

AGENDA
JENKS PLANNING COMMISSION
6:00 P.M. THURSDAY, MARCH 03, 2022
COUNCIL CHAMBERS, JENKS CITY HALL
211 NORTH ELM STREET, JENKS, OKLAHOMA 74037

I. CALL TO ORDER

II. ROLL CALL

III. OTHER BUSINESS

1. Unified Development Ordinance: Public Comments and Discussion

Documents:

[1. SR.PLANNING UDO.PDF](#)
[UDO REVISIONS OVERVIEW MEMO.PDF](#)
[JENKS_FULL DRAFT UDO_20220225.PDF](#)

IV. BUSINESS

Official action can only be taken on items which appear on the agenda. The Planning Commission may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item (except for Item 1).

1. Consideration and appropriate action relating to a request for approval of the Consent Agenda. (All matters listed under "Consent" are considered by the Commission to be routine and will be enacted by one motion. Any Commissioner may, however, remove an item from the Consent Agenda by request. A motion to adopt the Consent Agenda is non-debatable.)

1.A. Approve minutes of the regular meeting on January 06, 2022

Documents:

[2022.01.06 PC MINUTES.PDF](#)

1.B. Approve ROW-UEC 22-80: Request by Erik Enyart for a utility easement closure.
General Location: Block 5 of Hickory Creek of Jenks

Documents:

[1. SR.PC.ROW-UEC.HICKORY CREEK.PDF](#)
[2. HICKORY CREEK.SAN SEW ESMT-2000007362.PDF](#)
[3. HICKORY CREEK OF JENKS \(2\).PDF](#)

1.C. Approve JZ 22 PUD 61A.mi1: Request by Oasis Pools for approval of side-yard build line reduction for from 10 feet to 5 feet for a pool. General Location 12810 S Birch

Documents:

1. [SR.JZ 22 PUD 61AMI1.PDF](#)
2. [MORTGAGE INSPECTION.PDF](#)

- 1.D. Approve JZ 22 PUD 117.mi1: Request by Tom Neal for approval of a front build line reduction on two properties in Yorktown Blocks 50-52. General Location: 223 W 130th St S

Documents:

1. [SR.JZ 22 PUD 117MI1.PDF](#)
2. [YORKTOWN EXHIBITS.PDF](#)
3. [YORKTOWN BLOCKS 50-52.PDF](#)

- 1.E. Approve JZ 22 PUD 112.mi2: Request by Carolina Olphert for approval of modification to required building materials in South County Crossing. General Location: 1081 W 121st St

Documents:

1. [SR.JZ 22 PUD 112.MI2.PDF](#)
2. [PUD112MI2.SITEPLAN.LOTS.PDF](#)
3. [ELEVATION.1.JPG](#)
3. [ELEVATION.2.JPG](#)
3. [ELEVATION.3.JPG](#)
3. [ELEVATION.4.JPG](#)
3. [ELEVATION.5.JPG](#)
3. [ELEVATION.6.JPG](#)
3. [ELEVATION.7.JPG](#)
4. [ELEVATION.JENKS THERAPY.PDF](#)
- 4A. [ELEVATION.JENKS THERAPY.JPG](#)

2. Consideration and appropriate action relating to items removed from the Consent Agenda
3. JZ 22 PUD 132.ma1: Request by Ryan McCarty to establish a new boundry, rezone a new parcel, and add the PUD overlay for office warehouse and other uses. General Location: N of 121st between Elwood and Elm

Documents:

1. [SR.JZ 21 PUD 132MA1.PC.PDF](#)
2. [PUD 132-A \(MAJOR AMENDMENT 1\).PDF](#)
- 2.1 [PUBLIC NOTICE.JZ 22 PUD 132.MA1.PDF](#)
3. [SOUTH COUNTY CROSSING II \(SKETCH PLAT\).PDF](#)
- 3.1 [BOUNDARY EXHIBIT.PDF](#)
4. [TROJAN II DEED - 2017114856.PDF](#)

4. JZ 22 PUD 134: Request by JR Donelson for a Planned Unit Development and a rezone from RS-2 (Residential Single-family) to RM-2 (Residential Multi-family) to allow for townhomes. General Location: 504 E "C" St

Documents:

1. [SR.JZ 22PUD 134 5TH AND C.PC.PDF](#)
2. [JENKSGARDENSCSTREET.PDF](#)
3. [PUBLIC NOTICE.JZ 22 PUD 134.504 E C ST.PDF](#)

V. Planning Updates

VI. ADJOURNMENT

To Planning Commission

Subject Update from Planning Department

Date March 03, 2022 | Planning Commission Regularly Scheduled Meeting

UDO Summary Preparer | Marcaé Hilton

UDO | Next Steps

- Staff Complete Edits for “draft UDO” | February 23
 - Houseal Lavigne update draft per staff edits
- Latest Final Draft for PC review and recommendation at March 3, 2022 PC Hearing
- Adoption: CC | April 5

UDO | Update Summary

➤ UDO OPEN HOUSE SCHEDULE:

- December 8 | 5:30 – 7:30 | City Hall
- December 9 | 11:30 – 1:30 | City Hall
- December 9 | 6:00 | PC Public Hearing
 - UDO INFO BROCHURE | Information on display from Dec. 9-February 9
 - OPEN HOUSE BOARDS | Information on display from Dec. 9-February 9

Planner available to visit with Public | Staff visited with additional public members

- December 13 | 10:00 – 1:00 | Office Hours – City Hall
- December 14 | 3:00 – 5:30 | Office Hours – City Hall
- December 16 | 8:00 – 6:30 | Office Hours – City Hall
- December 17 | 11:30 – 2:30 | Office Hours – City Hall

Additional Individual Meetings following the PC hearing:

- January 4 | 1 (RTC) Property Owner (non-resident)
- January 12 | 4 Downtown (DC) Property Owners
- January 13 | 1 Downtown (DC) Property Owner
- January 21 | (DC) Main Street Church (Pastor and others)
- February 9, 2022 | Open House with HL (John Houseal & Jackie Wells)
- February 16, 2022 | Open House with HL (Jackie Wells)
- February 18, 2022 | mailed informational letters to residents in Downtown Jenks
 - Downtown Core (DC)
 - Overlay District (OT)
 - Sanco Subdivision
- February 19, 2022 | Hand delivered invitations to Beaver Street Residents inviting them to Overlay District Discussion
 - 16 lots in Pilgrim Place
 - 43 lots in Sanco
- February 22, 2022 | 2:00 pm-6:30 pm | Beaver Street Resident discussions
 - During the 4.5 hours, at the Hive, at least 19 Beaver Street Residents came and spoke with Marcaé. Councilor Lynn was present for the majority of the meeting and sat at a different table.
 - It is estimated 14 households were represented

- Staff was able to have detailed small group discussion.
- Staff believes the residents understood and still preferred to stay wholly residential.
- 0 were in favor of allowing additional uses within Sanco
- At least one resident living Pilgrim Place was indifferent
 - 59 total households along Beaver Street
 - 13 households were represented

UDO | Changes to UDO (not complete list) | *The following summarizes the changes to the draft Horizon Jenks Unified Development Ordinance since the Planning Commission public hearing on December 9th, 2021, below.*

Article 3

- ROC Districts shall follow the bulk and dimensional standards and uses of the RTC
- CH Districts shall follow the bulk and dimensional standards and uses of the CG
- Added Pool language to allow for pools in side yard with conditions
- Corrected/changed several “Uses” in Table 16-3-4(C)
- Changed drive throughs to Specific Use Permit in the Riverfront Tourist Commercial (RTC) District. Drive throughs were not allowed in the RTC district in previous drafts.
- Allow Multi-tenant in DC and RTC (with design standards) “C”
- Second look at Medical Marijuana Uses
- Commercial Indoor Agriculture (Urban) new regulations
- Home Based Businesses to be Conditional Uses, Except Child Care (SE)
- Downtown Core | allow parking as primary use along Aquarium and “A” Street

Article 4

- Revise boundaries of DT | Currently removed Sanco and Pilgrims Place from DT
- Added design standards to DT
- Added additional protective standards including porch requirement for residential look

Article 5

- Mini Storage is referred to as “Personal Storage Facility” the only style allowed would be climate-controlled office building style structures
- Bar/Tavern was added to the Chapter and the “Use tables”
- Home Based Businesses are allowed with conditions, except Child Care (SE)
- 16-5-13 Food Trucks revised again to closer fit Council preferences | Added Food Truck
- Court to Use Chart (SUP)
- Urban Garden language has been removed

Article 6

- New standards were added for DC parking
- 16-6-2 Driveways only apply to Duplex or Townhome
- Fence Permits are only required for fences over 7 feet, standards remain in place
- Clarity through new illustrations were provided for visibility standards
- Outline lighting on structures is allowed but should be constant

Article 7

- 16-7-4 Multi-tenant and Single tenant signs are not allowed in the DT
- Outline lighting in windows is not allowed

Article 8

- Subdivision Regulations received a third overhaul
- Amended language in Administrative sections
- Removed | Increased the maximum width of single-slab driveways to 27 feet at the property line from 20 feet in previous drafts.
- Revised the Planned Unit Development text in Section 16-9-8 as follows:
 - Edited the general provisions so that planned unit developments include both the rules by which parcels are developed and the site plan that shows the specific proposal.
 - Specified that site development allowances shall be identified on the approved site plan.
 - Specified the conditions that qualify as major amendments to Planned Unit Developments, rather than the conditions that qualify as minor amendments.

Article 9

- Added the following text from the existing Chapter 16 Planning and Zoning of the City's code of ordinances to the new Article 9:
 - Existing Article 1. Planning Commission.
 - Existing Section 16-2-2 Zoning Clearance Permit Required.
 - Existing Article 5. Board of Adjustment.
 - Existing Section 16-5-7. Appeal to District Court.
 - Existing Article 6. Administration.
 - Existing Article 13. Flood Damage Prevention, Enforcement, and Penalties For Noncompliance.
 - Existing Article 14. Flood Damage Prevention; Severability.



MEMORANDUM

Date: February 25, 2022

SENT VIA EMAIL

To: Marcaé Hilton
Director of Planning
City of Jenks

From: Houseal Lavigne Associates
Jackie Wells, AICP, Project Manager
Ruben Shell, Lead Support

Re: **UDO Revisions Overview**

The purpose of this memorandum is to provide an overview of the proposed revisions to the draft Unified Development Ordinance (UDO) presented to the Planning Commission on December 9, 2021. Proposed revisions are based on feedback received from the Planning Commission, public, and City staff.

Article 2: Establishment of Districts

1. CH – Commercial High-Intensity Legacy District and ROC – River Oriented Legacy District added to list of Base Zoning Districts in 16-2-1(A).
2. Purpose and intent statement of DT – Downtown Transition Overlay District revised to exclude Pilgrim Place and Sanco subdivisions.

Article 3: Base District Specific Standards

1. Bulk and dimensional standards established for the CH – Commercial High-Intensity Legacy District and ROC – River Oriented Legacy District in 16-3-1(B)(1-2).
2. Allowed locations of private swimming pools established in 16-3-3(C)(6).
3. Changes to allowed uses in Table 16-3-4(B):
 - a. Short term rental allowed as conditional use in RM1, RM2, and RM3.
 - b. Home based childcare use established as special exception use in all districts.
 - c. Home based business revised to conditional use rather than special exception use.
 - d. Urban gardens eliminated.
 - e. Food trucks revised to conditional use rather than temporary use.
4. Changes to allowed uses in Table 16-3-4(C):
 - a. Commercial agriculture established as a specific use in AG.
 - b. Community group home revised to specific use.
 - c. Multifamily building revised to specific use.
 - d. Residential, above ground floor revised to specific use in OL, OM, and LC and to permitted in RTC.
 - e. Convenience store established as permitted in DC and RTC and revised to permitted in LC.
 - f. Multitenant shopping center established as conditional in DC and permitted in RTC and revised to conditional in LC.
 - g. Acute care center established as permitted in OM.
 - h. Commercial animal boarding prohibited in CS and established as permitted in IL.

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- i. Medical and dental office revised to permitted in RTC.
 - j. Personal storage facility established as permitted in IM.
 - k. Professional office, above ground floor revised to permitted in OL, OM, LC, and RTC.
 - l. Short term rental established as conditional in DC and RTC.
 - m. Bar/tavern established as permitted in CG, DC, and RTC.
 - n. Food truck court established as specific use in LC, CS, CG, and RTC.
 - o. Accessory building, accessory dwelling, accessory retail, accessory structure established as permitted in AG.
 - p. Drive through revised to permitted in CS and CG and established as specific use in RTC.
 - q. Home based business revised to special exception.
 - r. Urban gardens eliminated.
 - s. Carnival/fair, construction related, farmers market, outdoor dining, outdoor activity/operation, outdoor display/sale of merchandise, seasonal sales established as temporary use in AG.
- 5. Allowed uses established for the CH – Commercial High-Intensity Legacy District and ROC – River Oriented Legacy District in 16-3-4(B)(1-2).
 - 6. Parking area location standards revised for DC District in 16-3-5(G).
 - 7. Parking area landscape standards established for DC District in 16-3-5(H).

Article 4: Overlay District Specific Standards

- 1. Building frontage requirements established for DT in 16-4-2(I).
- 2. Changes to allowed uses in Table 16-4-2(L):
 - a. Short term rental; brewery/winery/distillery tasting room; coffee/tea shop; restaurant, fast casual; restaurant, sit-down established as conditional.
 - b. Outdoor dining established as temporary use.

Article 5: Use Specific Standards

- 1. Façade articulation requirements established for personal storage facilities.
- 2. Food truck court, car wash, home based childcare, standards established.
- 3. Urban garden standards eliminated.

Article 6: Development Standards

- 1. Single family detached driveway width maximum revised to width of garage doors.

Article 7: Sign Standards

- 1. Projecting signs revised to blade signs.

Article 9:

- 1. Fence permit requirements eliminated.
- 2. Enforcement standards established.

CITY OF JENKS, OK

UNIFIED DEVELOPMENT ORDINANCE

February 25, 2021

DRAFT FOR LOCAL CONSIDERATION



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Article 1. General Provisions

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16-1-1. Title

(A) This ordinance shall be known and may be cited as:

- (1) “Unified Development Ordinance”,
- (2) “UDO”, and
- (3) “this Chapter”.

16-1-2. Purposes, Interpretation, and Jurisdiction

(A) **Purposes.** This UDO is enacted for the purposes of:

- (1) Promoting the health, safety, peace, morals, comfort, convenience, prosperity, order, and general welfare,
- (2) Reducing danger and congestion of public transportation,
- (3) Providing adequate light and air, public utilities, facilities and service, and other public requirements,
- (4) Promoting 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,
- (5) Preventing overcrowding of land and undue encroachment thereon,
- (6) Promoting efforts which will prevent or eliminate damage to the environment and biosphere,
- (7) Stimulating and assuring for all citizens safe, healthful, productive, and aesthetically and culturally pleasing surroundings,
- (8) Encouraging the residential, commercial, and industrial growth of the community as well as the most appropriate use of land, and
- (9) Encouraging the development of the community in accordance with the Jenks Comprehensive Plan, and as amended.

(B) **Interpretation.**

- (1) **Validity of Other Laws.** Where this UDO imposes a greater restriction upon the use of buildings, structures, or land or upon height or bulk of buildings or structures or requires larger open space or yards than are imposed by other ordinances, laws, or regulations, the provisions of this UDO shall govern. However, nothing in this UDO shall be construed to prevent the enforcement of other ordinances, laws, or regulations which prescribe more restrictive limitations.
- (2) **Severability.** In case any portion of this UDO 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.
- (3) **Definition.** For the purpose of this UDO certain terms and words are to be used and interpreted as defined in Article 11. Definitions of this UDO.
- (4) **Tense.**
 - (a) Words used in the present tense shall include the future tense.
 - (b) Words in the singular include the plural and words in the plural number include the singular, except where the natural construction of the writing indicates otherwise.
 - (c) The words "shall" and "will" are mandatory.

(C) **Jurisdiction.**

- (1) **Territorial Jurisdiction.** This UDO shall be in full force and effect and shall apply to all lands within the incorporated limits of the City of Jenks, Oklahoma.
- (2) **Annexed Territory.** When any territory shall be brought into the 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 Section 16-9-12.
- (3) 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 UDO.

Article 2. Establishment of Districts

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16-2-1. Zoning Districts Established

The Zoning Districts set forth below are hereby established.

(A) Base Zoning Districts.

- | | |
|---|--|
| (1) AG – Agricultural District | (11) RMH – Residential Manufactured Home Legacy District |
| (2) RE – Residential Estate District | (12) OL – Office Low Intensity District |
| (3) RS1 – Residential Single-Family Low-Density District | (13) OM – Office Medium Intensity District |
| (4) RS2 – Residential Single-Family Medium-Density District | (14) LC – Local Commercial District |
| (5) RS3 – Residential Single-Family High-Density District | (15) CS – Commercial Shopping Center District |
| (6) RD – Residential Duplex District | (16) CG – Commercial General District |
| (7) RTH – Residential Townhouse District | (17) DC – Downtown Core District |
| (8) RM1 – Residential Multifamily Low Density District | (18) RTC – Riverfront Tourist Commercial District |
| (9) RM2 – Residential Multifamily Medium Density District | (19) CH - Commercial High-Intensity Legacy |
| (10) RM3 – Residential Multifamily High Density District | (20) ROC - River Oriented Commercial Legacy |
| | (21) IL – Industrial Light and Research and Development District |
| | (22) IM – Industrial Moderate Legacy District |

(B) Overlay Zoning Districts.

- (1) PUD – Planned Unit Development Overlay District
- (2) DT – Downtown Transition Overlay District

16-2-2. Purpose and Intent of Base Zoning Districts.

(A) **AG – Agricultural District.** The AG District is designed to encourage and protect agricultural land until an orderly transition to urban development may be accomplished; discourage wasteful scattering of development in rural areas; and obtain economy of public fund expenditures for improvements and services.

(B) Residential Districts.

