed which requires outside warehousing or storage of recyclable materials or products.

4. No waste materials or refuse shall be dumped upon or permitted to remain upon any part of property outside of the building proper. Occupants shall maintain solid waste disposal service with a City of Jenks licensed hauler at all times.

5. Trash or garbage collection areas shall be screened from streets and from abutting properties by an approved sight-proof barrier, and receptacles for such purpose when placed outside a building shall be closed type containers.

6. Collection and disposal of all solid waste shall comply with the City of Jenks solid waste ordinance. Applicants should show proof of solid waste service and detail location and type of solid waste disposal facilities on the subject property.

1660.3 Corridor District Guidelines

A. Appearance/Design

1. Building Design and Site Plan details should be so designed to provide building exterior walls and structural facades of a complementary style in order to minimize the impact of proposed new buildings and uses on adjacent and nearby properties. Exterior walls of buildings visible from the fronting street(s) must provide a complementary appearance utilizing design features, landscaping, color schemes, and other architectural treatments to eliminate monotone or monolithic exterior walls or structural facades in order to be compatible and complementary to adjacent and nearby properties within the Corridor Appearance District.
2. In addition to complementary exterior wall design and building materials, the use of building setbacks, screening fences, landscaping, signage, lighting, and other site-specific amenities should be used to increase compatibility of the building and any outdoor storage areas and outbuildings with adjacent and nearby properties. It is recognized that each individual building site has its own existing specific environmental character. The design of new structures or alteration of existing structures should be responsible to the character of its environment and the adjacent neighborhood.

3. Insofar as possible, the design of buildings and site improvements for a particular piece of land should take into consideration the physical location, size, topography, existing zoning, including adjacent and abutting properties, and the intensity of land use as specified in the Jenks Comprehensive Plan.

4. Use of Planned Unit Developments (PUD's) are encouraged for development and redevelopment of properties within the Corridor District in order to minimize the impact of proposed uses and to increase compatibility of uses with adjacent and nearby low intensity land use while providing a greater degree of design flexibility. Cooperative development by abutting property owners utilizing Zero Lot-Line construction may be considered.

5. All roof-mounted heating and air conditioning equipment (HVAC) shall be screened.

B. Building Materials

1. The design of new structures and of additions to existing structures, including new site improvements, should take into account the architectural style, general design, arrangement, texture, material and color of other structures and premises in the adjacent neighborhood. Contemporary designs for new structures, additions to existing structures or remodels may be allowed so long as such construction is compatible with the essential form and integrity of other structures in the adjacent neighborhood.

2. All new structures and all reconstruction or remodeling of existing structures within the Corridor District should utilize exterior materials such as masonry, face brick, stone, wood, or metal which give the appearance of material such as those in use at turn of the century. Use of contemporary materials, such as aluminum or other metals, fiberglass, and plastics for exterior surfaces must contribute to the preservation or enhancement of traditional materials and preserve the overall theme, integrity and appearance of the Corridor District.
3. Traditional color schemes and combinations of those colors that are complementary to the adjacent neighborhood should be used for all exterior wall coverings. Fluorescent or luminescent colors should be prohibited, unless measures are in place to "soften" the effect on adjoining properties.

C. Parking/Landscaping

1. Parking
   a. Off-street parking areas/ off-street loading areas should conform to the design, lighting, and improvements as required by the Jenks Zoning Code.
   b. Lighting used to illuminate off-street parking areas shall be by constant light and shall be so arranged as to direct the light away from abutting properties within a Residential Zoning District.
   c. Unenclosed off-street parking areas shall be surfaced with a dust-free all-weather material.
   d. Parking and internal traffic circulation should be established within each separate development in a way that will result in a substantial reduction in the number of existing and new public street and private drive access points to major arterial street frontages.

2. Landscaping
   a. Street frontages within the Corridor District should provide a sense of open-space and should be buffered from the streets by landscaped drives, lawns, or parking. Preservation of existing large trees and other natural physical or scenic features should be given high priority during the initial development planning phases.
   b. Trees and shrubbery utilized for landscaping purposes should conform to the species recommended and approved.
   c. Locations along or near to the proposed routes of the Jenks Trail System should be encouraged to provide for pedestrian, bicycle access to the System.
   d. Commercial, Industrial, and other non-residential uses within the Corridor District should provide minimum landscaped open space as follows:
1. Office Uses 15% of lot area
2. Commercial Uses 10% of lot area
3. Industrial Uses 5% of lot area

3. Fencing

   a. Development and redevelopment within the Corridor District should include adequate screening and buffering to avoid negative impacts on adjacent residential areas.

   b. Screening should be wooden fencing, faux wooden fences, masonry, or brick walls providing visual barriers, or combinations thereof. Screening fences shall be solid and no chain-link fences should be allowed except for interior security fences. If chain-link is used, the chain-link fence must be either vinyl-clad or screened.

   c. When the provisions of the Zoning Code or Corridor District guidelines require the construction of a screening wall or fence as a condition for the initiation and subsequent continuance of a use, the screening wall or fence shall comply with the following.

      1. Should be constructed, designed, and arranged to provide visual separation of uses, irrespective of vegetation or landscaping;

      2. Should not be less than six (6) feet in height;

      3. Should be erected within thirty (30) days following the occupancy of the building or initiation of the use required to be screened;

      4. Should be of the type of materials compatible with the surrounding area;

      5. Screening walls or fences shall be maintained by the owner or occupant of the lot containing the use required to construct the screening.

      6. Modifications of fencing requirements that may be considered include:

         (A) Modify or remove the screening requirement where existing physical features or approved landscaping features provide visual separation of uses;
(B) Extensions of time to erect a screen where properties which are to be benefited by the screening are undeveloped; and,

(C) Remove the screening requirement where the purpose of the screening requirement cannot be achieved.

D. Signage

1. All signs, as defined in the Jenks City Code, should be designed to compatible with and complementary to the adjacent neighborhood. All signs should be designed and erected in compliance with the Jenks City Code, Zoning Code and Sign Code without the necessity of variances. Variances of height, size, setback, and other Code requirements should not be supported within the Corridor District.

2. Ground signs or pole signs should not generally exceed 35 feet in height. A projecting sign shall not extend more than 1 foot above the mean roof level of the structure to which it is affixed.

3. Outdoor advertising signs and billboards should not be allowed in the Corridor District except along approved United States and State of Oklahoma highways and toll ways.

4. Signs that emit either a flashing light or project either spot light or concentrated beam or beacon of light in any manner are prohibited by the Jenks City Code.

5. Portable signs may be allowed in accordance with Jenks City Code provisions for one-time 30 day permit, or 14 day permit with 14 day interval between the use of portable signs, up to maximum number of 5 times or 10 weeks per year.

E. Lighting

1. All lighting, including exterior and parking lot lighting, should be so designed to complement the building structures constructed and those located in adjacent areas.

   a. Lighting used to illuminate off-street parking areas shall be by constant light and shall be so arranged as to direct the light away from abutting properties within a Residential Zoning District.

   b. Lighting incorporating period lighting fixtures similar to the Theme District and conforming to approved City street lighting studies are encouraged.
F. Storage & use of yards and outbuildings.

1. Outbuildings and accessory structures should be of the same architectural style, material and color scheme as the principal building or buildings on the lot.

2. Outside storage buildings and outside open areas, other than retail product display allowed by the Zoning Code, should be screened by visual barriers located on the rear and side portions of the site.

3. No outside storage areas should extend beyond the building setback lines into setback areas. Outside storage or warehousing shall not be permitted as a principal use in the Corridor District. No use shall be allowed which requires outside warehousing or storage of recyclable materials or products.

4. No waste materials or refuse shall be dumped upon or permitted to remain upon any part of property outside of the building proper. Occupants shall maintain solid waste disposal service with a City of Jenks licensed hauler at all times.

5. Trash or garbage collection areas shall be screened from streets and from abutting properties by an approved sight-proof barrier, and receptacles for such purpose when placed outside a building shall be closed type containers.

6. Collection and disposal of all solid waste shall comply with the City of Jenks solid waste ordinance. Applicants should show proof of solid waste service and detail location and type of solid waste disposal facilities on the subject property.
CHAPTER 17

SPECIFIC USE PERMITS

1700 Purposes
1701 Conditions for Approval
1702 Specific Use List
1703 Use Conditions
1704 Administration

SECTION 1700 Purposes

1700.1 General

The City Council may, after a public hearing and recommendation by the Planning Commission and after conducting a public hearing as is required in accordance with the provisions of this section, authorize for specific parcels of land, the issuance of a Specific Use Permit.

The uses listed in the Specific Use list are so clarified because of the size of the land they require or the specialized nature of the use, or they may more intensely dominate the area in which they are located or their effects on the general public are broader in scope than other types of uses permitted in the district.

The designation of a Specific Use Permit as possible on the Specific Use List does not constitute an authorization or an assurance that such use will be permitted. Rather, each Specific Use Permit application shall be valued as to its probable effect on the adjacent property and community welfare and may be approved or denied as the findings indicate appropriate.

SECTION 1701 CONDITIONS FOR APPROVAL

1701.1 Application

Prior to submission of a request for a Specific Use Permit, the City Planner may require one or more pre-application conferences with the potential applicant. In considering and determining its recommendation to the City Council relative to any application for a Specific Use Permit, the Planning Commission may require that the applicant furnish preliminary site plans and data concerning the operation, location, function and characteristics of any use of land or building proposed.

1701.2 Planning Commission Requirements

The Planning Commission may recommend to the City Council that certain safeguards and conditions concerning setbacks, ingress and egress, off-street parking and loading arrangements and location or construction of buildings and uses and operation be required. If the Planning Commission fails to review and make a recommendation within 45 days from the date the application is accepted for processing, the City Council can take action on the application.
1701.3 City Council Requirements

The City Council may, in the interest of the public welfare and to assure compliance with the intent of this ordinance and the Jenks Comprehensive Plan, may deny a specific request or require such development standards and operational conditions and safeguards as are indicated to be important to the welfare and protection of adjacent property and the community as a whole and be compatible with the natural environment and the planned capacities of public services and facilities affected by the land use. This may include the requirement of having the property platted and/or the requirement of the dedication of sufficient right-of-way or easement as necessary to further the public good. The City Council may impose conditions including, but not limited to, permitted uses, lot sizes, setbacks, height limits, required facilities, buffers, open space areas, lighting, noise levels, signage, landscaping, parking and loading, compatibility, and land use density as may be indicated depending upon the proposed use and its potential effect on adjacent areas or the community.

1701.4 Site Plans

A site plan (plot plan) setting forth the conditions specified may be required of the applicant and such plan when accepted shall be made a part of the permit issued for the specific use.