- (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 families by permitting in residential areas appropriate neighborhood facilities, such as places of worship, 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 Jenks families, and
 - (f) Control the density of residential development to facilitate the planning for an economical provision of streets, utilities, and other public facilities.
- (2) **RE – Residential Estate District.** The RE District is designed to provide and preserve areas for large lot, estate style homes.
- (3) **RS1 – Residential Single-Family Low-Density District.** The RS1 District is designed to provide and preserve areas for residential neighborhoods with primarily single-family detached dwellings in a low-density environment.
- (4) **RS2 – Residential Single-Family Medium Density District.** The RS2 District is designed to provide and preserve areas for residential neighborhoods with primarily single-family detached dwellings in a medium density environment.
- (5) **RS3 – Residential Single-Family High-Density District.** The RS3 District is designed to provide and preserve areas for residential neighborhoods with primarily single-family detached dwellings in a high-density environment.
- (6) **RD – Residential Duplex District.** The RD District is designed to provide and preserve areas for residential neighborhoods with a compatible combination of residential housing types including single-family dwellings and duplexes in a mixed low to medium density environment.
- (7) **RTH – Residential Townhouse District.** The RTH District is designed to provide and preserve areas for residential neighborhoods with a compatible combination of residential housing types including single-family dwellings, duplexes, and townhomes in a mixed medium to high density environment.
- (8) **RM1 – Residential Multifamily Low-Density District.** The RM1 District is designed to provide and preserve areas for residential neighborhoods with a compatible combination of residential housing types including small lot single-family dwellings, duplexes, and townhomes in a mixed low to medium density environment.

- (9) **RM2 – Residential Multifamily Medium Density District.** The RM2 District is designed to provide and preserve areas for residential neighborhoods with a compatible combination of residential housing types including duplexes, townhomes, and multifamily buildings in a mixed medium to high density environment.
- (10) **RM3 – Residential Multifamily High-Density District.** The RM3 District is designed to provide and preserve areas for master planned residential developments allowing a compatible combination of multifamily and senior housing complexes in a high-density environment.
- (11) **RMH – Residential Manufactured Home Legacy District.** The RMH Legacy District is designed to account for those properties that have been previously zoned RMH. Properties zoned in the RMH Legacy District will continue to operate under the base district specific standards established in this UDO. No property may be rezoned into the RMH Legacy District after the date of the adoption of this UDO.

(C) **Office Districts.**

- (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, and
 - (d) Controlling the number, area, location, and types of signs.
- (2) **OL – Office Low Intensity District.** The OL District is designed to provide and preserve areas for standalone office buildings in proximity to the LC and CG Districts. The bulk and massing of development within the OL District is meant to be compatible with the bulk and massing of adjacent development in the LC or CG Districts.
- (3) **OM – Office Medium Intensity District.** The OM District is designed to provide and preserve areas for business parks or corporate campuses in a master planned setting.

(D) **Commercial Districts.**

- (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:
 - (I) Differentiating the types and purposes of commercial activities,
 - (II) Establishing bulk and area controls,
 - (III) Requiring off-street loading and parking facilities,
 - (IV) Controlling the number, area, location, and types of signs, and
 - (V) Protecting the character of commercial districts and their suitability for commercial uses.
- (2) **LC – Local Commercial District.** The LC District is designed to provide and preserve areas at key high-traffic intersections in close proximity to residential neighborhoods to accommodate smaller-scale City serving retail and service uses that serve the daily shopping needs of nearby residents in a primarily pedestrian-oriented environment.

- (3) **CS – Commercial Shopping Center District.** The CS District is designed to provide and preserve areas along highly visible and accessible road corridors to accommodate larger-scale City serving retail and service uses that serve the daily shopping needs of Jenks residents in a primarily auto-oriented environment.
- (4) **CG – Commercial General District.** The CG District is designed to provide and preserve areas for destination retailers that serve a regional function. Development in this district should be configured with groupings of large lot and outlot commercial buildings around shared parking areas.
- (5) **DC – Downtown Core District.** The DC District is designed to accommodate Downtown Jenks including a wide variety of commercial, office, entertainment, institutional, and multifamily uses in primarily mixed-use developments with residential uses above the ground floor in a pedestrian-oriented environment. The DC District encompasses and implements the Downtown Core subarea as specified in the Jenks Comprehensive Plan,
- (6) **RTC – Riverfront Tourist Commercial District.** The RTC District shall be limited to areas located within the Riverfront Subarea of the Jenks Comprehensive Plan. The District shall include those uses which make use of and provide waterfront amenities and riverfront activities. The type of use and site design should harmonize with the intended character of the waterfront area as established in the Riverfront Subarea Plan of the Jenks Comprehensive Plan.
- (7) **CH – Commercial High-Intensity Legacy District.** The CH District is designed to accommodate high intensity commercial and related uses in areas previously designated as Commercial High Intensity. No property may be rezoned into the CHL Legacy District after the date of the adoption of this UDO.
- (8) **ROC – River Oriented Commercial Legacy District.** The ROC District shall be limited to the areas previously designated as River Oriented Commercial. The purpose of the District is to allow lodging, restaurants, 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 second-floor height or greater. No property may be rezoned into the ROC Legacy District after the date of the adoption of this UDO.

(E) **Industrial Districts.**

- (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:
 - (I) Differentiating the types and purposes of industrial activities,
 - (II) Establishing bulk and area controls,
 - (III) Requiring off-street loading and parking facilities,
 - (IV) Controlling the number, area, location, and types of signs, and
 - (V) Protecting the character of industrial districts and their peculiar suitability for industrial uses.
- (2) **IL – Industrial Light 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.

- (3) **IM – Industrial Moderate Legacy District.** The IM Legacy District is designed to account for those properties that have been previously zoned as IM – Industrial Moderate. Properties zoned in the IM Legacy District will continue to operate under the base district specific standards established in this UDO. No property may be rezoned into the IM Legacy District after the date of the adoption of this UDO.

16-2-3. Purpose and Intent of Overlay Zoning Districts

- (A) **General Purposes.** Overlay Zoning Districts are established, designed, and intended to accommodate special situations or accomplish special planning and zoning goals. Overlay Zoning Districts are applied over a base zoning district classification to alter some or all regulations that apply in the underlying base zoning district.
- (B) **PUD – Planned Unit Development Overlay District.** The PUD Overlay District is created to visually represent areas of the community that are governed by individual Planned Unit Development documents as detailed in Section 16-9-8 of this UDO.
- (C) **DT – Downtown Transition Overlay District.** The DT Overlay District is designed to accommodate the Old Town Jenks neighborhood on the periphery of the DC District and is intended to allow for a mix of residential and nonresidential uses that support the vibrancy of Downtown Jenks. The DT Overlay District encompasses the Downtown Transition as established in the City of Jenks Comprehensive Plan with the exception of the Pilgrim Place and Sanco subdivisions.

16-2-4. 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.

16-2-5. 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.

16-2-6. 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 Article 10. Nonconformities. In order to avoid undue hardship:

- (A) Nothing in this UDO 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 UDO, 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 Article 10. Nonconformities.
- (B) Any building permit, zoning clearance permit, special exception, variance, or other land use approval shall be valid under the UDO provisions it was approved under for two (2) years following the approval date.
- (C) At any time within two (2) years after the effective date of this UDO, 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 UDO. After the expiration of this two (2) 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.

Article 3. Base District Specific Standards

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16-3-1. Bulk and Dimensional Standards

(A) Table 16-3-1(A) addresses the requirements applicable to development or use of a lot in a residential zoning district.

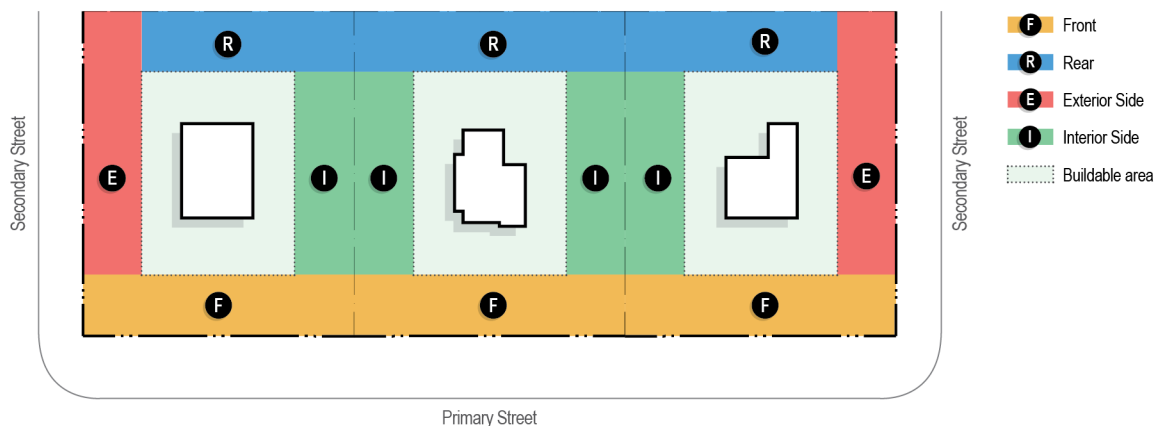
Table 16-3-1(A): Residential District Bulk and Dimensional Standards									
Standard	RE	RS1	RS2	RS3	RD	RTH	RM1	RM2	RM3
Lot Standards (Minimum)									
Lot Area (sqft)	24,000	10,000	8,000	5,000	6,900	6,900	6,000	6,000	20,000
Lot Area / DU (sqft)	24,000	10,000	8,000	5,000	3,450	2,300	2,000	1,500	1,000
Lot Width (ft)	150	70	55	45	60	60	60	50	100
Yard Setbacks (Minimum)									
Front (ft)	35	35	20 (3)	20 (3)	20	15	10	10	10
Exterior Side (ft)	35	35	15 (3)	15 (3)	20	15	10	10	10
Interior Side (ft)	15	15 (1)	5	5	10 (2)	10 (2)	10 (2)	10 (2)	10 (2)
Rear (ft)	25	25	20	20	20	20	10	10	10
Building Standards (Maximum)									
Height (ft)	35	35	35	35	35	35	40	45	45
Impervious Surface Coverage	15%	30%	35%	40%	40%	60%	70%	70%	70%
Notes									
(1) The cumulative interior side yard setback shall be 15 feet. No interior side yard setback shall be less than 5 feet.									
(2) If a parti-wall exists, the interior side yard setback shall be 0 feet.									
(3) Garages shall be setback a minimum of 25 feet from the front property line.									

- (B) Table 16-3-1(B) addresses the requirements applicable to development or use of a lot in an agriculture, office, commercial, or industrial zoning district.

Table 16-3-1(B): Nonresidential District Bulk and Dimensional Standards										
Standard	AG	OL	OM	LC	CS	CG	DC	RTC	IL	IM
Lot Standards (Minimum)										
Lot Area (acres)	2.5	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Lot Width (ft)	300	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Yard Setbacks (Minimum, unless otherwise stated)										
Front (ft)	25	25	40	0	0	25	0	0	50	50
Front, maximum (ft)	n/a	n/a	n/a	10	n/a	60	10	60	n/a	n/a
Exterior Side (ft) (3)	25	25	40	0	0	25	0	0	50	50
Exterior Side, maximum (ft)	n/a	n/a	n/a	10	n/a	60	25	60	n/a	n/a
Interior Side (ft) (3)	10	10 (1)	20	10 (1)	10 (1)	10 (1)	0	0	25 (2)	50 (4)
Rear (ft) (3)	40	10 (1)	20	10 (1)	10 (1)	10 (1)	0	0	25 (2)	50 (4)
Building Standards (Maximum)										
Height (ft)	35	50	60	50	60	60	85	85	60	60
Impervious Surface Coverage	n/a	60%	70%	60%	70%	70%	100%	70%	70%	70%
Notes										
(1) Add one additional foot of setback for each one foot of building height exceeding 18 feet, if the abutting property is within an RE, RS, or RD District.										
(2) Minimum setback shall be 75 feet if the abutting property is within an AG, R, or O District.										
(3) Transition yards, as specified in Section 16-6-3(F), may apply and may result in greater yard setback requirements than specified in this table.										
(4) Minimum setback shall be 75 feet if the abutting property is within an AG, R, or O District.										

- (1) **ROC District Bulk and Dimensional Standards.** The bulk and dimensional standards for the RTC - Riverfront Tourist Commercial District show in Table 16-3-1(B) shall apply to all parcels in the ROC - River Oriented Commercial Legacy District.
- (2) **CH District Bulk and Dimensional Standards.** The bulk and dimensional standards for the CG - Commercial General District shown in Table 16-3-1(B) shall apply to all parcels in the CH – Commercial High-Intensity Legacy District.

Figure 3.1: Yard Setback Locations



- (C) **Compliance with Yard Requirements.** Except as otherwise provided, required yards shall be open and unobstructed from the ground to the sky, unless otherwise permitted in this UDO. Yards provided for a building for the purpose of complying with the provisions of this UDO 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.

16-3-2. Calculating Dimensions

- (A) **Lot Width.** All lots shall abut upon a public or private street, and each lot shall have a minimum lot width measured at the property line.
- (B) **Lot Widths for Lots that Abut a Cul-de-Sac.** The lot width of all lots which abut a cul-de-sac may be reduced by a maximum of fifty (50) percent of the required lot width for the district in which it is located, as measured from the property line. The required lot width for the district shall be met at the front yard setback line.

Figure 3.2: Calculating Lot Width

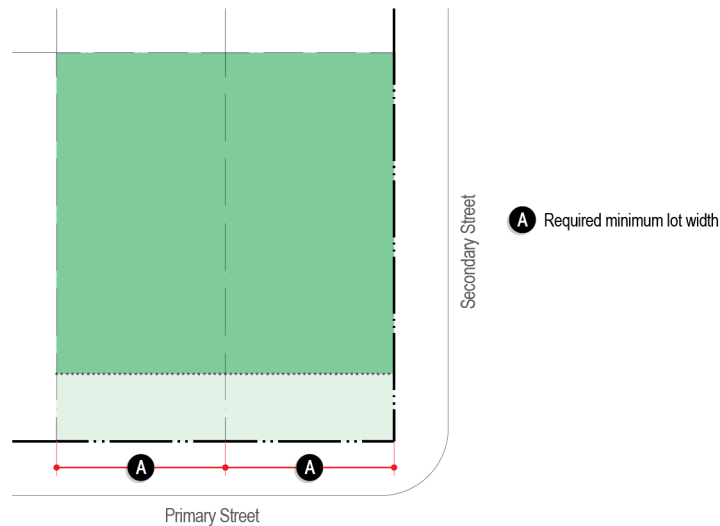
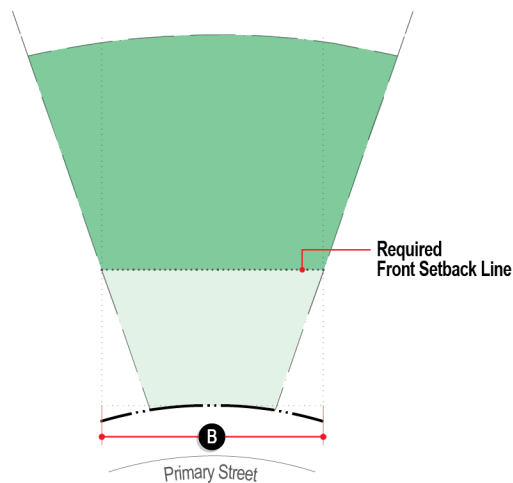
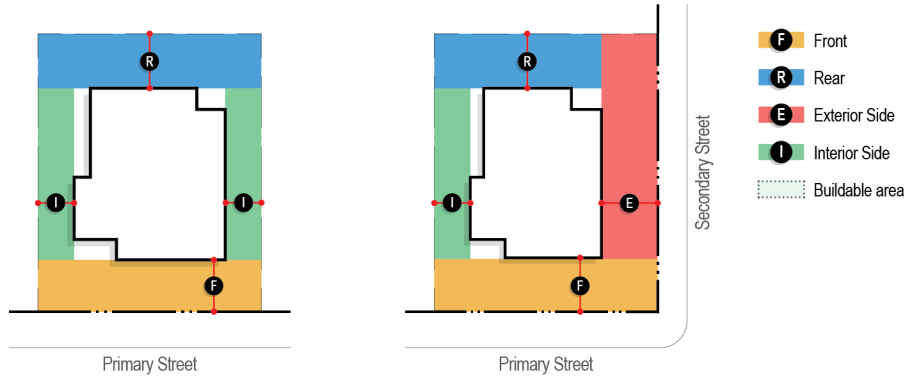


Figure 3.3: Calculating Lot Width for Lots That Abut a Cul-de-Sac



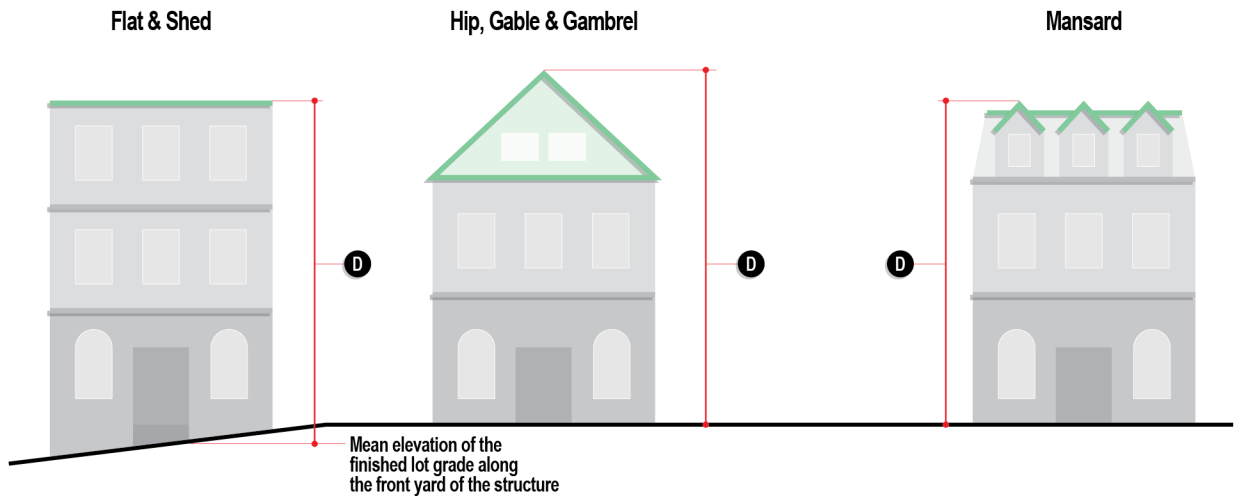
- (C) **Yard Setbacks.** A required yard setback shall be measured by the shortest distance between the principal building and the applicable lot line.

Figure 3.4: Calculating Setbacks



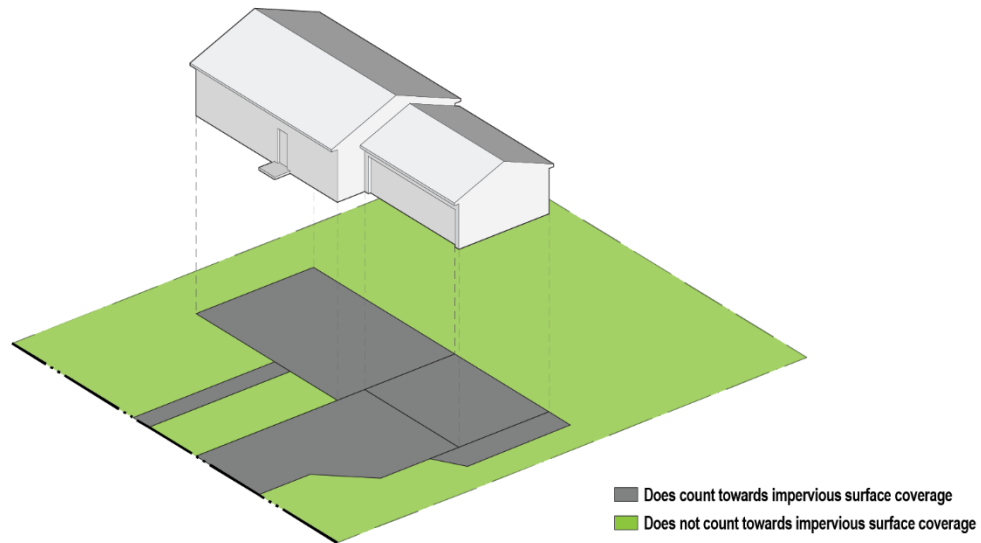
- (D) **Height.** Building height shall be the vertical distance measured from the mean elevation of the finished lot grade along the front yard of the structure to the highest elevation of the roof.

Figure 3.5: Calculating Building Height



- (E) **Impervious Surface Coverage.** That portion of a lot that is covered by hard surfaces that impede infiltration of rainfall into the underlying soil profile.

Figure 3.6: Calculating Impervious Surface Coverage

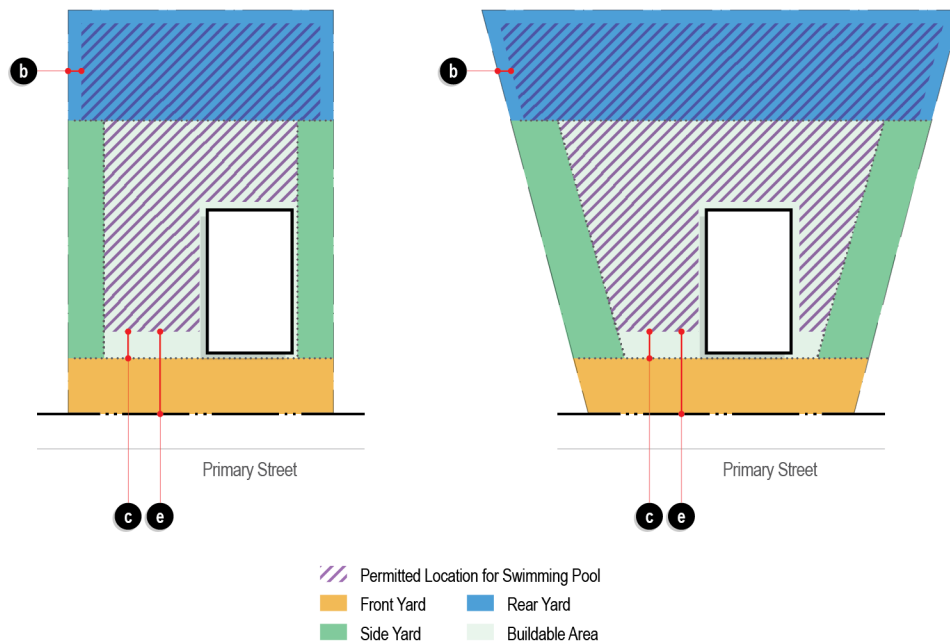


16-3-3. Exceptions to Bulk and Dimensional Standards

- (A) **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:
- (1) Farm buildings and structures.
 - (2) Aerials, antennas, belfries, chimneys, cupolas, domes, elevators, mechanical equipment penthouses, flagpoles, masts, monitors, smokestacks, spires, towers (cooling, fire hose), and ventilators, provided they are not intended for human occupancy and do not exceed the height limitations of the district in which they are located by more than twenty (20) percent unless approved as a Special Exception as detailed in Section 16-9-6.
- (B) **Lot Area and Width Exceptions.** Except for fire protection and ambulance service, lot area and width requirements shall not apply to indoor or outdoor governmental uses or temporary uses as detailed in Section 16-3-4(B) and (C).
- (C) **Permitted Yard Obstructions.** Obstructions are permitted in required yards as follows:
- (1) Architectural projections, including roofs covering porches, windowsills, belt courses, cornices, eaves, flues and chimneys, and ornamental features may project a maximum of three (3) feet into required yards, provided that they do not obstruct the light and ventilation of adjacent buildings and such projections are set back at least three (3) feet from an adjacent side or rear lot line, and twenty (20) feet from any front lot line.
 - (2) Terraces, patios, uncovered decks, and ornamental features, which have no structural element more than three (3) feet above or below the adjacent ground level, may project ten (10) feet into a required yard. However, all such projections must be set back at least three (3) feet from an adjacent side or rear lot line, and twenty (20) feet from any front lot line.
 - (3) Fire escapes, fireproof outside stairways, egress window wells, and balconies may project a maximum of three (3) feet into required yards, provided that they do not obstruct the light and ventilation of adjacent buildings and such projections are set back at least three (3) feet from an adjacent side or rear lot line, and twenty (20) feet from any front lot line.
 - (4) Lamp posts with a maximum height of ten (10) feet, and flag poles up to thirty-five (35) feet in height may be located within required yards, provided they are set back at least five (5) feet from property lines.
 - (5) Temporary ADA ramps may extend into a required front yard provided that the ramp is setback at least three (3) feet from the side property line(s).

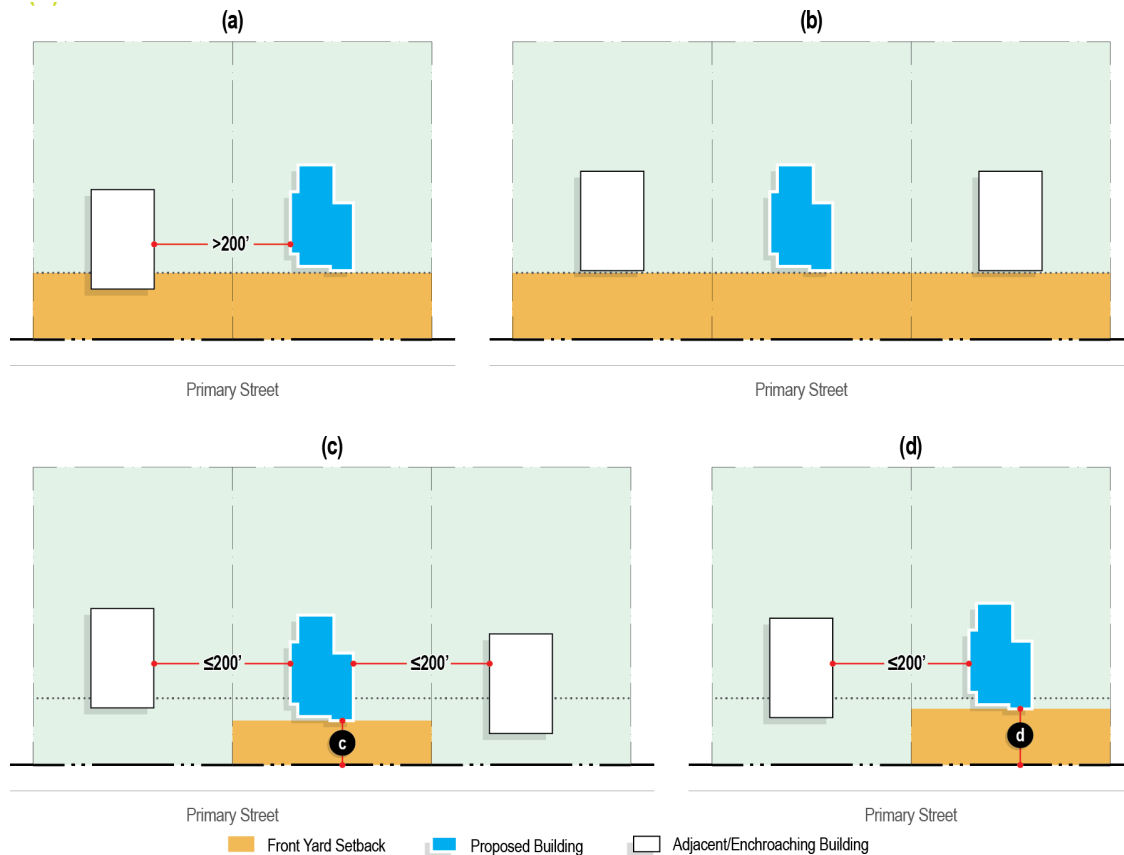
- (6) **Swimming Pools and Associated Equipment.** In the AG District or any residential district, swimming pools and associate equipment shall be located:
- (a) In a rear yard and/or within the buildable area of the lot,
 - (b) A minimum of five (5) feet from property lines,
 - (c) A minimum of ten (10) feet from the front elevation of the primary building,
 - (d) Outside of any utility easement or drainage easement, and
 - (e) At least twenty-five (25) feet from any arterial street.

Figure 3.7: Swimming Pool Allowed Locations



(D) Existing Building Encroachment on Front Yard Setbacks.

- (1) Where an existing building or buildings on the same side of the street and within the same block encroach on the required front yard setback, the required front yard setback for new construction shall be established as follows:
 - (a) If the proposed building is to be located more than two hundred (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 setback, or between a conforming building and an intersecting street, the proposed building shall conform to the front yard setback established for the district in which the proposed building is to be located.
 - (c) If the proposed building is to be located within two hundred (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 two hundred (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 and the front yard setback established for the district in which the proposed building is to be located.
- (2) Provided, however, that in the application of subsections (c) and (d) of this Subsection, the front yard or building setback shall not be reduced by more than twenty (20) percent of the minimum requirement.

Figure 3.8: Existing Building Encroachment in Front Yard Setbacks

16-3-4. Permitted, Conditional, Special Exception, and Specific Uses

(A) The following key is to be used in the interpretation of Table 16-3-4(B) and Table 16-3-4(C) below.

- (1) **Permitted Uses.** Uses which are marked as “P” in the tables shall be allowed subject to all applicable regulations of this UDO.
- (2) **Conditional Uses.** Uses which are marked as “C” in the tables shall be allowed upon the approval of a Conditional Use Permit as detailed in Section 16-9-3(D).
- (3) **Special Exception Uses.** Uses which are marked as “SE” in the tables shall be allowed upon the approval of a Special Exception as detailed in Section 16-9-6.
- (4) **Specific Uses.** Uses which are marked as “S” in the tables shall be allowed upon the approval of a Specific Use Permit as detailed in Section 16-9-7.
- (5) **Temporary Uses.** Uses which are marked “T” in the tables shall be allowed upon the approval of a Temporary Use Permit as detailed in Section 16-9-3(G).
- (6) **Prohibited Uses.** A blank space in the tables indicates that a use type is not allowed in the respective zoning district unless it is otherwise expressly allowed by other regulations of this UDO.
- (7) **Uses Not Listed.** If a proposed use is not listed in the tables, the City Planner shall determine if the use is substantially similar to a use listed on the tables. If it is, they shall treat the use in the same manner as the substantially similar use. If not, the use shall be regarded as prohibited.
- (8) **Additional Regulation.** If a use has use specific standards they are referenced in this column. Use specific standards shall apply to permitted, special exception, and specific uses.
- (9) **Site Plan Review Requirements.** The site plan review requirements shall be required for applications as specified in Section 16-9-3(C).

(B) **Residential District Permitted, Special Exception, and Specific Uses.**

Table 16-3-4(B) Residential District Permitted, Conditional, Special Exception, and Specific Uses										
Use	Additional Regulation	RE	RS1	RS2	RS3	RD	RTH	RM1	RM2	RM3
Agricultural Uses		RE	RS1	RS2	RS3	RD	RTH	RM1	RM2	RM3
Community Garden	16-5-1(A)	P	P	P	P	P	P	P	P	P
Passive Agriculture		P								
Residential Uses		RE	RS1	RS2	RS3	RD	RTH	RM1	RM2	RM3
Duplex	16-5-2(A)					P	P	P	P	
Community Group Home	16-5-2(B)	P	P	P	P	P	P	P	P	P
Multifamily Building, all units	16-5-2(C)							P	P	
Multifamily Building, less than 8 units	16-5-2(C)						S	P	P	
Multifamily Complex	16-5-2(D)									P
Re-entry Facility		S	S	S	S	S	S	S	S	S
Residential Clubhouse			C	C	C	C	C	C	C	C
Residential Treatment Center	16-5-2(E)	S	S	S	S	S	S	S	S	S
Senior Housing, dependent								S	S	P
Senior Housing, independent								S	S	P
Single-Family Detached		P	P	P	P	P	P	P	P	

Table 16-3-4(B) Residential District Permitted, Conditional, Special Exception, and Specific Uses

Use	Additional Regulation	RE	RS1	RS2	RS3	RD	RTH	RM1	RM2	RM3
Townhome	16-5-2(F)					S	P	P	P	
Transitional Living Center	16-5-2(G)	S	S	S	S	S	S	S	S	S
<i>Institutional Uses</i>		<i>RE</i>	<i>RS1</i>	<i>RS2</i>	<i>RS3</i>	<i>RD</i>	<i>RTH</i>	<i>RM1</i>	<i>RM2</i>	<i>RM3</i>
Government Uses, indoor		P	P	P	P	P	P	P	P	P
Government Uses, outdoor	16-5-3(A)	S	S	S	S	S	S	S	S	S
Place of Assembly		S	S	S	S	S	S	S	S	S
Place of Worship		S	S	S	S	S	S	S	S	S
School, elementary / middle		S	S	S	S	S	S	S	S	S
School, high		S	S	S	S	S	S	S	S	S
<i>Retail Uses</i>		<i>RE</i>	<i>RS1</i>	<i>RS2</i>	<i>RS3</i>	<i>RD</i>	<i>RTH</i>	<i>RM1</i>	<i>RM2</i>	<i>RM3</i>
General Retail, less than 10,000 sqft	16-5-4(B)					S	S	C	C	P
<i>Service Uses</i>		<i>RE</i>	<i>RS1</i>	<i>RS2</i>	<i>RS3</i>	<i>RD</i>	<i>RTH</i>	<i>RM1</i>	<i>RM2</i>	<i>RM3</i>
General Service, less than 10,000 sqft	16-5-5(C)					S	S	C	C	P
<i>Lodging Uses</i>		<i>RE</i>	<i>RS1</i>	<i>RS2</i>	<i>RS3</i>	<i>RD</i>	<i>RTH</i>	<i>RM1</i>	<i>RM2</i>	<i>RM3</i>
Bed and Breakfast	16-5-6(A)	S	S							
Short-Term Rental	16-5-6(B)	C	C	C	C	C	C	C	C	C
<i>Eating / Drinking Uses</i>		<i>RE</i>	<i>RS1</i>	<i>RS2</i>	<i>RS3</i>	<i>RD</i>	<i>RTH</i>	<i>RM1</i>	<i>RM2</i>	<i>RM3</i>
Coffee / Tea Shop	16-5-7(A)					S	S	C	C	P
<i>Accessory Uses</i>		<i>RE</i>	<i>RS1</i>	<i>RS2</i>	<i>RS3</i>	<i>RD</i>	<i>RTH</i>	<i>RM1</i>	<i>RM2</i>	<i>RM3</i>
Accessory Building	16-5-12(A)	P	P	P	P	P	P	P	P	P
Accessory Dwelling	16-5-12(B)		P	P	P					
Accessory Structure	16-5-12(D)	P	P	P	P	P	P	P	P	P
Home Based Child Care	16-5-12(G)	SE	SE	SE	SE	SE	SE	SE	SE	SE
Home Based Business	16-5-12(H)	C	C	C	C	C	C	C	C	C
Solar Energy Collection System, ground	16-5-12(M)	P	P	P	P					
Solar Energy Collection System, roof	16-5-12(N)	P	P	P	P	P	P	P	P	P
<i>Temporary Uses</i>		<i>RE</i>	<i>RS1</i>	<i>RS2</i>	<i>RS3</i>	<i>RD</i>	<i>RTH</i>	<i>RM1</i>	<i>RM2</i>	<i>RM3</i>
Construction Related		T	T	T	T	T	T	T	T	T
Farmers Market		T						T	T	T
Food Truck	16-5-13(A)		C	C	C			C	C	C
Garage / Estate Sale		T	T	T	T	T				
Outdoor Dining	16-5-12(B)					T	T	T	T	T
Portable Outdoor Storage Device	16-5-12(D)	T	T	T	T	T				

(C) Nonresidential District Permitted, Special Exception, and Specific Uses.