1701.5 Designation of Zoning Map

A Specific Use Permit approved under the provisions of this ordinance shall not be considered as an amendment to the zoning ordinance; however, the Specific Use Permit shall be noted on the zoning map as follows: SUP - (the number of the request for a Specific Use Permit). Any of the conditions contained in a Specific Use Permit approval shall be considered as conditions precedent to the granting of a building permit for the specific use provided for.

1701.6 Time Limits for Implementation

If for any reason the approved specific use ceases operation for a period of two years, then the approval of said specific use shall be considered void and will require another public hearing review by the Planning Commission and City Council. This shall also apply to any approved specific use that does not begin operation within two years of approval. This voiding of approval shall not apply if orderly progress toward completion of construction is taking place. Uses existing before the adoption of the Specific Use Permit ordinance including non-conforming uses and their incidental and accessory uses must receive a Specific Use Permit before any expansion of the use is permitted.

SECTION 1702 SPECIFIC USE LIST

1702.1 Specific Uses

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

Airport
Heliport
Bus Station
Cemetery
Convict Pre-Release Center
Crematory Governmental
Services Juvenile Delinquency
Center Detention Center
Juvenile-Adult
Electric Generation Plant and/or Sub-Station
Mausoleum
Post Office
Rifle and Skeet Range
Gun Club
Sanitary Landfill
Sewer Disposal Facility
Halfway House
Commercial Theme Parks
Refuse Transfer Station
Recycling Center
Golf Course
Golf Driving Range
Kennel
Mini-Storage
Water Treatment Facility and/or Water Storage Facility
Fire Protection Facility
Fire Station
Transmitting Tower (excluding amateur radio tower)
Churches
College or University
Hospital
Library
Nursing Homes
Convalescent Homes
Recreational Vehicle Park
Public Schools
Trade Schools
Private Schools, with comprehensive education curriculum
Museum
Offices - Use Unit 11 when located on a 40-acre or greater tract
Industrial Uses Use Units 24, 25, and 26 (Minimum acreage requirement-40 acres)
Use Unit 20 (Outdoor Recreational Facilities)
Use Unit 23 (Mining and Mineral Processing)
Bed and Breakfast Inn
Cultural or Heritage Centers, Public or Private Attractions.
Commercial Resort Facilities (Minimum acreage requirement of 40 acres)

SECTION 1703 Use Conditions

1703.1 Compliance with District and Use Unit Requirements
Specific uses permitted shall comply with the most restrictive yard and height requirements of the
1703.2 No Oil or Gas Related Wells Drilled after Granting of Specific Use Permit.

A. No permit for the drilling of any oil or gas related well shall be allowed in an AG, or IM zoned area if a Specific Use Permit affecting the area has been previously approved by the Jenks City Council unless the previous Specific Use Permit was Oil or Gas Well related.

B. Drilling operations for oil and gas require additional permits as specified under Article 7, Chapter 5-7-1 through 5-7-26 of the Jenks City Code. Conditions established under the required City Code application shall be in addition to the land use requirements established through the Specific Use Permit Process.

SECTION 1704 ADMINISTRATION

1704.1 Filing of a Petition for Specific Use Permit
A petition for a Specific Use Permit may be filed with the Planning Commission by the owner(s) of the property concerned, by the duly authorized representative thereof; by the holder of an option to purchase the affected real estate or by the purchaser in a contract to purchase realty. Such petition shall be on a standard form furnished by the Commission. All petitions for a Specific Use Permit shall be accompanied by a site plan of the proposed area showing the location of buildings, parking, and other pertinent data concerning the operation of the proposed use.

1704.2 Fee for Petition

A one-hundred ($100.00) application fee and a two-hundred ($200.00) processing fee shall be required with the Specific Use Permit application. All costs associated with required postings in newspaper having general circulation within the community will be billed to the applicant.

1704.3 Notice of Hearing

Notice of the public hearing to consider a Specific Use Permit shall be mailed at least twenty (20) days before the public hearing held by the Planning Commission by mailing written notice by the secretary of the Planning Commission to all owners of property within a three hundred (300') radius of the exterior boundary of the subject property.

The notice shall contain:

A. The date, time and place of the public hearing.

B. The present zoning classification of the property and the nature of the Specific Use Permit.

C. The legal description of the property and street address or approximate location in the municipality.
1704.4 Appeals

An applicant may appeal a recommendation of denial by the Planning Commission to the City Council by providing written notice of its intent to appeal with the City Clerk within fifteen (15) days of the date of recommended denial by the Planning Commission. The City Council may reverse the recommendation of the Planning Commission by a two-thirds vote of the members of City Council.
CHAPTER 18

DEFINITIONS

SECTION 1600 DEFINITIONS

For the purpose of this zoning code, the following definitions shall apply:

Abutting: In the context of a screening or enclosure requirement, abutting shall mean contiguous or separated there from only by a non-arterial street. In other instances, abutting shall mean contiguous.

Accessory Uses or Structure: A use or structure on the same lot with, and a nature customarily incidental and subordinate to, the principal use or structure.

Agriculture: The use of land for agricultural purposes, including farming (includes ownership of chickens, rabbits, doves, bees, etc.), dairying, pasturage (subject to animal size and acreage required by Jenks City Code), apiculture, aquaculture, horticulture, floriculture, viticulture, and animal and poultry husbandry and the necessary accessory uses for packing, treating, or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities. The operation of commercial feed pens, sales yards and auction yards, for cattle or hogs shall be deemed an industrial and not an agricultural use.

Alley: A permanent public way providing a secondary means of access for service and emergency vehicles, and not intended for general traffic circulation.

All-Weather Material: A hard surface dust free material (asphalt/cement) capable, during ordinary use, of withstanding without substantial deterioration, normal weather conditions.

Apartment House: A multiple-family dwelling. (See “dwelling, multi-family)

Arterial: A street designated on the Major Street Plan as a primary arterial or secondary arterial.

Automobile: A self-propelled mechanical vehicle designed for use on streets and highways for the conveyance of goods and people, including but not limited to the following: passenger cars, trucks, buses, motor scooters, and motorcycles.

Automobile Service Station: Any area of land, including structure thereon, that is used for the retail sales of gasoline of fuel oils (excluding butane or propane fuels), lubricants, tires, batteries, and other automobile accessories, and performing minor repairs, installation, and maintenance services, but not to include painting thereof.
Automobile Wash or Laundry: A structure designed primarily for washing automobiles using production line methods with a chain conveyer, blower, steam cleaner, high pressure spray or other mechanical device.

Automobile Wrecking or Salvage Yard: An area outside of a building where motor vehicles are disassembled, dismantled, junked or “wrecked”, or where motor vehicles not in operable condition or used parts of motor vehicles are stored.

Boarding House: A dwelling other than a hotel where, for compensation and by prearrangement for definite periods, meals, or lodging and meals are provided for three (3) or more but not exceeding twelve (12) persons.

Board of Adjustment: The Board of Adjustment of the City of Jenks, Oklahoma

Building: A structure which is permanently affixed to the land, and has one or more floors and a roof, and is bounded by either another building with a common party wall, open air, or the lot lines of a lot.

Building Coverage: The percentage of the lot area covered by the building. The building area shall include all overhanging roofs.

Building, Main: A building in which is conducted the principal use of the lot on which it is situated. In any residential district any dwelling shall be deemed to be a main building on the lot on which it is situated.

Building Setback: The horizontal distance, from the point of measurement, such as the centerline of an abutting street or the boundary line of an abutting zoning district to the nearest building wall.

Building Site: A single parcel of land occupied or intended to be occupied by a building or structure.

Care Home: Premises used for the housing and caring for the aged or infirmed, and includes convalescent homes, homes for the aged, and nursing homes.

Carport: A permanent roofed structure permanently open on at least two (2) sides, designed for or occupied by private passenger vehicles.

Child Care Center: Any place, home or institution which receives three (3) or more children under the age of sixteen (16) years, and not of common parentage, for care apart from their natural parents, legal guardians or custodians, when received for regular periods of time for compensation; provided, however, this definition shall not include public and private schools organized, operated or approved under the laws of this state, custody of children fixed by a court of competent jurisdiction, children related by blood or marriage within the third degree of the custodial person, or to churches or other religious or public institutions caring for children within the institutional building while
their parents or legal guardians are attending services or meetings or classes or engaged in church activities.

**City Council:** The mayor and city council of the City of Jenks, Oklahoma.

**Clinic, Dental or Medical:** A facility for the examination and treatment of ill and afflicted human outpatients; provided, however, that patients not limited to dental and doctors’ offices.

**Copy Area:** The net geometric area enclosed by the smallest rectangles encompassing the outer extremities of all letters, figures, characters, and delineations contained in the sign.

**Curb Level:** The mean level of the established curb at the frontage of a lot. Where no curb has been established, the City Engineer shall establish such level or its equivalent for the purposes of this code.

**Display Surface:** The surface of a sign upon, against, or through which the message is displayed or illustrated.

**Display Surface Area:** The net geometric area enclosed by the display surface of the sign, including the outer extremities of all letters, figures, characters and delineations, but not including the structural supports for free-standing signs if said structural supports are not arranged to become a part of the attention attracting aspects of the sign, provided, that as applied to wall or canopy signs having a non-illuminated background, display surface area shall mean “copy area”.

**District, Zoning:** Any section or sections of the City of Jenks for which regulations governing the use of buildings and premises or the height and area of buildings are uniform.

**Dry Cleaning or Laundry, Self-Service:** Any attended or unattended place, building, or portion thereof, available to the general public for the purpose of washing, drying, extracting moisture from, or dry cleaning wearing apparel, cloth, fabrics, and textiles of any kind by means of a mechanical appliance which is operated primarily by the customer.

**Dwelling:** A building or structure used in whole or in part for human inhabitation.

**Dwelling, Duplex:** A building containing two dwelling units designed for occupancy by not more than two families.

**Dwelling, Mobile Home:** A detached dwelling unit designed for transportation, after fabrication, on streets or highways on its own wheels or on a flatbed or other trailers, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy, except for minor and incidental unpacking and assembly operations, location on jacks or other temporary permanent foundation, connection to utilities, and similar installation activities.
Dwelling, Multi-Family: A building containing three or more dwelling units.

Dwelling, Single Family: A building, other than a mobile home containing one dwelling unit designed for occupancy by not more than one family.

Dwelling Unit: A room or group of rooms arranged, intended or designed as a habitable unit, containing kitchen, bath, and sleeping facilities, for not more than one family living independently of any other family.

Family: One or more persons occupying a single dwelling unit, provided that unless all members are related by blood, marriage, or other domestic bonds, no such family shall contain five persons, but further provided that domestic servants may be housed on the premises without being designated as a family.

Flood Hazard Areas: The land area adjoining a floodway which is not reasonably required to carry and discharge the floodwater of the 100-year frequency flood but which would be inundated by the floodwater of the 100-year frequency flood based upon full urbanization of the watershed.