Table 16-3-4(C) Nonresidential District Permitted, Conditional, Special Exception, and Specific Uses

Use	Additional Regulation	AG	OL	OM	LC	CS	CG	DC	RTC	IL	IM
Agricultural Uses		AG	OL	OM	LC	CS	CG	DC	RTC	IL	IM
Commercial Agriculture	16-5-1(B)	S									
Passive Agriculture		P									
Urban Agriculture, Indoor		S								P	P
Urban Agriculture, Outdoor		P									
Residential Uses		AG	OL	OM	LC	CS	CG	DC	RTC	IL	IM
Community Group Home	16-5-2(B)		S	S	S	S	S	S	S		
Multifamily Building, 8 units or more	16-5-2(C)		S	S	S	S	S	S	S		
Multifamily Building, less than 8 units	16-5-2(C)		S	S	S	S	S	S	S		
Multifamily Complex	16-5-2(D)		S	S	S	S	S		S		
Re-Entry Facility			S	S	S	S	S	S	S		
Residential, above ground floor			S	S	S	P	P	P	P		
Residential Treatment Center	16-5-2(E)		S	S	S	S	S	S	S		
Senior Housing, dependent			S	S	S	S	S				
Senior Housing, independent			S	S	S	S	S				
Single-Family Detached		P									
Transitional Living Center	16-5-2(G)		S	S	S	S	S	S	S		
Institutional Uses		AG	OL	OM	LC	CS	CG	DC	RTC	IL	IM
Government Uses, indoor		P	P	P	P	P	P	P	P	P	P
Government Uses, outdoor	16-5-3(A)	S	S	S	S	S	S	S	S	S	S
Retail Uses		AG	OL	OM	LC	CS	CG	DC	RTC	IL	IM
Adult Uses	16-5-4(A)						S				
Convenience Store					P	P	P	P	P		
General Retail, less than 10,000 sqft	16-5-4(B)		P	P	P	P	P	P	P		
General Retail, 10,000 sqft - 49,999 sqft	16-5-4(C)				S	P	P	S	P		
General Retail, 50,000 or more sqft	16-5-4(D)					P	P	S	S		
Multitenant Shopping Center	16-5-4(E)				C	P	P	C	P		
Pawn Shop							S				
Service Uses		AG	OL	OM	LC	CS	CG	DC	RTC	IL	IM
Acute Care Center			P	P	S	P	P			S	
Business Park	16-5-5(A)			P						P	
Check Cashing / Pay Day Loan Store							S				
Commercial Animal Boarding	16-5-5(B)	S					P			P	
General Service, less than 10,000 sqft	16-5-5(C)		P	P	P	P	P	P	P		
General Service, 10,000 - 49,999 sqft	16-5-5(D)				S	P	P	S	S		
General Service, 50,000 sqft or more	16-5-5(E)					P	P	S	S		
Hospital				S		S	S			S	
Medical / Dental Office			P	P	P	P	P	P	P		
Personal Storage Facility	16-5-5(F)					S	S			P	P

Table 16-3-4(C) Nonresidential District Permitted, Conditional, Special Exception, and Specific Uses

Use	Additional Regulation	AG	OL	OM	LC	CS	CG	DC	RTC	IL	IM
Professional Office			P	P	P	P	P	S	S		
Professional Office, above ground floor			P	P	P	P	P	P	P		
Tattoo Parlor							S				
Veterinary Clinic / Animal Hospital		S	S	S	S	P	P			P	P
Lodging Uses		AG	OL	OM	LC	CS	CG	DC	RTC	IL	IM
Hotel						P	P	P	P	P	
Motel						S	S				
Short-Term Rental	16-5-6(B)							C	C		
Eating / Drinking Uses		AG	OL	OM	LC	CS	CG	DC	RTC	IL	IM
Bar / Tavern							P	P	P		
Brewery / Winery / Distillery, micro					S	P	P	P	P	P	
Brewery / Winery / Distillery, tasting room					S	P	P	P	P		
Coffee / Tea Shop	16-5-7(A)		P	P	P	P	P	P	P	P	
Food Truck Court	16-5-7(B)				S	S	S		S		
Restaurant, delivery / carry out only					S	P	P	S	S		
Restaurant, fast casual					P	P	P	P	P		
Restaurant, sit down					P	P	P	P	P		
Entertainment Uses		AG	OL	OM	LC	CS	CG	DC	RTC	IL	IM
Archery / Gun Range		S					S				
General Entertainment, indoor, less than 10,000 sqft	16-5-8(A)	S			P	P	P	P	P		
General Entertainment, indoor, 10,000 sqft - 49,999 sqft	16-5-8(B)	S			S	P	P	S	P		
General Entertainment, indoor, more than 50,000 sqft	16-5-8(C)	S				P	P	S	S		
General Entertainment, outdoor	16-5-8(D)	S				S	S		S		
Vehicle Related Uses		AG	OL	OM	LC	CS	CG	DC	RTC	IL	IM
Autobody Repair						S	S			P	P
Car Wash	16-5-9(A)					S	P				
Fuel Sales	16-5-9(B)					P	P			P	P
Gas Station With Mini-Mart						P	P			P	P
Service Station						P	P				
Trucking Establishment	16-5-9(C)									S	S
Vehicle Sales and Rental							S				
Industrial Uses		AG	OL	OM	LC	CS	CG	DC	RTC	IL	IM
Brewery / Winery / Distillery						S	S			P	P
Laboratory				S						P	P
Manufacturing, Artisan						S	S	S	S	P	P
Manufacturing, Heavy											P
Manufacturing, Light										P	P
Mining and Mineral Processing		S								S	S

Table 16-3-4(C) Nonresidential District Permitted, Conditional, Special Exception, and Specific Uses

Use	Additional Regulation	AG	OL	OM	LC	CS	CG	DC	RTC	IL	IM
Warehouse, distribution										P	P
Warehouse, office	16-5-10(A)			S			S			P	P
Warehouse, storage										P	P
Medical Marijuana Uses		AG	OL	OM	LC	CS	CG	DC	RTC	IL	IM
Medical Marijuana Commercial Grower	16-5-11(A)	P					S			P	P
Medical Marijuana Education Facility	16-5-11(A)	S	P	P			S			P	P
Medical Marijuana Dispensary	16-5-11(A)				P	P	P	S	S	S	S
Medical Marijuana Research Facility	16-5-11(A)						S			P	P
Medical Marijuana Testing Laboratory	16-5-11(A)						S			P	P
Medical Marijuana Processing Facility, Heavy	16-5-11(A)										P
Medical Marijuana Processing Facility, Light	16-5-11(A)						S			P	P
Accessory Uses		AG	OL	OM	LC	CS	CG	DC	RTC	IL	IM
Accessory Building	16-5-12(A)	P	P	P	P	P	P	P	P	P	P
Accessory Dwelling	16-5-12(B)	P									
Accessory Retail	16-5-12(C)	P						P		P	
Accessory Structure	16-5-12(D)	P	P	P	P	P	P	P	P	P	P
Donation Drop Box	16-5-12(E)					P	P				
Drive Through	16-5-12(F)					P	P		S		
Home Based Business	16-5-12(H)	SE	SE	SE	SE	SE	SE	SE	SE		
Outdoor Activity / Operation, permanent	16-5-12(I)					S	S			SE	P
Outdoor Display / Sale of Merchandise, permanent	16-5-12(J)					S	S	S	S		
Outdoor Storage, permanent	16-5-12(K)									SE	P
Solar Energy Collection System, canopy	16-5-12(L)	P	P	P	P	P	P	P	P	P	P
Solar Energy Collection System, ground	16-5-12(M)	P	P	P	P	P	P	P	P	P	P
Solar Energy Collection System, roof	16-5-12(N)	P	P	P	P	P	P	P	P	P	P
Temporary Uses		AG	OL	OM	LC	CS	CG	DC	RTC	IL	IM
Carnival / Fair		T				T	T	T			
Construction Related		T	T	T	T	T	T	T	T	T	T
Farmers Market		T			T	T	T	T	T		
Flea Market						T	T	T			
Food Truck	16-5-13(A)				T	T	T		T		
Outdoor Dining	16-5-13(B)	T	T	T	T	T	T	T	T		
Outdoor Activity / Operation, temporary		T				T	T	T	T	T	T
Outdoor Display / Sale of Merchandise, temporary	16-5-13(C)	T				T	T	T	T		
Outdoor Storage, temporary										T	T
Seasonal Sales	16-5-13(E)	T			T	T	T	T	T		

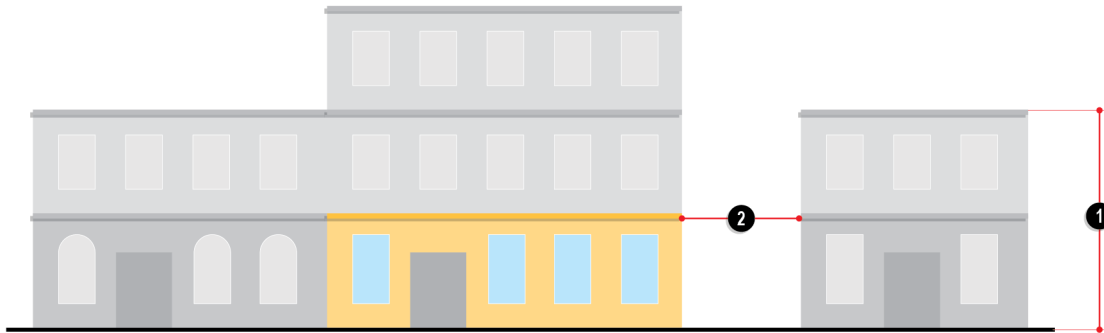
- (1) **ROC District Use Standards.** The permitted, special exception, and specific uses for the ROC – River Oriented Commercial Legacy District shall be as specified for the RTC - Riverfront Tourist Commercial District.
- (2) **CH District Use Standards.** The permitted, special exception, and specific uses for the CH – Commercial High-Intensity Legacy District shall be as specified for the CG - Commercial General District.

16-3-5. Downtown Core District Specific Standards

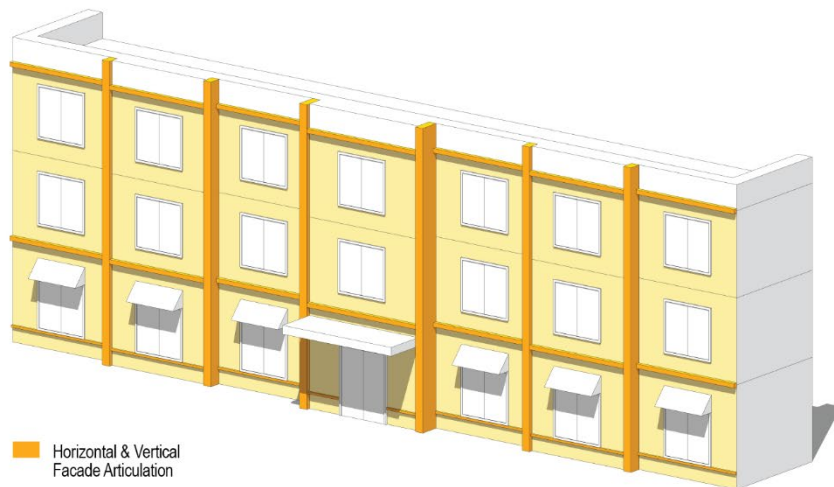
- (A) **Development Plan.** Prior to the change of occupancy, construction, or reconstruction of any building or structure, exterior remodeling, placement of exterior lighting or signs, or any proposed construction requiring the issuance of a building permit other than a small job permit for a property located within the DC – Downtown Core District, an application for Site Plan Review, as detailed in Section 16-9-3(C), shall be made and shall be subject to the DC – Downtown Core District Specific Standards established in this Section.
- (B) **Exterior Building Materials.** Exterior building materials shall be traditional, time and weather tested materials and techniques.
 - (1) **Ground Floor.** Exterior building materials utilized on the ground floor shall be limited to wood, masonry, stucco, fiber cement, or stone veneer systems. Stone veneer systems utilized on the ground floor shall have a minimum thickness of three (3) inches.
 - (2) **Upper Floors.** Exterior building materials utilized on upper floors may include all materials permitted on the ground floor as well as EIFS or precast panels with inlaid or stamped brick texture. All materials utilized on upper floors shall have a minimum thickness of one (1) inch and shall be structurally integrated into the façade of the building.
- (C) **Type of Construction.** Manufactured, mobile, and metal units shall be prohibited unless otherwise expressly permitted by this UDO.
- (D) **Rooftop Equipment.** All rooftop equipment shall be screened from view from any public street or sidewalk right-of-way by a parapet wall(s).
- (E) **Alley Access.** Where a lot abuts an existing alley, access shall be maintained or established and utilized to access off-street parking, loading, and service areas.
- (F) **Orientation.** Main entrances to buildings shall be oriented towards the primary street to which it abuts. Secondary entrances are encouraged along secondary streets.
- (G) **Parking Area Location.**
 - (1) **Parking Areas Accessory to Primary Uses.** Private off-street parking areas accessory to primary uses shall be located to the rear of buildings.
 - (2) **Parking Areas as Primary Uses.**
 - (a) Private off-street parking areas as primary uses of parcels fronting A Street or Aquarium Place may be located anywhere on a lot pursuant to all other regulations of this UDO.
 - (b) Private off-street parking areas as primary uses of parcels Main Street shall be prohibited.
- (H) **Parking Area Landscape.**
 - (1) **Parking Area Perimeter Landscape Zone.** A low masonry wall the height of which provides effective screening to a maximum height of three (3) feet shall be used in conjunction with required landscaping as detailed 16-6-3(D).
 - (2) **Parking Area Interior Landscape Zone.** The parking area interior landscape zone requirements detailed in section 16-6-3(E)(3)(a) shall be met in all parking areas fronting A Street or Aquarium Place regardless of building placement.

(I) **Proportion, Size, and Scale.**

- (1) Buildings shall be a minimum of two (2) stories.
- (2) The height of the first floor of new development shall be consistent with the height of the first floor of existing adjacent development and shall be emphasized using storefronts and decorative cornices.

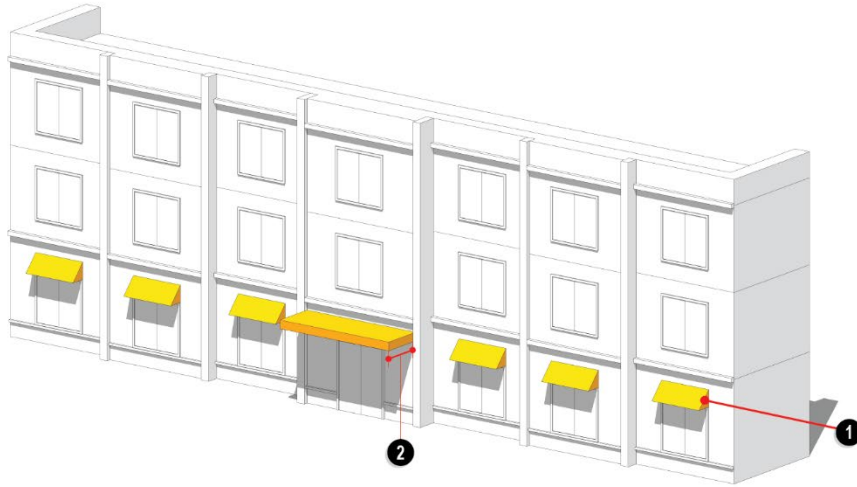
Figure 3.9: Building Proportion, Size, and Scale

- (I) **Articulation.** All development shall include architectural details such as bulkheads, masonry piers, transoms, cornices, window hoods, and other similar details to provide horizontal and vertical façade articulation.

Figure 3.10: Articulation

(J) Awnings.

- (1) Building canopies, awnings, or similar weather protection devices are encouraged on the first floor of all buildings.
- (2) If provided shall project a minimum of three (3) feet and a maximum of five (5) feet from the façade.

Figure 3.11: Awnings

- (K) Transparency.** The ground level of all buildings must offer pedestrian interest along sidewalks and pedestrian paths. Therefore, the first floor of any building façade facing a public right-of-way, with the exception of alleys, shall include transparent windows and / or doors arranged so that the uses inside are visible from and / or accessible to the street on at least fifty (50) percent of the façade.

Figure 3.12: Ground-Floor Transparency

16-3-6. Riverfront Tourist Commercial District Specific Standards

- (A) **Development Plan.** Prior to the change of occupancy, construction, or reconstruction of any building or 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 the RTC – Riverfront Tourist Commercial District, an application for Site Plan Review, as detailed in Section 16-9-2(B), shall be made and shall be subject to the RTC – Riverfront Tourist Commercial District Specific Standards established in this Section.
- (B) **Exterior Building Materials.** Exterior building materials shall be traditional, time and weather tested materials and techniques.
- (1) **Ground Floor.** Exterior building materials utilized on the ground floor shall be limited to wood, masonry, stucco, fiber cement, or stone veneer systems. Stone veneer systems utilized on the ground floor shall have a minimum thickness of three (3) inches.
 - (2) **Upper Floors.** Exterior building materials utilized on upper floors may include all materials permitted on the ground floor as well as EIFS or precast panels with inlaid or stamped brick texture. All materials utilized on upper floors shall have a minimum thickness of one (1) inch and shall be structurally integrated into the façade of the building.

Article 4. Overlay District Specific Standards

16-4-1. General Overlay District Requirements 1

16-4-2. Downtown Transition Overlay District Specific Standards..... 1

16-4-1. General Overlay District Requirements

- (A) **Development Plan.** Prior to the change of occupancy, construction, reconstruction, or exterior remodeling of any building or structure, 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 Overlay District, an application for Site Plan Review, as detailed in Section 16-9-3(C), shall be made and shall be subject to the applicable Overlay District Specific Standards.
- (B) **PUD Overlay District.** The PUD Overlay District is created to visually represent areas of the community that are governed by an approved Planned Unit Development as detailed in Section 16-9-8 of this UDO. Overlay district specific standards are therefore not established for the PUD Overlay District.

16-4-2. Downtown Transition Overlay District Specific Standards

- (A) **Exterior Building Materials.** Exterior building materials shall be traditional, time and weather tested materials and techniques.
 - (1) **Ground Floor.** Exterior building materials utilized on the ground floor shall be limited to wood, masonry, stucco, fiber cement, or stone veneer systems. Stone veneer systems utilized on the ground floor shall have a minimum thickness of three (3) inches.
 - (2) **Upper Floors.** Exterior building materials utilized on upper floors may include all materials permitted on the ground floor as well as EIFS or precast panels with inlaid or stamped brick texture. All materials utilized on upper floors shall have a minimum thickness of one (1) inch and shall be structurally integrated into the façade of the building.
- (B) **Type of Construction.** Manufactured, mobile, and metal units shall be prohibited unless otherwise expressly permitted by this UDO.
- (C) **Alley Access.** Where a lot abuts an existing alley, access shall be maintained or established and utilized to access off-street parking, loading, and service areas.

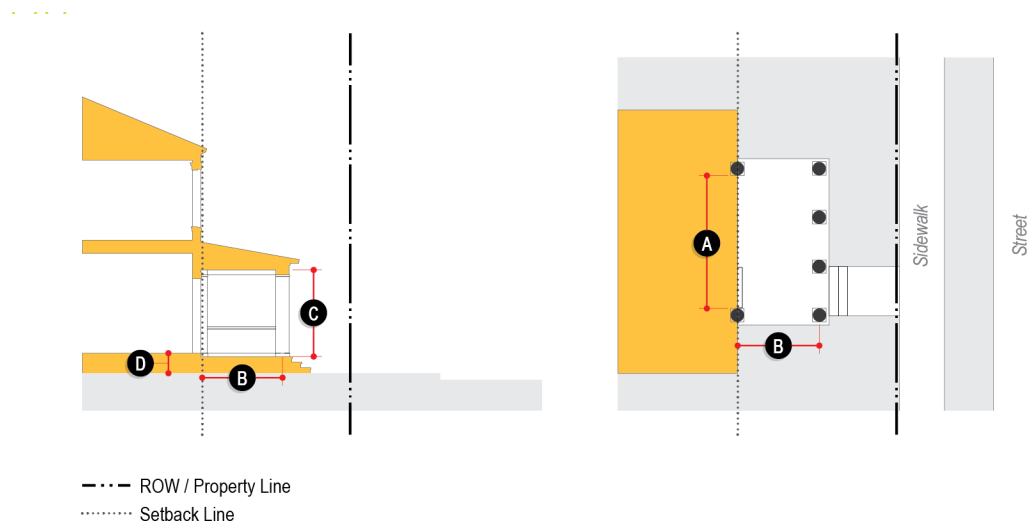
(D) **Yard Setbacks.** Required yard setbacks shall be as detailed in Table 16-4-2(D) below.