Floodplain: The land area adjoining a watercourse or drainage way which would be inundated by the floodwater of the 100-year frequency flood, based on full urbanization of the watershed, as predicted by the City Engineer, or as predicted by the U.S. Corps of Engineers and confirmed by the City Engineer.

Floodway: The channel of a watercourse or drainage way and those portions of the adjoining floodplain which are reasonably required to carry and discharge the floodwater of the 100-year frequency flood as predicted by the City Engineer, or as predicted by the U.S. Corps of Engineers and confirmed by the City Engineer.

Floodway Fringe: Those portions of the floodplain which are not reasonably required to carry and discharge the floodwater of the 100-year frequency flood as predicted by the City Engineer, or as predicted by the U.S. Corps of Engineers and confirmed by the City Engineer.

Floor Area: The sum of the gross horizontal areas of the several floors, including basements, of a building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings. Provided that for the purpose of determining compliance with the permitted floor area, of enclosed required off-street parking areas shall not be included.

Floor Area Ratio: The floor area of a building or buildings on a lot divided by the lot area.

Foster Home: A dwelling used in whole or in part as living quarters for three (3) or more minor persons who are not members of the family occupying said dwelling, but are under their supervision.
Frontage: The lineal measurement of a lot boundary which abuts a public street or the lineal measurement of the building setback line when the boundary of the lot abuts a curbed non-arterial street or cul-de-sac.

Halfway House: A building used in whole or in part as a treatment center and dwelling quarters for persons unrelated by blood or marriage, who are undergoing care or rehabilitation for alcoholism or other forms of drug abuse.

Height, Building: The vertical distance measured from the ground floor elevation to the top of the highest top plate.

Height, Sign: The vertical distance measured from the curb level to the highest point of the sign.

Home Occupation: Any occupation or profession carried on by the inhabitants which is clearly incidental and secondary to the use of the dwelling for dwelling purposes, which does not change the character thereof, and which is conducted entirely within the main or accessory buildings; provided, that no trading in merchandise is carried on and in connection with which there is no advertising or display of merchandise or signs. There shall also be no mechanical equipment used or activity which creates any noise, dust, odor or electrical disturbance beyond the confines of the lot on which said occupation is conducted.

Home Owners Association: An incorporated, non-profit organization operating under recorded land agreements through which (a) each lot and/or homeowner in a planned unit development or other described land area is automatically a member and (b) each lot is automatically subject to a charge for a proportionate share of the expenses for the organization’s activities, such as maintaining a common property, and (c) the charge, if unpaid, becomes a lien against the property.

Hotel: A building or group of buildings under one ownership containing six (6) or more sleeping rooms occupied, intended or designed to be occupied as the more or less temporary abiding place of persons who are lodged with or without meals for compensation, but not including an auto or trailer court or camp, sanatorium, hospital, asylum, orphanage or building where persons are housed under restraint.

Kennel: Any lot or premises on which five (5) or more dogs and/or cats or combination thereof, more than six (6) months of age are kept.

Land Area: The area of a lot plus one-half or 30 feet, whichever is less, of the right-of-way of any abutting street of which the lot has access.

Livability Space: The open space of a lot which is not allocated to or used for off-street parking or loading areas or for paved access to the off-street parking or loading area.
**Loading Berth, Off-Street:** A space of at least 10 feet in width and 30 feet in length and having a vertical clearance of at least 14 feet, designed and located on a lot for the temporary parking of commercial vehicles while loading or unloading merchandise or materials.

**Lot:** Any plot of land occupied or intended to be occupied by one building or a group of buildings, and accessory buildings and uses, including such open spaces as required by this ordinance and other laws or ordinances, and having its principal frontage on a street and complying with the definition of a lot of record.

**Lot area:** The total horizontal area included within the lot lines of a lot.

**Lot, Corner:** A lot of which at least two (2) adjacent sides abut for their full lengths on a street.

**Lot, Depth:** The average distance from the street line of the lot to its rear line, measured in the general direction of the sidelines of the lot.

**Lot, Double Frontage:** A lot having a frontage on two (2) nonintersecting streets, as distinguished from a corner lot.

**Lot, Interior:** A lot other than a corner lot.

**Lot Line:** Any boundary of a lot.

**Lot Line, Front:** The boundary of a lot which abuts a public street. Where the lot abuts more than one street, the owner may select the front lot line.

**Lot Line, Rear:** The boundary of a lot which is not distant from and most nearly parallel to the front lot line.

**Lot Line, Side:** Any boundary of a lot which is not a front lot line or a rear lot line.

**Lot of Record:** A unit of land created as follows:

a. A lot in an existing, duly recorded subdivision; or,

b. A parcel in an existing, duly recorded land partition; or,

c. An existing unit of land for which a survey has been duly filed which conformed to all applicable regulations at the time of filing; or,

d. Any unit of land created prior to zoning and partitioning regulations (September 28, 1972) by deed or metes and bounds description, and recorded with the Tulsa County Clerk.
e. Lots within the Jenks Original Town Site Subdivision, wherein all lots are 25 feet wide, it is recognize that any development or use that incorporates two or more contiguous lots, and those lots are under the same ownership, then all lots under that use shall be considered a single lot of record.

Lot Width: The average horizontal distance between the side lot lines.

Major Street Plan: “The City of Jenks, Oklahoma Major Street Plan,” as adopted by the Mayor and City Council of Jenks, Oklahoma, by ordinance Number 232, on the 2nd day of July, 1973 and thereafter revised.

Mini-Storage: A building containing small partitioned storage spaces, which are separately and individually rented or leased, for the storage of personal goods or merchandise, but excluding commercial warehousing as described in Use Unit 22.

Mobile Home Park: Land or property which is used or intended to be used or rented for occupancy by one or more trailers or movable sleeping quarters of any kind.

NA: Not Applicable.

Nameplate: A sign, attached flush against a building, identifying the name of the building or the name of the occupant thereof.

NEC: Not Elsewhere Classified.

Nonconformance: A lawful condition of a structure or land which does not conform to the regulations of the district in which it is situated. This may include but is not limited to failure to conform use, height, area, coverage or off-street parking requirements.

One Hundred Year-Frequency Flood: A flood having an average frequency of occurrence once in 100 years, although the flood may occur in any year, based on statistical analyses of stream flow records available for the watershed and analyses of rainfall and runoff characteristics in the general region of the watershed, as predicted by the City Engineer, or as determined by the U.S. Corps of Engineers and confirmed by the City Engineer or as determined by a registered professional engineer and certified by the City Engineer.

Park: Means a place, other than grounds of a private dwelling that is provided by the public or members of a community for recreation.

Parking Space, Off-Street: A space on a lot intended and reserved for the parking of an automobile. Such space to be of at least 10 feet in width by 22 feet in length, together with a driveway connecting the space with a street or alley and permitting safe ingress or egress of an automobile.

Planned Unit Development: A discretionary type of development for a tract of land under single ownership or control, based upon approved development plan permitting flexibility
of principal land uses, lot size, and accessory uses not otherwise available under conventional development standards.


Private Club: Reference is hereby made to that section of the code of the City of Jenks, Oklahoma defining “private club.”

Rest Home: A health facility where persons are housed and furnished with meals and continuing nursing care for compensation.

Sanatorium: An institution providing health facilities for inpatient medical treatment or treatment and recuperation using natural therapeutic agents.

Setback: A horizontal distance determining the location of a building with respect to a street, use district boundary line, or another use. Where the term “setback” is used in conjunction with a modifying word or words such as “parking area”, the setback shall in its application include, but not be limited to, buildings.

Sign, Business: A sign which directs attention to a business, commodity, service, or entertainment conducted on the premises.

Sign, Canopy: A sign wholly supported by a canopy projecting from a building or an extended roof or pitched roof and which does not extend above the mean height level of the roof of the building.

Sign, Construction: A temporary sign erected during the period of construction advertising the construction of improvements on the property.

Sign, Ground: A sign which is attached to or is a part of a self-supporting structure, other than a building or portion of a building.

Sign, Outdoor Advertising: A sign which directs attention to a business, commodity, service, or entertainment, sold or offered elsewhere than the premises and only incidentally on the premises, if at all.

Sign, Projecting: A sign affixed to a building and which extends horizontally more than 12” from the sign supporting portion of the building.

Sign, Real Estate: A temporary sign advertising the sale, rental, or lease of the premises.

Sign, Roof: A sign which is affixed to a roof, extended roof, pitched roof or canopy and which extends above the mean height of the roof.

Sign, Wall: A sign affixed to a building wall which does not project horizontally more than 12” from the wall nor extend above the height of the wall.
Site Development: A plan drawn at a scale of not less than one inch equals fifty (50) feet which shows the topographic characteristics of the site at two (2) foot contour intervals; the location and dimensions of buildings, yards, courts, parking spaces, and other features; the use of each building and area; adjacent streets, alleys, utility drainage and other easements; and the relationship of the development to adjacent areas which it may affect.

Special Exception: A use or a design element of a use which is not permitted by right in a particular district because of potential adverse effects, but which if controlled in the particular instance as to its relationship to the neighborhood and to the general welfare, may be permitted by the Board of Adjustment, where specifically authorized by the code, and in accordance with the substantive and procedural standards of the code.

Street: Any public thoroughfare which affords the principal means of access to abutting property.

Street, Intersecting: Any street which joins another street at an angle, whether or not it crosses the other.

Street, Wall: The wall or part of the building nearest to the street line.

Structure: Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground, and included buildings, walks, fences, and signs.

Structural Alterations: Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any substantial change in the roof or exterior walls.

Supplemental District: A zoning district to be mapped as an overlay to a use district and which modified or supplements the regulations of the general district in recognition of distinguishing circumstances such as unit development or flooding propensity while maintaining the character and purposes of the general use district area over which it is superimposed.

Top Plate: The horizontal timber directly carrying the trusses of a roof or the rafters.

Townhouse Development: A row of at least three (3) attached dwelling units separated by a party wall with each dwelling unit on an individual lot and designed for separate ownership of the individual dwelling units with no separate dwelling unit constructed above another dwelling unit.

Variance: A relaxation of a restriction of the code, granted by the Board of Adjustment, where by reason of exception narrowness, shallowness, shape, topography, or other extraordinary or exceptional situation, condition or circumstance of a particular property, the literal enforcement of the code restriction, would result in unnecessary hardship.
Veterinary Hospital (smaller animals): A building used exclusively for the care and treatment of domestic household type pets, including incidental overnight boarding of smaller animals within an enclosed building and excluding outside animal runs and boarding services.

Veterinary Hospital (larger animals): A building used exclusively for the care and treatment of larger animals primarily in the livestock classification and which may include boarding services, and outside animal runs.