Table 16-4-2(D): Downtown Transition Overlay District Yard Setbacks	
<i>Yard Setbacks (Minimum, unless otherwise stated)</i>	
Front (ft)	10
Front, maximum (ft)	25
Exterior Side (ft)	10
Exterior Side, maximum (ft)	25
Interior Side (ft)	15 (1)
Rear (ft)	25
Notes	
(1) The cumulative interior side yard setback shall be 15 feet. No interior side yard setback shall be less than 5 feet.	

- (E) **Height.** The maximum height of buildings and structures in the DT District shall be thirty-five (35) feet.
- (F) **Parking Location.** Private off-street parking spaces and lots shall be located to the rear of buildings and accessed by an alley.
- (G) **Orientation.** Main entrances to buildings shall be oriented towards the primary street to which it abuts. Secondary entrances are encouraged along secondary streets.
- (H) **Articulation.** All non-single family detached development shall include architectural details such as bulkheads, masonry piers, transoms, cornices, window hoods, and other similar details to provide horizontal and vertical façade articulation.

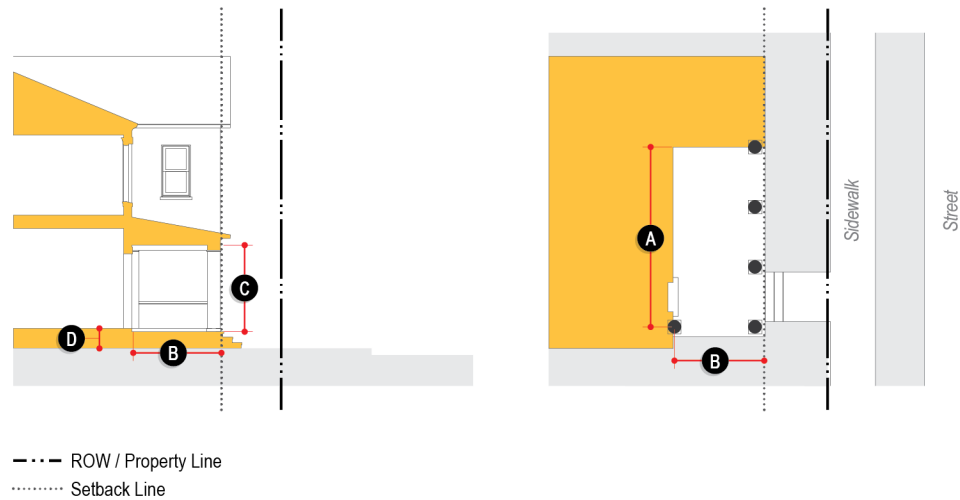
- (l) **Building Frontage.** The primary façade of all nonresidential and mixed use development shall meet the standards of one (1) of the frontage types detailed in subsection one through three below.
- (1) **Projecting Porch.** The primary façade of the building is sufficiently setback from the property line to accommodate the projecting porch within the front yard. The resulting front yard may or may not be defined by a fence or hedge to spatially maintain the edge of the street. The projecting porch shall be open on three (3) sides and has a roof form that shall be separate from the principal structure. A projecting porch shall encroach into the front yard. The following minimum standards shall apply to projecting porches.
- (a) **Width.** Ten (10) feet
 - (b) **Depth.** Eight (8) feet
 - (c) **Height.** Eight (8) feet
 - (d) **Finish Level Above Sidewalk.** Eighteen (18) inches

Figure 4.1: Projecting Porch



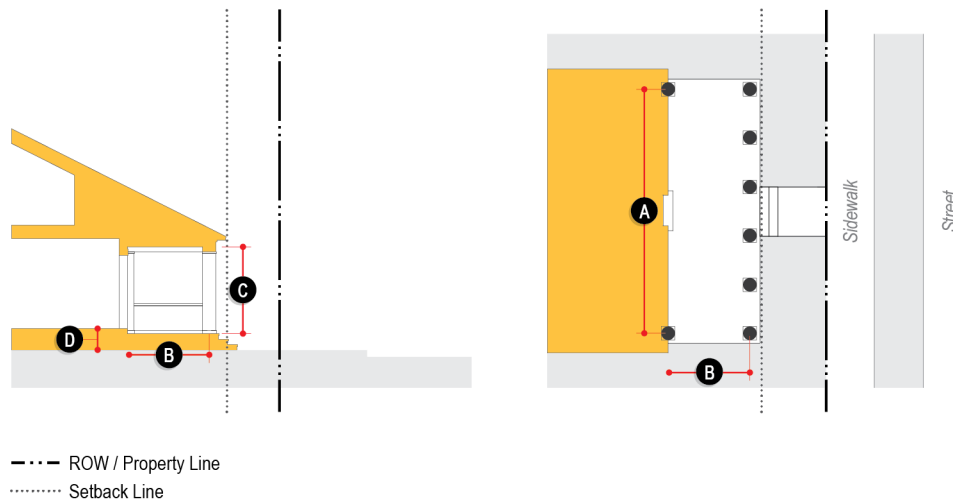
- (2) **Engaged Porch.** The porch shall be partially or fully enclosed on two (2) sides and have a roof. An engaged porch may not encroach into the required front yard. The following minimum standards shall apply to engaged porches.
- (a) **Width.** Ten (10) feet
 - (b) **Depth.** Eight (8) feet
 - (c) **Height.** Eight (8) feet
 - (d) **Finish Level Above Sidewalk.** Eighteen (18) inches

Figure 4.2: Engaged Porch



- (3) **Integral Porch.** An integral porch shall be part of the overall massing and roof form of a building. It shall not be possible to remove an integral porch without major changes to the overall roof form. An integral porch shall not encroach into the required front yard. The following minimum standards shall apply to integral porches.
- (a) **Width.** Eight (8) feet
 - (b) **Depth.** Eight (8) feet
 - (c) **Height.** Eight (8) feet
 - (d) **Finish Level Above Sidewalk.** Eighteen (18) inches

Figure 4.3: Integral Porch



- (J) **Transparency.** The ground level of mixed use and nonresidential development must offer pedestrian interest along sidewalks and pedestrian paths. Therefore, the first floor of any building façade facing a public right-of-way with the exception of alleys shall include transparent windows and / or doors arranged so that the uses inside are visible from and / or accessible to the street on at least twenty (20) percent of the façade. The City Planner may waive transparency requirements by up to twenty (20) percent for medical and dental office uses.

(K) **Permitted, Special Exception, and Specific Uses.** The following key is to be used in the interpretation of Table 16-4-2(K) below.

- (1) **Permitted Uses.** Uses which are marked as "P" in the tables shall be allowed subject to all applicable regulations of this UDO.
- (2) **Conditional Uses.** Uses which are marked as "C" in the tables shall be allowed upon the approval of a Conditional Use Permit as detailed in Section 16-9-3(D).
- (3) **Special Exception Uses.** Uses which are marked as "SE" in the tables shall be allowed upon the approval of a Special Exception as detailed in Section 16-9-6.
- (4) **Specific Uses.** Uses which are marked as "S" in the tables shall be allowed upon the approval of a Specific Use Permit as detailed in Section 16-9-7.
- (5) **Temporary Uses.** Uses which are marked "T" in the tables shall be allowed upon the approval of a temporary 16-9-2 (G).
- (6) **Uses Not Listed.** If a proposed use is not listed in the tables, the City Planner shall determine if the use is substantially similar to a use listed on the tables. If it is, they shall treat the use in the same manner as the substantially similar use. If not, the use shall be regarded as prohibited.
- (7) **Additional Regulation.** If a use has use specific standards, they are referenced in this column. Use specific standards shall apply to permitted, special exception, and specific uses. Where use specific standards conflict with overlay district specific standards, the overlay district specific standards shall be followed.
- (8) **Site Plan Review Requirements.** The Site Plan Review requirements shall be required for applications as specified in Section 16-9-3(C).

(L) **Downtown Overlay District Permitted, Special Exception, and Specific Uses.**

Table 16-4-2(K) DT Overlay District Permitted, Conditional, Special Exception, and Specific Uses		
Use	Additional Regulation	DT
<i>Residential Uses</i>		<i>DT</i>
Duplex	16-5-2(A)	P
Multifamily, above ground floor		P
Multifamily Building, 8 units or more	16-5-2(C)	S
Multifamily Building, less than 8 units	16-5-2(C)	C
Senior Housing, dependent		S
Senior Housing, independent		S
Single-Family Detached		P
Townhome	16-5-2(F)	P
<i>Institutional Uses</i>		<i>DT</i>
Government Uses, indoor		P
<i>Retail Uses</i>		<i>DT</i>
General Retail, less than 5,000 sq ft	16-5-4(B)	C
<i>Service Uses</i>		<i>DT</i>
General Service, less than 5,000 sq ft	16-5-5(C)	C
Medical / Dental Office		C

Table 16-4-2(K) DT Overlay District Permitted, Conditional, Special Exception, and Specific Uses

Use	Additional Regulation	DT
Professional Office		C
<i>Lodging Uses</i>		<i>DT</i>
Short-Term Rental	16-5-6(B)	C
<i>Eating / Drinking Uses</i>		<i>DT</i>
Brewery / Winery / Distillery, tasting room		C
Coffee / Tea Shop		C
Restaurant, fast casual		C
Restaurant, sit-down		C
<i>Entertainment Uses</i>		<i>DT</i>
General Entertainment, indoor, less than 5,000 sq ft	16-5-8(A)	C
<i>Accessory Uses</i>		<i>DT</i>
Accessory Building	16-5-12(A)	P
Accessory Dwelling	16-5-12(B)	P
Accessory Structure	16-5-12(D)	P
Home Based Business	16-5-12(G)	P
Solar Energy Collection System, ground	16-5-12(L)	P
Solar Energy Collection System, roof	16-5-12(M)	P
<i>Temporary Uses</i>		<i>DT</i>
Construction Related		T
Outdoor Dining	16-5-13(B)	T

Article 5. Use Specific Standards

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16-5-1. Agricultural Use Specific Standards

(A) Community Garden.

- (1) The name and contact information of the responsible person or organization shall be clearly posted and maintained for the duration of the existence of the community garden.
- (2) Accessory structures shall be limited in gross floor area to ten (10) percent of the of the lot used for the community garden, shall have a maximum height of twelve (12) feet including any pitched roof, and shall be limited to the following accessory structure types:
 - (a) Storage sheds,
 - (b) Hoop houses, and
 - (c) Cold frames.
- (3) All compost and/or organic matter on the site:
 - (a) Shall not cover more than ten (10) percent of the total area of the property,
 - (b) Shall be screened from view from adjacent property and the public right-of-way,
 - (c) Shall be managed to prevent the harborage of rodents and pests,
 - (d) Shall be maintained to prevent odors, and

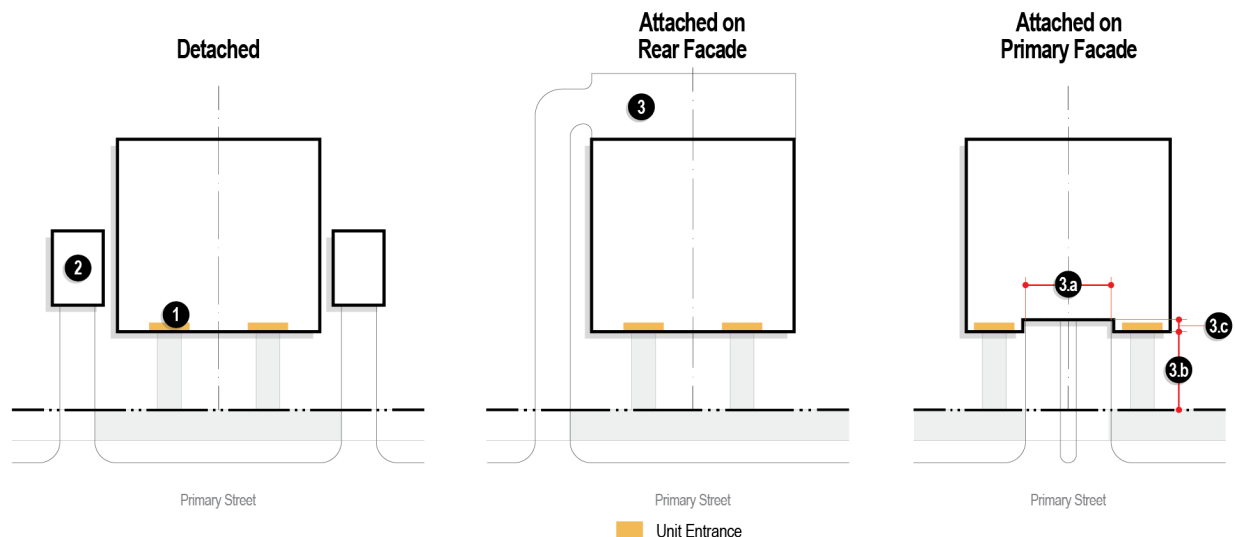
- (e) Shall be located to prevent leachate from flowing onto adjacent property or into natural or human-made storm channels.
- (4) The site shall be designed and maintained to prevent water from irrigation and/or other activities and/or fertilizer from draining onto adjacent property
- (5) Trash areas shall be provided and screened from view from adjacent property and the public right-of-way.

16-5-2. Residential Use Specific Standards

(A) Duplex.

- (1) Duplexes shall be oriented with their primary façades toward the public street. For corner lots, the primary façade must be oriented toward the designated front lot line.
- (2) A minimum of one (1) of the parking spaces, as required in Section 16-6-1(E) of this UDO, shall be provided in an attached or detached garage.
- (3) Attached garages are encouraged to be located on rear façades. If attached garages are located on the primary façade they shall:
 - (a) Not exceed forty-five (45) percent of the façade's total width,
 - (b) Be setback a minimum of twenty-five (25) feet from the property line, and
 - (c) Be recessed from the primary front façade (excluding porches) of the duplex a minimum of five (5) feet.
- (4) Exterior building materials shall be time- and weather- tested materials and techniques such as but not limited to masonry, stone veneer systems, stucco, precast panels with inlaid or stamped brick texture, and those included in the City of Jenks Preferred Building Materials List.

Figure 5.1: Duplex Allowed Garage Location



(B) Community Group Home.

- (1) The occupancy of a community group home may not exceed fifteen (15) inhabitants. Consideration of approval must, at least in part, be based upon a showing that, but for the economic need associated with the number of inhabitants requested to be permitted in the proposed group home:
 - (a) The dwelling would otherwise be available to the applicant, and
 - (b) The requested number of inhabitants is reasonably calculated to offset the increased economic costs associated with the Group Home use.
- (2) Community group homes must have all licenses required by the state. A Specific Use Permit granted for a community group home use will immediately become void upon final revocation of any required state license.
- (3) To avoid over-concentration, community group homes in RE, RS or RD zoning districts may not be located within one-thousand three hundred (1,300) feet of any other community group home. This separation requirement is established, not on the basis of any disability status, but on the basis of the non-family status of the groups. The required separation distance must be measured in a straight line from the nearest lot lines of the lots occupied by the community group home uses.
- (4) In order to allow for special accommodations for inhabitants of community group homes, the City is authorized, by Specific Use permit approval, to reduce or eliminate the separation distance requirement upon a finding that the federal Fair Housing Amendments Act, as amended, requires it, or that the grant of the Specific Use permit will not be injurious to the neighborhood or detrimental to the public welfare and will be in harmony with the spirit and intent of this UDO. In consideration of granting this Specific Use permit, the City must specifically consider the following factors:
 - (a) Traffic and parking congestion given the capacity of nearby streets,
 - (b) The likelihood that any other applicable group home use will impact traffic and parking congestion,
 - (c) Traffic hazards,
 - (d) Availability of off-street parking,
 - (e) Availability of public transit and the likelihood of its use,
 - (f) Feasibility of traffic mitigation measures, and
 - (g) Impacts on public utilities, including water and sanitary sewer capacities.

(C) Multifamily Building, All Units.

- (1) Multifamily buildings shall be oriented with their primary facades toward the public street. For corner lots, the primary façade must be oriented toward the designated front lot line.
- (2) Multifamily buildings shall incorporate design elements that create visual interest and avoid large blank facades. Such elements should be used to create a façade rhythm that is consistent with surrounding attached or detached single-family buildings. Appropriate elements include protruding or recessed patios, vertical and horizontal design elements, planar variations, varied roof lines, dormers, and others.
- (3) When a multifamily building is located at the end of a block, the building shall be oriented toward the intersecting side street. Where existing alleys exist and intersect with the side street, the alley must either be accommodated by new development, or reconfigured and dedicated as part of the new development in order to preserve alley access to other properties on the block.
- (4) All off-street parking, as required in Section 16-6-1(E) of this UDO, shall be located in the rear and/or interior side yard. Off-street parking located in the interior side yard shall be set back a minimum of one (1) foot from the front elevation of the primary building.
- (5) A maximum of one (1) curb cut shall be permitted per street frontage unless otherwise approved by the City Planner due to site specific constraints.
- (6) ADA compliant pedestrian walkways shall be provided to all building entries and parking areas and shall connect to the sidewalk at the street frontage.
- (7) Exterior building materials shall be time- and weather- tested materials and techniques such as but not limited to masonry, stone veneer systems, stucco, precast panels with inlaid or stamped brick texture, and those included in the City of Jenks Preferred Building Materials List.

(D) Multifamily Complex.

(1) The façades of buildings in multifamily complexes shall be improved as detailed below.

(a) Primary Façade.

(I) The primary façade shall include the primary building entrance and shall be oriented towards the following (listed in priority order):

- (i) Perimeter Streets,
- (ii) Primary Internal Streets,
- (iii) Parks or other common open space, or
- (iv) Secondary internal streets.

Primary façades shall not be oriented towards off-street parking lots, garages, or carports.

(II) Building materials of primary façades shall be masonry, stone veneer systems, or stucco on the first level. Precast panels with stamped or inlaid brick texture, EIFS acrylic finishes, or quik-brik concrete masonry units may be utilized above the first level. However, in no instance shall the finish of the non-natural materials utilized mimic or match the texture of the natural materials utilized. A maximum of three (3) building materials may be used on a primary façade.