Yard: An open unoccupied space on a lot between a building and a lot line.

Yard, Front: A yard extending along the full length of the front lot lines between the side lot lines.

Yard, Rear: A yard extending along the full length of the rear lot line between the side lot lines.

Yard Required: The minimum permitted distance of open unoccupied space between a building and a lot line.

Yard, Side: A yard extending along a side lot line between the required front yard and the required rear yard.
CHAPTER 19
TEMPORARY USE PERMITS

SECTION 1900 PURPOSES

1900.1 General

Temporary Use Permits are required for a range of different uses that are temporary in nature and are required to be removed following the expiration of the permit. A Temporary Use cannot be applied for on a residentially zoned property or within a residential subdivision except as specifically outlined within this section for the marketing of a new residential subdivision or for public infrastructure projects. Temporary Use Permits are required for uses such as special events on private lands, carnivals, seasonal businesses (including Christmas Tree Lots and Firework Stands). Temporary Uses considered as open air sales not associated with sales from a principal building must comply with Appearance Review Guidelines. A temporary use can be specified for a single event time up to 45 days, up to a 180 day period, or for one year. Temporary uses are identified by two categories, Temporary Use Intensive and Non Intensive. A Temporary Use Intensive requires process as outlined under Section 1901 Application - Intensive. The Non Intensive Temporary Use requires review and approval of the Jenks Planning and Engineering Departments only. Below is a list of Temporary Uses and the time frames for which they can be applied.

Temporary Uses - Intensive

1. The following uses can be applied for up to 45 days.
   A. Special Events on private lands
   B. Carnivals
   C. Annual, Seasonal (Holiday), or Recurring Uses (Including Christmas Tree Lots and Fireworks Stands)

2. The following uses can be applied for up to 180 days.
   A. Temporary outdoor uses such as displays.
   B. Open air sales not associated with sales from a principal building.
   C. Special Events located within Riverfront Entertainment District.

Note: Open air sales that are considered temporary due to the structure utilized but are considered ancillary or accessory to the primary use of the subject property may be
permitted without a Temporary Use Permit but shall be restricted to less than the 180 day requirement and comply with the Appearance Review Guidelines.

Temporary Uses – Non Intensive

1. The following uses can be applied for up to one year (Public Infrastructure Projects may be extended to the completion of the project).

   A. Real estate office used for the sale of lots or housing within the same development in which the sales office is located provided that it is located within the development within the first year of initial lot release for the development.

   B. Temporary Uses associated with construction permits and public infrastructure projects, including, but not limited to, equipment storage, job shacks, material storage, and like uses which are not otherwise permitted by City Ordinances or Regulations.

The City Council may, after a public hearing and recommendation by the Planning Commission and after conducting a public hearing as is required in accordance with the provisions of this section, authorize for specific parcels of land, the issuance of a Temporary Use Permit - Intensive.

The designation of a Temporary Use Permit as possible does not constitute an authorization or an assurance that such use will be permitted. Rather, each Temporary Use Permit - Intensive application shall be valued as to its probable effect on the adjacent property and community welfare and may be approved or denied as the findings indicate appropriate.

Special Events conducted on public lands or right of ways and sanctioned by the City of Jenks are exempt from the Temporary Use Permit – Intensive Process and will be subject to the Special Event Process through the Jenks Police Department. Temporary Uses may be authorized as a part of a Planned Unit Development (PUD), Special Event - Temporary Uses authorized by a PUD may require a Special Event Process through the Jenks Police Department.

SECTION 1901 APPLICATION - INTENSIVE

1901.1 Pre-Application

Prior to submission of a request for a Temporary Use Permit - Intensive, the City Planner may require one or more pre-application conferences with the potential applicant. In considering and determining its recommendation to the City Council relative to any application for a Temporary Use Permit, the Planning Commission may require that the applicant furnish preliminary site plans and data concerning the operation, location, function and characteristics of any use of land or building proposed.

1901.2 Application

A Temporary Use Permit - Intensive Application shall be submitted to the Jenks Planning Department at a minimum of 60 days prior to the date of the event.
An application for a Temporary Use Permit - Intensive may be filed with the Planning Commission by the owner (s) of the property concerned, by the duly authorized representative thereof; by the holder of an option to purchase the affected real estate or by the purchaser in a contract to purchase realty. Such application shall be on a standard form furnished by the City of Jenks.

1901.3 Site Plans

The application shall provide a site plan showing the location of the temporary use on the property, all aspects of the use, and the internal details of the use to include access and patterns of pedestrian and vehicular traffic.

1901.4 Fee for Application

A one-hundred ($100.00) dollar application fee and a two-hundred dollar ($200.00) processing fee shall be required with the Temporary Use Permit - Intensive application. All costs associated with required postings in newspaper having general circulation within the community will be billed to the applicant.

1901.5 Notice of Hearing

Notice of the public hearing to consider a Temporary Use Permit – Intensive shall be provided at least fifteen (15) days prior to the public hearing on a proposed Temporary Use Permit - Intensive by publication in a newspaper of general circulation. In addition, a written notice shall be provided at a minimum of fifteen (15) days prior to the public hearing on a proposed Temporary Use Permit - Intensive to all owners of property within a three hundred (300) foot radius of the exterior boundary of the subject property.