(i) When two (2) or more building materials are used on a façade, the material used on the first level shall be visually heavier than the material used above the first level to give a sense of support and grounding. For example, masonry on the first level and EIFS acrylic stucco above.

(III) In order to provide for primary façade articulation, primary façades shall step back a maximum of two (2) feet and shall step forward a maximum of one (1) foot from the build-to-line for a minimum of forty (40) percent and maximum of seventy (70) percent of the primary façade.

(b) Secondary Façade.

(I) The secondary façade shall be any façade not including the primary building entrance that is oriented towards the following:

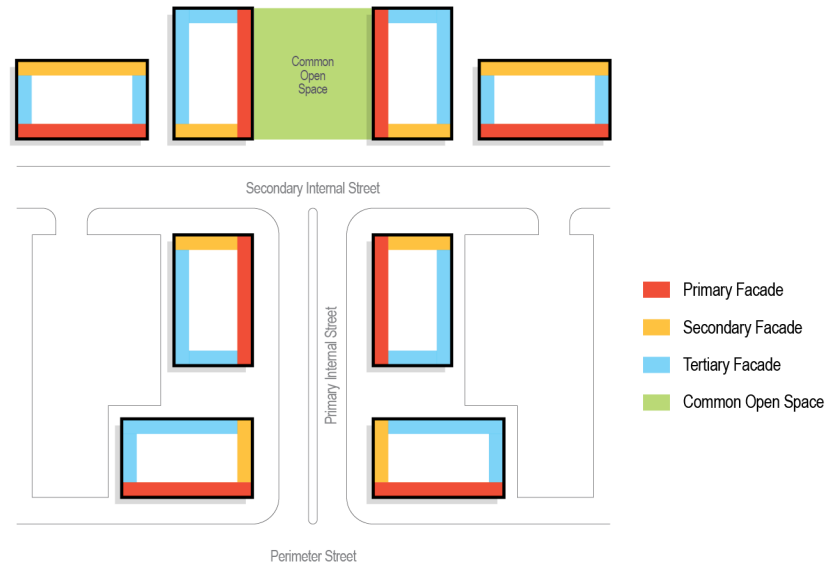
- (i) Perimeter streets,
- (ii) Primary internal streets,
- (iii) Parks or other common open space, or
- (iv) Secondary internal streets.

(II) Building materials of secondary facades shall be a combination of masonry, stone veneer systems, stucco, precast panels with stamped or inlaid brick texture, EIFS acrylic finishes, or quik-brik concrete masonry units. Natural materials shall consist of a minimum of forty (40) percent of the façade. In no instance shall the finish of the non-natural materials utilized mimic or match the texture of the natural materials utilized. The type and design of materials utilized on the secondary façade shall complement those utilized on the primary façade.

(III) In order to provide for secondary façade articulation, secondary façades shall step back a maximum of two (2) feet and shall step forward a maximum of one (1) foot from the build-to-line for a minimum of thirty (30) percent and maximum of seventy (70) percent of the secondary façade. Articulation of the secondary façade shall be complimentary to the articulation of the primary façade.

(c) Tertiary Façade.

- (I) The tertiary façade shall be any façade not considered a primary or secondary façade.
- (II) Building materials of tertiary façades may consist wholly of precast panels with stamped or inlaid brick texture, EIFS acrylic finishes, or quik-brik concrete masonry units, however, a combination of non-natural and natural materials is encouraged. The type and design of materials utilized on the tertiary façade shall complement those utilized on the primary and secondary façades.

Figure 5.2: Multifamily Complex Façade Locations

- (2) Parking shall be integrated into the overall site design to minimize visual impact, reduce the loss of trees, and be visually concealed from public rights-of-way.
- (3) ADA compliant pedestrian walkways shall be provided to all building entries and parking areas and shall connect to the sidewalk at the street frontage.

(E) Residential Treatment Center.

- (1) To avoid over-concentration, all residential treatment centers shall be separated from one another by a minimum distance of two thousand six hundred and forty (2,640) feet, as measured in a straight line from the nearest point on the lot line of the property occupied by one of these uses to the nearest point on a lot line of the other property occupied by one of the subject uses. The separation distance requirements of this subsection may be reduced if approved through the Specific Use approval process.

(F) Townhome.

- (1) Townhomes shall be oriented with their primary facades toward the public street. For corner lots, the primary façade must be oriented toward the designated front lot line.
- (2) Individual townhome units should be articulated through the exterior design of the townhome cluster. This can be accomplished through dormers, porches, vertical design elements, varying roof forms, or other appropriate techniques
- (3) When townhomes are located at the end of a block, they shall be oriented toward the intersecting side street. Where existing alleys exist and intersect with the side street, the alley must either be accommodated by new development, or reconfigured and dedicated as part of the new development in order to preserve alley access to other properties on the block.
- (4) A minimum of one (1) of the parking spaces, as required in Section 16-6-1(E) of this UDO, shall be provided in an attached or detached garage. Detached garages shall be exclusively accessed from rear alleys where rear alleys exist. Where rear alleys do not exist, it is encouraged that they be established and that detached garages be exclusively accessed from them.
- (5) Attached garages are encouraged to be located on rear façades. If attached garages are located on the primary façade they shall:
 - (a) Not exceed thirty-five (35) percent of the façade's total width,
 - (b) Be setback a minimum of twenty-five (25) feet from the property line, and
 - (c) Be recessed from the primary front façade (excluding porches) of the townhome a minimum of five (5) feet.

- (6) Exterior building materials shall be time- and weather- tested materials and techniques such as but not limited to masonry, stone veneer systems, stucco, precast panels with inlaid or stamped brick texture, and those included in the City of Jenks Preferred Building Materials List.

Figure 5.3: Townhome Allowed Garage Locations



(G) Transitional Living Center.

- (1) To avoid over-concentration, all transitional living center uses must be separated from one another by a minimum distance of two thousand six hundred and forty (2,640) feet, as measured in a straight line from the nearest point on the lot line of the property occupied by one of these uses to the nearest point on a lot line of the other property occupied by one of the subject uses. The separation distance requirements of this subsection may be reduced if approved through the Specific Use approval process.

16-5-3. Institutional Use Specific Standards

(A) Government Uses, Outdoor.

- (1) Outdoor storage and/or activity areas shall be located a minimum of fifty (50) feet from any residentially zoned property. All outdoor storage and/or activity areas adjoining a residentially zoned property shall comply with the requirements for outdoor storage and/or outdoor activity area screening as specified in Section 16-5-12(J) of this UDO.
- (2) All buildings and structures shall be located a minimum of twenty (20) feet from any residentially zoned property.
- (3) Buildings shall be similar in character to abutting properties including roof pitch, eaves, building materials, windows, and colors.

16-5-4. Retail Use Specific Standards

(A) Adult Uses.

- (1) **Purpose.** The purpose of this Section is to provide specific regulations for adult uses, in order to accommodate constitutionally-protected non-obscene sexual expression, while protecting the public health, safety, and general welfare of the City. The City Council finds that:
 - (a) Adult uses require special supervision from the City's law enforcement and public safety agencies to protect and preserve the public health, safety, morals, and welfare of the patrons and employees of businesses as well as the City's citizens.
 - (b) Adult uses are frequently used for unlawful sexual activities, including prostitution and sexual liaisons of a casual nature.
 - (c) Sexually transmitted diseases are a legitimate health concern for the City that demands reasonable regulation of adult uses by the City in accordance with this Ordinance.
 - (d) This Ordinance's regulations are a legitimate and reasonable means of accountability to ensure that operators of adult uses comply with reasonable regulations and to ensure that operators do not allow their establishments to be used as places of illegal sexual activity or solicitation.
 - (e) There is convincing documented evidence that adult uses, because of their outward appearance and very nature, have a deleterious effect on both the existing businesses around them and the surrounding residential areas adjacent to them, cause increased crime, particularly during the overnight hours, and reduce property values.
 - (f) The City Council desires to minimize and control these adverse effects by regulating adult uses in accordance with this Ordinance.
 - (g) By minimizing and controlling these adverse effects, the City Council seeks to protect the health, safety, and welfare of the citizenry; protect citizens from increased crime; preserve quality of life; preserve property values and the character of the City's neighborhoods; and deter the spread of urban blight.
 - (h) The City Council does not enact this Ordinance to suppress or authorize the suppression of any speech activities protected by the First Amendment; rather, this Ordinance establishes content-neutral regulations that address the secondary effects of adult uses.
 - (i) The City Council does not enact this Ordinance to restrict, deny, or authorize the restriction or denial of access by adults to sexually oriented materials protected by the First Amendment, or to deny, or authorize denial of, access by the distributors and exhibitors of adult entertainment and adult materials to their intended market.
 - (j) Evidence concerning adult uses' adverse secondary effects on communities is readily available in many court decisions, including, but not limited to: Township of Littleton, Colorado v. Z.J. Gifts D-4, LLC, 541 U.S. 774 (2004); City of Los Angeles v. Alameda Books, Inc., 535 U.S. 425 (2002); Township of Erie v. Pap's A.M., 529 U.S. 277

- (2000); *Barnes v. Glen Theatre, Inc.*, 501 U.S. 560 (1991); *Township of Renton v. Playtime Theatres, Inc.*, 475 U.S. 41 (1986); *Young v. American Mini Theatres*, 426 U.S. 50 (1976); *California v. LaRue*, 409 U.S. 109 (1972); *Illinois One News, Inc. v. City of Marwill*, 477 F.3d 461 (7th Cir. 2007); *Andy's Restaurant & Lounge, Inc. v. City of Gary*, 466 F.3d 550 (7th Cir. 2006); *Joelner v. City of Washington Park*, 378 F.3d 613 (7th Cir. 2004); *G.M. Enterprises, Inc. v. Town of St. Joseph*, 350 F.3d 631 (7th Cir. 2003); *Pleasureland Museum, Inc. v. Beutter*, 288 F.3d 988 (7th Cir. 2002); *Shultz v. City of Cumberland*, 288 F.3d 831 (7th Cir. 2000); *Genusa v. City of Peoria*, 619 F.2d 1203 (7th Cir. 1980); *Excalibur Group, Inc. v. City of Minneapolis*, 116 F.3d 1216 (8th Cir. 1997); and *XLP Corporation v. County of Lake*, 359 Ill. App. 3d 239 (2d Dist. 2005) (collectively, the "Cases").
- (k) Many cities and other units of government throughout the country have studied and found significant adverse secondary effects associated with adult uses, including, but not limited to: Phoenix, Arizona (1984); Minneapolis, Minnesota (1980); Indianapolis, Indiana (1984); Amarillo, Texas (1977); Whittier, California (1978); St. Croix County, Wisconsin (1993); Bellevue, Washington (1998); Beaumont, Texas (1982); and Des Moines, Iowa (1984) (collectively, the "Studies").
- (l) The United States Congress has heard testimony detailing the negative secondary effects associated with adult uses on numerous occasions, including 136 Cong. Rec. S. 8987; 135 Cong. Rec. S. 14519; 135 Cong. Rec. S. 5636; 134 Cong. Rec. E. 3750 (collectively, the "Testimony").
- (m) Based on secondary effects discussed and found to exist in the Cases, Studies, and Testimony, as well as all evidence presented and matters discussed during all public hearings and meetings conducted by the City, and all other relevant information, including the City Council's own knowledge and experience, the City Council finds that:
- (I) Adult uses can contribute to increased crime in the area where such businesses are located and burden local law enforcement and public safety efforts. Crimes associated with adult uses include, but are not limited to:
- (i) Prostitution and other sex related offenses,
 - (ii) Drug use and dealing, and
 - (iii) Money laundering.
- (II) Adult uses can contribute to significant public health concerns, including the spread of HIV/AIDS and other sexually transmitted diseases.
- (III) Adult uses and their outward appearance can significantly:
- (i) Contribute to the deterioration of residential neighborhoods,
 - (ii) Increase neighborhood blight,
 - (iii) Impair the character and quality of residential housing in the surrounding area, and
 - (iv) Reduce overall housing appeal for potential residents.
- (IV) The concentration of adult uses in any one area can greatly impact the area by causing blight, decreasing property values, reducing the City's tax base, making the area less attractive to non-adult uses (i.e., marketability), and increasing crime.
- (V) Adult uses can produce higher levels of noise, traffic, and glare as compared to other businesses by virtue of adult uses' hours of operation.
- (VI) Serving or otherwise allowing the consumption of alcoholic liquor at adult uses can lead to increased criminal activity and exacerbate neighborhood deterioration.
- (VII) The findings set forth in this Section 16-5-4(m)(I) through (VI) above constitute substantial governmental concerns.

(VIII) Adult uses have operational characteristics that require reasonable governmental regulation to address those substantial governmental concerns.

(IX) Passing this Ordinance will promote and protect the public health, safety, and welfare.

(2) **Conditions.** All adult uses will be subject to the following conditions in order to prevent or minimize substantial or undue adverse effects upon neighboring and adjacent properties and improvements, and substantial or undue or upon public facilities and services:

- (a) Adult uses will only be permitted in the CG District.
- (b) No adult use may be located within one thousand (1,000) feet of any existing school, religious institution, day care center, public park, residentially zoned property, agriculturally zoned property, or other adult use.
- (c) No adult use may have more than one (1) outdoor sign.
- (d) No adult use may have an outdoor sign exceeding ten (10) feet in length or three (3) feet in width.
- (e) No adult use may display the stock in trade of adult entertainment establishments to the public from view outside the establishment, including graphics, decorations, or displays.
- (f) No adult use may paint the exterior of the premises any other color than a single neutral, earth tone color.
- (g) No adult use offering live performance of adult entertainment will allow exposed or uncovered specified anatomical areas.
- (h) No adult use will permit persons under the age of eighteen (18) on the property subject to the adult use, and all adult uses will post a notice at the door that entry by persons under the age of eighteen (18) is prohibited.
- (i) All adult uses will maintain a buffer measuring at least six (6) feet wide between all patrons and any individual conducting live performance of adult entertainment.
- (j) No adult use will allow or permit the occurrence of any specified sexual activities or permit the occurrence of any act constituting the offense of obscenity under Oklahoma law on property subject to the adult use.
- (k) No adult use will allow, permit, or authorize physical contact between any adult use personnel and any patron.
- (l) Adult entertainment employees may not receive tips from patrons except as follows:
 - (I) An adult use that desires to provide for tips from its patrons for adult entertainment employees will establish one or more boxes or other containers to receive tips.
 - (II) All tips for adult entertainment employees must be placed by the patron into the tip box.
 - (III) An adult use that provides tip boxes for adult entertainment employees must post one or more signs to be conspicuously visible to the patrons on the premises in letters at least one inch high to read as follows: "All tips are to be placed in tip box and not handed directly to the entertainer. Any physical contact between the patron and the entertainer is strictly prohibited."
- (m) No adult use offering adult entertainment on the premises may open before 11:30 a.m. or close after 1:00 a.m., except that cleaning and maintenance activities necessary for the property's operation may occur before or after the hours specified in this subsection.
- (n) No adult use offering adult entertainment on the premises will open or operate on Sunday, on any federal holiday, or on any state holiday.
- (o) No animals, excluding animals trained and used to assist a person with a disability, are permitted at any time on property subject to an adult use, and any animal assisting a person with a disability must remain with that person at all times.

- (p) No adult entertainment will occur in any restroom located on a property subject to an adult use.
- (q) Patrons will not enter any non-public portions of a property subject to an adult use, including, without limitation, any storage areas, dressing rooms, or other rooms provided for the primary benefit and use of adult use personnel.
- (r) No adult use will utilize loudspeakers or other sound equipment that is audible outside of the structure in which the adult use is conducted.
- (s) Each adult use will have at least one manager's station allowing direct, unobstructed, and uninterrupted view from the manager's station to every part of the premises accessible to patrons, excluding restrooms.
- (t) All adult uses will comply with all provisions of this Code and all federal, state, and local laws, rules, and regulations, as amended.
- (u) Upon the City's request, permittee will allow the City to inspect the adult use's books, records, and payroll information to allow the City to verify compliance with this Code, state law, and federal law, as amended.

(3) **Penalty.**

- (a) Every act or omission constituting a violation of this Code by any adult use, adult use personnel, or patron will be deemed to be an act or omission by the adult use operator, and the adult use operator will be punished in accordance with the provisions of this subsection.
- (b) Nothing in this Section will prohibit the City or any person or entity from pursuing any claims at law or in equity, against any person or entity that violates this Section or any other City ordinance, rule, or regulation.
- (c) Any adult use established, operated, or maintained in violation of any of the provisions or requirements of this Code will be, and the same is, declared to be unlawful and a public nuisance. The City may, in addition to or in lieu of any other remedies set forth in this Subsection, commence an action to enjoin, remove, or abate such nuisance in the manner provided by law and may take such other steps and apply to such court or courts as may have jurisdiction to grant such relief as will abate or remove such public nuisance, and restrain and enjoin any person from establishing, operating, or maintaining an adult use contrary to the provisions of this Code.

- (4) **Severability.** If any part, subsection or clause of this Section will be deemed to be unconstitutional or otherwise invalid, the remaining section, subsection and clauses will not be affected thereby.

(B) **General Retail, less than 10,000 square feet.**

- (1) The main entrance shall be oriented towards the primary street.
- (2) All off-street parking, as required in Section 16-6-1(E) of this UDO, shall be located in the rear and/or interior side yard. Off-street parking located in the interior side yard shall be set back a minimum of one (1) foot from the front elevation of the primary building.
- (3) A maximum of one (1) curb cut shall be permitted per street frontage unless otherwise approved by the City Planner due to site specific constraints.
- (4) ADA compliant pedestrian walkways shall be provided to all building entries and parking areas and shall connect to the sidewalk at the street frontage.
- (5) Exterior building materials shall be time- and weather- tested materials and techniques such as but not limited to masonry, stone veneer systems, stucco, precast panels with inlaid or stamped brick texture, and those included in the City of Jenks Preferred Building Materials List.

(C) General Retail, 10,000 – 49,999 square feet.

- (1) All off-street parking, as required in Section 16-6-1(E) of this UDO, is encouraged to be located in the rear and/or interior side yard. Any portion of an off-street parking located in the front yard shall meet the requirements for Type B interior and perimeter parking lot landscaping.
- (2) Façades greater than one hundred (100) feet in length, measured horizontally, shall incorporate surface articulation every fifty (50) feet.
- (3) Ground floor facades that face public streets shall have arcades, clear glass display windows, entry areas, awnings, or other such features along no less than sixty (60) percent of their horizontal length.
- (4) ADA compliant pedestrian walkways shall be provided to all building entries and parking areas and shall connect to the sidewalk at the street frontage.
- (5) Exterior building materials shall be time- and weather- tested materials and techniques such as but not limited to masonry, stone veneer systems, stucco, precast panels with inlaid or stamped brick texture, and those included in the City of Jenks Preferred Building Materials List.