The notice shall contain:

D. The date, time and place of the public hearing.

E. The present zoning classification of the property and the nature of the Temporary Use Permit.

F. The legal description of the property and street address or approximate location in the municipality.

SECTION 1902 USE CONDITIONS

1902.1 Compliance with District and Use Unit Requirements

Temporary uses permitted shall comply with the most restrictive yard and height requirements of the district in which located except as may be modified by City Council as provided in Section 1902.4.

1902.2 Temporary Use Minimum Zoning Regulations.

1. Any temporary or portable structure used for such sales or services shall meet the
applicable provision as specified by the City of Jenks building codes and comply with the Appearance Review District Guidelines. Temporary Structures must comply with all Fire Safety Codes.

2. Customer Parking shall be on an improved surface recognized as a dust free all weather surface such as asphalt or concrete. The City Council may authorize the use of different parking standards for Temporary Uses utilizing larger tracts of lands for a specific amount of time not warranting the need for full compliance of the required parking standards.

3. Temporary uses and associated activities shall not be conducted within the required minimum setback areas or within unobstructed open space areas adjacent to public rights of way.

4. Adequate sanitary facilities for customers and employees shall be provided.

5. Storage areas and trash containers shall be screened from view from adjacent residential property and public rights of way.

6. A cash bond shall be deposited with the City by the operator of the proposed temporary use in the amount of two thousand five hundred dollars ($2,500.00). Said bond shall be for the purpose of ensuring the prompt repair, by the operator, of any damage to public improvements, including, but not limited to, streets, sidewalks, curbs, gutters, and landscaping which may occur as a result of the operation of the temporary use. Also, this cash bond may be applied if the operator fails to promptly repair damage to adjacent property caused by the temporary use, or to remove debris, litter, trash, mud or dirt permitted to remain on the site or on public property by the operator of such temporary use for any unreasonable amount of time. Such bond shall be released or returned to the operator upon certification by the Zoning Official that all of the requirements of this Code have been met.

7. All temporary uses providing the sale of merchandise must have a Sales Tax Permit with the State of Oklahoma specifying the City of Jenks as the point of sale.

1902.3 Planning Commission Requirements

The Planning Commission may recommend to the City Council that certain safeguards and conditions concerning setbacks, ingress and egress, off-street parking and loading arrangements and location or construction of buildings and uses and operation are required. If the Planning Commission fails to review and make a recommendation within 45 days from the date the application is accepted for processing, the City Council can take action on the application.

1902.4 City Council Requirements

The City Council may, in the interest of the public welfare and to assure compliance with the intent of this ordinance and the Jenks Comprehensive Plan, deny a specific request, or require such development standards and operational conditions and safeguards as are indicated to be important to the welfare and protection of adjacent property and the community as a whole and be compatible with the natural environment and the planned capacities of public services and facilities affected by the land use. The City Council may impose conditions including, but not limited to, permitted uses, lot sizes, setbacks, height limits, required facilities, buffers, open space areas, lighting, noise levels, signage, landscaping, parking and loading, compatibility, and land use density as may be indicated depending upon the proposed use and its potential effect on adjacent areas or the community.
The City Council shall consider the following criteria in granting a temporary use permit:

1. That the temporary use permit is compatible with the various provisions of chapter 19;
2. That the temporary use is a reasonable use of land compatible with the general plan land use designation and zoning classification;
3. That the temporary use will not impede the reasonable use of land, or the orderly development of land in the immediate vicinity;
4. The temporary use will not adversely affect the adjacent uses, buildings or other structures;
5. That the temporary use will not endanger the public health, safety or general welfare;
6. Provisions for adequate traffic access/circulation, off-street parking and pedestrian safety have been provided and will be maintained during the operation of the use or activity; and
7. That the granting of the temporary use permit is made subject to those conditions necessary to preserve the general welfare, not the individual welfare of any particular applicant.

SECTION 1903 APPLICATION – NON-INTENSIVE

1903.1 Pre-Application

Prior to submission of a request for a Temporary Use Permit – Non-Intensive, the City Planner may require one or more pre-application conferences with the potential applicant. In considering and determining the approval relative to any application for a Temporary Use Permit, the Planning or Engineering Departments may require that the applicant furnish preliminary site plans and data concerning the operation, location, function and characteristics of any use of land or building proposed.

1903.2 Application

An application for a Temporary Use Permit – Non-Intensive may be filed with the Planning Department by the owner (s) of the property concerned, by the duly authorized representative thereof; by the holder of an option to purchase the affected real estate or by the purchaser in a contract to purchase realty. Such application shall be on a standard form furnished by the City of Jenks.

1903.3 Site Plans

The application shall provide a site plan showing the location of the temporary use on the property, all aspects of the use, and the internal details of the use to include access and patterns of pedestrian and vehicular traffic.

1903.4 Review and Approval Non-Intensive

Prior to the authorization of a Temporary Use Permit Non-Intensive, the project owner shall be required to submit the application to the Office of City Planner for review and approval.
The Office of the City Planner shall cause the basic scope of the project to be presented to the Planning Director, the Chief Building Official, and the City Engineer for a determination of approval or denial. The review may determine that certain safeguards and conditions concerning setbacks, ingress and egress, off-street parking and loading arrangements and location or construction of buildings and uses and operation shall be required.

SECTION 1904 APPEALS

1904.1 Appeals

An applicant may appeal a recommendation of denial of a Temporary Use Permit - Intensive by the Planning Commission to the City Council by providing written notice of its intent to appeal with the City Clerk within fifteen (15) days of the date of recommended denial by the Planning Commission. The City Council may reverse the recommendation of the Planning Commission by a two-thirds vote of the members of City Council.