(D) General Retail, 50,000 square feet or more.

- (1) Façades greater than one hundred (100) feet in length, measured horizontally, shall incorporate surface articulation every one hundred (100) feet.
- (2) Ground floor facades that face public streets shall have arcades, clear glass display windows, entry areas, awnings, or other such features along no less than sixty (60) percent of their horizontal length.
- (3) ADA compliant pedestrian walkways shall be provided to all building entries and parking areas and shall connect to the sidewalk at the street frontage.
- (4) Exterior building materials shall be time- and weather- tested materials and techniques such as but not limited to masonry, stone veneer systems, stucco, precast panels with inlaid or stamped brick texture, and those included in the City of Jenks Preferred Building Materials List.
- (5) The property owner(s) shall enter into a "Vacant Building Agreement" with the City including provisions for vacant building and property maintenance and vacant building demolition.

(E) Multitenant Shopping Center.

- (1) The façades of buildings in multitenant shopping centers shall be improved as detailed below.

(a) Primary Façade.

- (I) The primary façade shall include the primary building entrance and shall be oriented towards the following (listed in priority order):

- (i) Perimeter streets,
- (ii) Primary internal streets,
- (iii) Parks or other common open space, or
- (iv) Secondary internal streets.

Primary façades shall not be oriented towards off-street parking lots, garages, or carports.

- (II) Building materials of primary façades shall be masonry, stone veneer systems, or stucco on the first level. Precast panels with stamped or inlaid brick texture, EIFS acrylic finishes, or quik-brik concrete masonry units

may be utilized above the first level. However, in no instance shall the finish of the non-natural materials utilized mimic or match the texture of the natural materials utilized. A maximum of three (3) building materials may be used on a primary façade.

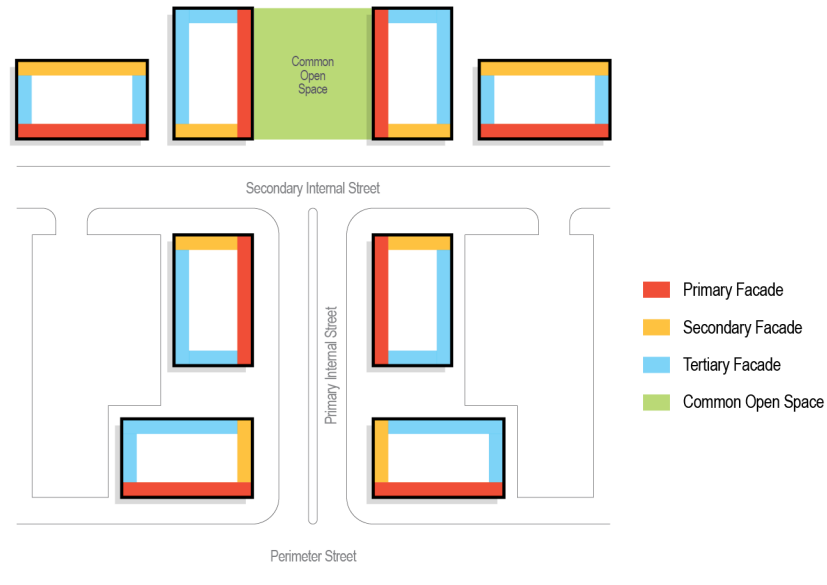
- (i) When two (2) or more building materials are used on a façade, the material used on the first level shall be visually heavier than the material used above the first level to give a sense of support and grounding. For example, masonry on the first level and EIFS acrylic stucco above.
- (III) In order to provide for primary façade articulation, primary façades shall step back a maximum of two (2) feet and shall step forward a maximum of one (1) foot from the build-to-line for a minimum of forty (40) percent and maximum of seventy (70) percent of the primary façade.

(b) Secondary Façade.

- (I) The secondary façade shall be any façade not including the primary building entrance that is oriented towards the following:
 - (i) Perimeter streets,
 - (ii) Primary internal streets,
 - (iii) Parks or other common open space, or
 - (iv) Secondary internal streets.
- (II) Building materials of secondary facades shall be a combination of masonry, stone veneer systems, stucco, precast panels with stamped or inlaid brick texture, EIFS acrylic finishes, or quik-brik concrete masonry units. Natural materials shall consist of a minimum of forty (40) percent of the façade. In no instance shall the finish of the non-natural materials utilized mimic or match the texture of the natural materials utilized. The type and design of materials utilized on the secondary façade shall complement those utilized on the primary façade.
- (III) In order to provide for secondary façade articulation, secondary façades shall step back a maximum of two (2) feet and shall step forward a maximum of one (1) foot from the build-to-line for a minimum of thirty (30) percent and maximum of seventy (70) percent of the secondary façade. Articulation of the secondary façade shall be complimentary to the articulation of the primary façade.

(c) Tertiary Façade.

- (I) The tertiary façade shall be any façade not considered a primary or secondary façade.
- (II) Building materials of tertiary façades may consist wholly of precast panels with stamped or inlaid brick texture, EIFS acrylic finishes, or quik-brik concrete masonry units, however, a combination of non-natural and natural materials is encouraged. The type and design of materials utilized on the tertiary façade shall complement those utilized on the primary and secondary façades.

Figure 5.4: Multitenant Shopping Center Façade Locations

- (2) Parking shall be integrated into the overall site design to minimize visual impact, reduce the loss of trees, and be visually concealed from public rights-of-way.
- (3) ADA compliant pedestrian walkways shall be provided to all building entries and parking areas and shall connect to the sidewalk at the street frontage.
- (4) **DC District.** Multitenant shopping centers in the DC District shall be exempt from the standards established in Section 16-5-4(E)(1-3) and shall instead meet all standards established in Section 16-3-5 and those detailed below.
 - (a) **Façade Articulation.** Multitenant shopping centers in the DC District shall feature façade articulation, as detailed below, to ensure compatibility with historic development patterns. Articulation involves the horizontal and vertical variation of the façade so that walls are subdivided into bays or sections that are vertically proportioned. The following provisions for façade articulation shall apply to any building elevations facing a public right of way and shall supersede the general façade articulation requirements in Section 16-5-4 (E)(1).
 - (I) The frontage of the building shall be divided into architecturally distinct sections or bays with each section taller than it is wide.
 - (II) Sections or bays shall be visually established by architectural features such as columns, ribs, pilasters, piers, recesses, projections, windows, awnings, arcades, or an equivalent element that visually subdivides the wall with a roof or cap features that provides a rational terminus and integrates with the overall design of the façade.

- (III) The required dividing elements shall have a minimum width of one (1) foot and minimum projection to width ratio of 1:4.

16-5-5. Service Use Specific Standards

(A) Business Park.

- (1) Uses allowed within a business park shall be as allowed in the base zoning district.
- (2) The façades of buildings in business parks shall be improved as detailed below.

(a) Primary Façade.

- (I) The primary façade shall include the primary building entrance and shall be oriented towards the following (listed in priority order). Primary façades shall not be oriented towards off-street parking lots, garages, or carports.
- (i) Perimeter streets,
 - (ii) Primary internal streets,
 - (iii) Parks or other common open space, or
 - (iv) Secondary internal streets.
- (II) Building materials of primary façades shall be masonry, stone veneer systems, or stucco on the first level. Precast panels with stamped or inlaid brick texture, EIFS acrylic finishes, or quik-brik concrete masonry units may be utilized above the first level. However, in no instance shall the finish of the non-natural materials utilized mimic or match the texture of the natural materials utilized. A maximum of three building materials may be used on a primary façade.
- (i) When two (2) or more building materials are used on a façade, the material used on the first level shall be visually heavier than the material used above the first level to give a sense of support and grounding. For example, masonry on the first level and EIFS acrylic stucco above.
- (III) In order to provide for primary façade articulation, primary façades shall step back a maximum of two (2) feet and shall step forward a maximum of one (1) foot from the build-to-line for a minimum of forty (40) percent and maximum of seventy (70) percent of the primary façade.

(b) Secondary Façade.

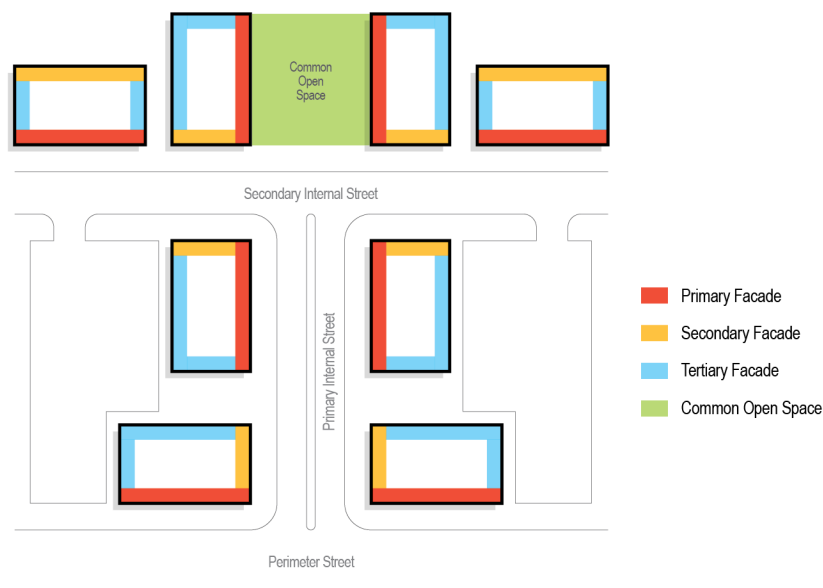
- (I) The secondary façade shall be any façade not including the primary building entrance that is oriented towards the following:
- (i) Perimeter streets,
 - (ii) Primary internal streets,
 - (iii) Parks or other common open space, or
 - (iv) Secondary internal streets.
- (II) Building materials of secondary facades shall be a combination of masonry, stone veneer systems, stucco, precast panels with stamped or inlaid brick texture, EIFS acrylic finishes, or quik-brik concrete masonry units. Natural materials shall consist of a minimum of forty (40) percent of the façade. In no instance shall the finish of the non-natural materials utilized mimic or match the texture of the natural materials utilized. The type and design of materials utilized on the secondary façade shall complement those utilized on the primary façade.

- (III) In order to provide for secondary façade articulation, secondary façades shall step back a maximum of two (2) feet and shall step forward a maximum of one (1) foot from the build-to-line for a minimum of thirty (30) percent and maximum of seventy (70) percent of the secondary façade. Articulation of the secondary façade shall be complimentary to the articulation of the primary façade.

(c) **Tertiary Façade.**

- (I) The tertiary façade shall be any façade not considered a primary or secondary façade.
- (II) Building materials of tertiary façades may consist wholly of precast panels with stamped or inlaid brick texture, EIFS acrylic finishes, or quik-brik concrete masonry units, however, a combination of non-natural and natural materials is encouraged. The type and design of materials utilized on the tertiary façade shall complement those utilized on the primary and secondary façades.

Figure 5.5: Business Park Façade Locations



- (3) Parking shall be integrated into the overall site design to minimize visual impact, reduce the loss of trees, and be visually concealed from public rights-of-way.
- (4) ADA compliant pedestrian walkways shall be provided to all building entries and parking areas and shall connect to the sidewalk at the street frontage.

(B) **Commercial Animal Boarding.**

- (1) Outdoor exercise areas shall not be located within three hundred (300) feet of a residentially zoned property.
- (2) Outdoor exercise areas shall be fully enclosed with a fence or wall with a minimum height of six (6) feet.
- (3) The hours of operation for outdoor areas shall be limited daily from 7:00 a.m. to 7:00 p.m.
- (4) The animals shall be boarded in appropriate kennel units with insulation to further abate noise.
- (5) All litter and waste must be contained and controlled on site by having appropriate flushing drains and other physical elements to properly dispose of cleaning waste from the boarding area.

- (6) The boarding area must be air-conditioned and heated so that any windows, doors, or other openings can be closed at all times, with the exception of ingress and egress into the area.

(C) General Service, less than 10,000 square feet.

- (1) The main entrance shall be oriented towards the primary street.
- (2) All off-street parking, as required in Section 16-6-1(E) of this UDO, shall be located in the rear and/or interior side yard. Off-street parking located in the interior side yard shall be set back a minimum of one (1) foot from the front elevation of the primary building.
- (3) A maximum of one (1) curb cut shall be permitted per street frontage unless otherwise approved by the City Planner due to site specific constraints.
- (4) ADA compliant pedestrian walkways shall be provided to all building entries and parking areas and shall connect to the sidewalk at the street frontage.
- (5) Exterior building materials shall be time- and weather- tested materials and techniques such as but not limited to masonry, stone veneer systems, stucco, precast panels with inlaid or stamped brick texture, and those included in the City of Jenks Preferred Building Materials List.

(D) General Service, 10,000 – 49,999 square feet.

- (1) All off-street parking, as required in Section 16-6-1(E) of this UDO, is encouraged to be located in the rear and/or interior side yard. Any portion of an off-street parking located in the front yard shall meet the requirements for Type B interior and perimeter parking lot landscaping.
- (2) Façades greater than one hundred (100) feet in length, measured horizontally, shall incorporate surface articulation every fifty (50) feet.
- (3) Ground floor facades that face public streets shall have arcades, clear glass display windows, entry areas, awnings, or other such features along no less than sixty (60) percent of their horizontal length.
- (4) Curb cuts and site vehicular access shall be minimized in frequency and width and shall not dominate the site plan or property and street frontage.
- (5) ADA compliant pedestrian walkways shall be provided to all building entries and parking areas and shall connect to the sidewalk at the street frontage.
- (6) Exterior building materials shall be time- and weather- tested materials and techniques such as but not limited to masonry, stone veneer systems, stucco, precast panels with inlaid or stamped brick texture, and those included in the City of Jenks Preferred Building Materials List.

(E) General Service, 50,000 square feet or more.

- (1) Façades greater than one hundred (100) feet in length, measured horizontally, shall incorporate surface articulation every one hundred (100) feet.
- (2) Ground floor facades that face public streets shall have arcades, clear glass display windows, entry areas, awnings, or other such features along no less than sixty (60) percent of their horizontal length.
- (3) Curb cuts and site vehicular access shall be minimized in frequency and width and shall not dominate the site plan or property and street frontage.
- (4) ADA compliant pedestrian walkways shall be provided to all building entries and parking areas and shall connect to the sidewalk at the street frontage.

- (5) Exterior building materials shall be time- and weather- tested materials and techniques such as but not limited to masonry, stone veneer systems, stucco, precast panels with inlaid or stamped brick texture, and those included in the City of Jenks Preferred Building Materials List.
- (6) The property owner(s) shall enter into a "Vacant Building Agreement" with the City including provisions for vacant building and property maintenance and vacant building demolition.

(F) **Personal Storage Facility.**

- (1) A personal storage facility shall consist of a single building.
- (2) Outlot development shall be allowed in the required setback with uses permitted in the base zoning district.
- (3) A minimum of thirty (30) percent of the primary façade shall contain transparent window and/or doors.
- (4) Outdoor storage shall be prohibited.
- (5) The storing of hazardous or toxic materials is prohibited.
- (6) No storage space shall be used for residential occupancy, business sales or operation, the storage of commercial or industrial inventory or raw materials, or the operation of machinery.
- (7) Exterior building materials shall be time- and weather-tested materials and techniques such as but not limited to masonry, stone veneer systems, stucco, precast panels with inlaid or stamped brick texture, and those included in the City of Jenks Preferred Building Materials List.
- (8) **Façade Articulation.** Personal storage facilities shall feature façade articulation, as detailed below. Articulation involves the horizontal and vertical variation of the façade so that walls are subdivided into bays or sections that are vertically proportioned. The following provisions for façade articulation shall apply to any building elevations facing a public right of way.
 - (a) The frontage of the building shall be divided into architecturally distinct sections or bays with each section taller than it is wide.
 - (b) Sections or bays shall be visually established by architectural features such as columns, ribs, pilasters, piers, recesses, projections, windows, awnings, arcades, or an equivalent element that visually subdivides the wall with a roof or cap features that provides a rational terminus and integrates with the overall design of the façade.
 - (c) The required dividing elements shall have a minimum width of one (1) foot and minimum projection to width ratio of 1:4.

16-5-6. Lodging Use Specific Standards

(A) Bed and Breakfast.

- (1) The host family must be the operator and resident of the property proposed to be used as a Bed and Breakfast.
- (2) Bed and Breakfasts shall provide a minimum of one (1) bathroom for every three (3) guest rooms.
- (3) The property must be developed, maintained, and operated so that the principal building, accessory buildings, yards, drive, and street frontage have the appearance and character of its adjacent neighborhood and does not detract from abutting properties.
- (4) The operator shall maintain a register of all bed and breakfast guests 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 thirty (30) days per calendar year.
- (5) The Special Exception shall establish the number of guest rooms permitted provided, however, the Board of Adjustment shall not approve more than three (3) guest rooms.
- (6) Cooking facilities shall not be permitted in any of the guest rooms.
- (7) A public restaurant is not permitted. Meals may only be served to overnight guests.
- (8) No signage is allowed for bed and breakfast uses.
- (9) The Board of Adjustment may require a bed and breakfast to be screened from the abutting residential properties by the erection and maintenance of a landscape yard in accordance with the Transition Area Type A requirements as detailed in Section 16-6-3(F)(3) of this UDO.
- (10) 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, and any required landscape shall be submitted at the time of application for a Special Exception.
- (11) Bed and Breakfasts 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.
- (12) The operator shall file an application for a City of Jenks license and registration and a Sales Tax Permit issued by the State of Oklahoma Tax Commission upon approval of the required Special Exception. 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 five (5) percent on gross receipts of any Bed and Breakfasts and similar businesses.

(B) Short-Term Rental.

- (1) All applications for short-term rentals shall be filed under the Conditional Use Permit procedures and subject to the Conditional Use Permit review criteria in Section 16-9-3(D).
- (2) Short-term rentals shall be subject to the City of Jenks lodging tax rate.
- (3) Private covenants enacted by homeowners associations or other private entities may further restrict the establishment short-term rentals beyond the regulations of this UDO.

16-5-7. Eating / Drinking Use Specific Standards

(A) **Coffee / Tea Shop.** The following standards shall apply to Coffee / Tea Shop uses in any residential district or the LC District and in any district when the subject lot abuts a residential zoning district.

- (1) The main entrance shall be oriented towards the primary street.
- (2) All off-street parking, as required in Section 16-6-1(E) of this UDO, shall be located in the rear and/or interior side yard. Off-street parking located in the interior side yard shall be set back a minimum of one (1) foot from the front elevation of the primary building.
- (3) A maximum of one (1) curb cut shall be permitted per street frontage unless otherwise approved by the City Planner due to site specific constraints.
- (4) ADA compliant pedestrian walkways shall be provided to all building entries and parking areas and shall connect to the sidewalk at the street frontage.
- (5) Exterior building materials shall be time- and weather- tested materials and techniques such as but not limited to masonry, stone veneer systems, stucco, precast panels with inlaid or stamped brick texture, and those included in the City of Jenks Preferred Building Materials List.

(B) **Food Truck Court.**

- (1) The maximum number of food trucks allowed on site shall depend on the size of the lot and sites ability to provide required electrical access and parking. Site plans shall be provided to the City for review before permitting.
- (2) A minimum of ten (10) feet of clearance shall be provided between all individual food trucks.
- (3) The area for a food truck court shall be clearly defined and separated from all patron parking with an enclosure. Any use of fencing or planters to separate the food truck park from parking shall provide visibility into the site and shall not exceed four (4) feet in height.
- (4) Food truck courts are encouraged to create an inviting and attractive aesthetic environment and shall include seating and shade elements.
- (5) A minimum of (2) permanent restrooms that meet ADA standards shall be made accessible to patrons within two hundred (200) feet of the food truck court during hours of operation.
- (6) Food truck courts shall be located a minimum of five hundred (500) feet away from any brick-and-mortar restaurant unless said restaurant is operating a truck within the food truck park, as measured from the facility property line.
- (7) Any food truck court shall not be located less than one-thousand five hundred (1,500) feet from any other food truck court, as measured from the facility property line.
- (8) Electrical service shall be provided to each food truck.
- (9) A minimum of one (1) trash receptacle and one (1) recycling receptacle shall be provided per food truck. The food truck park shall also provide a commercial dumpster outside of the designated patron area for waste disposal. The dumpster shall be screened in accordance with Section 16-6-4(A).
- (10) Food trucks shall be inspected in accordance with the State of Oklahoma.
- (11) **Additional Requirements.** These permit requirements do not apply to food carts or trucks that are:
 - (a) Part of a City-permitted event, or
 - (b) For a private, catered event occurring on private property (private parties, reunions, weddings and the like) in any district.

- (12) A street closure permit may be required to locate on any city street or right-of-way where the provisions of this section cannot be met. Food carts or trucks may not cater private events from either the sidewalk or road right-of-way without registering with the City of Jenks.

16-5-8. Entertainment Use Specific Standards

(A) General Entertainment, Indoor, less than 10,000 square feet.

- (1) The main entrance shall be oriented towards the primary street.
- (2) All off-street parking, as required in Section 16-6-1(E) of this UDO, shall be located in the rear and/or interior side yard. Off-street parking located in the interior side yard shall be set back a minimum of one (1) foot from the front elevation of the primary building.
- (3) A maximum of one (1) curb cut shall be permitted per street frontage unless otherwise approved by the City Planner due to site specific constraints.
- (4) ADA compliant pedestrian walkways shall be provided to all building entries and parking areas and shall connect to the sidewalk at the street frontage.
- (5) Exterior building materials shall be time- and weather- tested materials and techniques such as but not limited to masonry, stone veneer systems, stucco, precast panels with inlaid or stamped brick texture, and those included in the City of Jenks Preferred Building Materials List.

(B) General Entertainment, Indoor, 10,000 – 49,999 square feet.

- (1) All off-street parking, as required in Section 16-6-1(E) of this UDO, is encouraged to be located in the rear and/or interior side yard. Any portion of an off-street parking located in the front yard shall meet the requirements for Type B interior and perimeter parking lot landscaping.
- (2) Façades greater than one hundred (100) feet in length, measured horizontally, shall incorporate surface articulation every fifty (50) feet.
- (3) Ground floor facades that face public streets shall have arcades, clear glass display windows, entry areas, awnings, or other such features along no less than sixty (60) percent of their horizontal length.
- (4) Curb cuts and site vehicular access shall be minimized in frequency and width and shall not dominate the site plan or property and street frontage.
- (5) ADA compliant pedestrian walkways shall be provided to all building entries and parking areas and shall connect to the sidewalk at the street frontage.
- (6) Exterior building materials shall be time- and weather- tested materials and techniques such as but not limited to masonry, stone veneer systems, stucco, precast panels with inlaid or stamped brick texture, and those included in the City of Jenks Preferred Building Materials List.

(C) General Entertainment, indoor, 50,000 square feet or more.

- (1) Façades greater than one hundred (100) feet in length, measured horizontally, shall incorporate surface articulation every one hundred (100) feet.
- (2) Ground floor facades that face public streets shall have arcades, clear glass display windows, entry areas, awnings, or other such features along no less than sixty (60) percent of their horizontal length.
- (3) Curb cuts and site vehicular access shall be minimized in frequency and width and shall not dominate the site plan or property and street frontage.

- (4) Service areas, dumpsters, utilities, and the required screening thereof shall not be visible from rights-of-way.
- (5) ADA compliant pedestrian walkways shall be provided to all building entries and parking areas and shall connect to the sidewalk at the street frontage.
- (6) Exterior building materials shall be time- and weather- tested materials and techniques such as but not limited to masonry, stone veneer systems, stucco, precast panels with inlaid or stamped brick texture, and those included in the City of Jenks Preferred Building Materials List.
- (7) The property owner(s) shall enter into a "Vacant Building Agreement" with the City including provisions for vacant building and property maintenance and vacant building demolition.

(D) General Entertainment, Outdoor.

- (1) All buildings associated with the Outdoor General Entertainment use shall meet the use specific standards for the applicable indoor general entertainment use based on the size of the building.
- (2) Outdoor activity areas shall not be located closer than three hundred (300) feet to a property in a RE, RS, or RD district.
- (3) Hours of operation shall be limited to between 7:00 am and 9:00 pm weekly between Sunday and Thursday and between 7:00 am and 11:00 pm weekly between Fridays and Saturday.

16-5-9. Vehicle Related Use Specific Standards

(A) Car Wash.

- (1) Car washes located in the CG District located adjacent to or that contains a residential use, the car wash may not be established without approval of a Specific Use Permit, in accordance with Section 16-9-7.
- (2) All car wash facilities and accessory equipment such as vacuums, dryers, accessory buildings, etc. shall be set back a minimum of two hundred (200) feet from any property in a residential district, in addition to the minimum setbacks required in the zoning district in which the car wash is located.
- (3) All car wash facilities shall be screened from view from any adjoining property in a residential district or that contains a residential use by a solid screening fence or wall at least eight (8) feet in height.
- (4) Blowers or other noise producing drying equipment shall be located inside the car wash tunnel or bay and shall be oriented away from any abutting property in a residential district or that contains a residential use.

(B) Fuel Sales.

- (1) All fuel pumps shall be set back a minimum of twenty-five (25) feet from the street right-of-way and side or rear lot lines.
- (2) All fuel pump canopies shall be located a minimum of twenty (20) feet from the street right-of-way and side or rear lot lines.
- (3) All fuel pumps and fuel pump canopies shall be located a minimum of fifty (50) feet from any RE, RS, or RD district boundary line.
- (4) Fuel pump canopies shall maintain a uniform and consistent roofline with the building to which the fuel pump canopy is associated. The Planning Commission may approve additional fuel pump canopy height to accommodate fuel pump canopies that serve commercial vehicles; however, in no instance shall a fuel pump canopy exceed seventeen (17) feet.
- (5) Fuel pump canopies shall be lit with only fully recessed lighting.

(C) Trucking Establishment.

- (1) **Locational Standards.** A trucking establishment is a unique and specialized land use. Given the distinctive nature of this particular use, the locational standards identified below are of paramount importance for the health, safety and general welfare of the public. As such, the Planning Commission, before recommending approval to City Council, will carefully consider the following provisions of the Specific Use permit.
 - (a) No trucking establishment shall be located within five (5) miles of any other trucking establishment or gasoline service provider. For the purpose of this section, all measurements of distance shall be along a straight airline route from the nearest point on any gasoline sales establishment property line to the nearest point on any other gasoline sales property line.
 - (b) No trucking establishment shall be located closer than twenty-five hundred (2,500) feet from property designated Residential on the Land Use Plan Map or land zoned Residential pursuant to the Zoning Code. For the purpose of this section, all measurements of distance shall be along a straight airline route from the nearest point on any trucking establishment property line to the nearest point on any property line zoned or designated Residential.
- (2) **Minimum Parcel Dimensions.**
 - (a) The minimum parcel size for consideration of trucking establishment is twenty (20) acres.
 - (b) The minimum lot frontage for a parcel used for a trucking establishment shall be four hundred (400) feet.
- (3) **Minimum Required Yards.**
 - (a) The perimeter setback for all yards adjacent to major roadways shall be at least one hundred (100) feet from the respective property line.
 - (b) Transitional yard setback required where a property line or lease line abuts service stations, truck service (major repair) every adjacent structure shall be set back one hundred (100) feet. This requirement would not apply to structures containing convenience stores or other uses if part of the service station use.
- (4) **Maximum Building Height.** For all permitted uses within a trucking establishment, thirty-five (35) feet, hotels, motels and similar lodging are prohibited.
- (5) **Maximum Building Coverage.** Forty (40) percent of site area
- (6) **Minimum Open Space.** Twenty (20) percent of site area. One half (½) of the area required to be devoted to Open Space may be comprised of water bodies.
- (7) **Minimum Building Separation.** No two (2) buildings on the same parcel within trucking establishment shall be located closer to one (1) another than a distance equal to the height of the lower building.
- (8) **Prohibited uses.** The following are the prohibited uses and structures in trucking establishments:
 - (a) Any permitted use, accessory use, restricted use or structure not specifically or by reasonable implication permitted herein,
 - (b) Adult uses,
 - (c) Sales of alcoholic beverages for consumption off the premises. This prohibition does not include the sale of beer and wine accessory to a convenience store, and
 - (d) Sales, Wholesale. This prohibition does not include the sales of tires, batteries and vehicle parts and bulk storage of petroleum products for sales on-site but does include the bulk sale of petroleum products.

16-5-10. Industrial Uses

- (A) **Warehouse, Office.** A maximum of eighty (80) percent of the floor area of the structure may comprise warehouse uses and at least twenty (20) percent of the floor area of the structure shall comprise office uses.

16-5-11. Medical Marijuana Use Specific Standards

(A) **All Medical Marijuana Uses.**

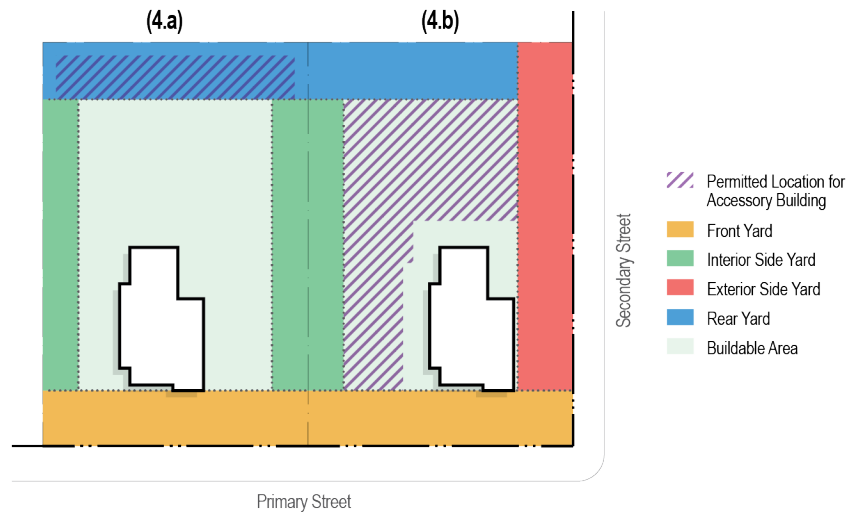
- (1) Grow facilities, testing laboratories, and processing facilities shall be located a minimum of three hundred (300) feet from any parcel designated in the RE, RS, or RD districts or from a habitable structure.
- (2) Grow facilities, testing laboratories, processing facilities, and dispensaries (all medical marijuana uses) shall be located within an enclosed building(s).
- (3) Any ventilation/HVAC system shall be located to expel air away from a residential use located on an adjoining property.

16-5-12. Accessory Use Specific Standards

(A) **Accessory Building.** In the AG District, only the provisions of subsections (4) and (5) shall apply.

- (1) One (1) accessory building shall be permitted per lot.
- (2) On lots less than or equal to twenty thousand (20,000) square feet, an accessory building shall be a maximum of seven hundred (700) square feet or seventy-five (75) percent of the gross floor area of the principal building, whichever is more.
- (3) On lots greater than twenty thousand (20,000) square feet in area, an accessory building shall be a maximum of one thousand two hundred (1,200) square feet or seventy-five (75) percent of the gross floor area of the primary building, whichever is more.
- (4) An accessory building shall be located either:
 - (a) Completely within the required rear yard and a minimum of five (5) feet from lot lines, or
 - (b) Completely within the buildable area of the lot and to the interior side or rear of the principal building.
- (5) An accessory building shall be located a minimum of ten (10) feet from the primary building unless it is constructed with a one (1) hour fire rating in which case the minimum separation from the primary building shall be five (5) feet.

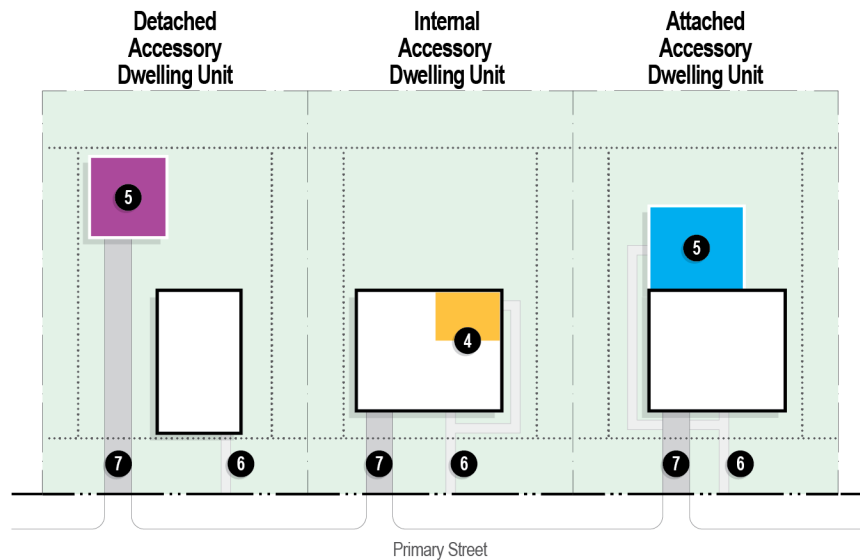
Figure 5.6: Accessory Building Permitted Locations



- (6) Private covenants enacted by homeowners associations or other entities may apply and may further restrict the allowed number, size, and location of accessory buildings.

(B) Accessory Dwelling.

- (1) One (1) accessory dwelling unit shall be permitted per lot.
- (2) The primary residence of the owner of the property shall be either the primary building on the lot or the accessory dwelling.
- (3) Internal accessory dwelling units shall not be greater than twenty (20) percent of the size of the primary building, whichever is less.
- (4) Detached and attached accessory dwelling units shall not be greater than eighty (80) percent of the size of the primary building.
- (5) Only one (1) entrance shall be located on the front façade of the primary building. Entrances to accessory dwelling units must be located on the interior side or rear façade.
- (6) Both the primary building and the accessory dwelling unit shall be served by the driveway established for the primary building.
- (7) Parking for the accessory dwelling unit, as required by Section 16-6-1(E) of this UDO, shall be in addition to the parking space(s) required for the primary building. The parking for the accessory dwelling unit shall not be located in the required front yard setback. A tandem parking space, where one (1) car is parked behind another, with the spaces required for the primary structure shall be prohibited.
- (8) Accessory dwelling units shall be similar in character to the primary structure and to abutting properties including roof pitch, eaves, building materials, windows, trim, color, and landscaping.

Figure 5.7: Accessory Dwelling Types

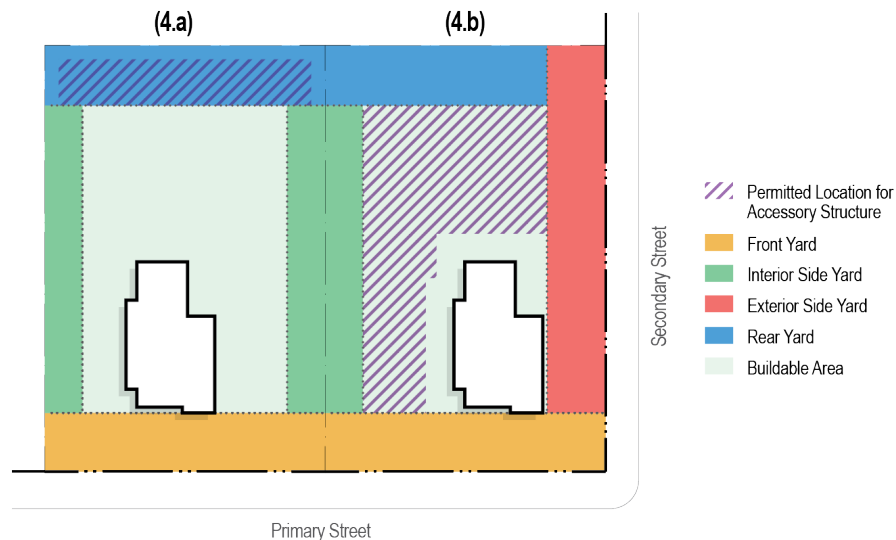
- (9) Private covenants enacted by homeowners associations or other entities may apply and may further restrict the allowed number, size, or location, of accessory dwelling units.

(C) Accessory Retail.

- (1) The total area devoted to retail activity shall not exceed twenty-five (25) percent of the total area of the building in which the accessory retail activity shall take place.
- (2) Restroom facilities shall be provided and shall be directly accessible from the accessory retail sales area.
- (3) Accessory retail sales areas shall be physically separated from other activity areas by a wall.

(D) Accessory Structure.

- (1) Two (2) accessory structures shall be permitted per lot.
- (2) An accessory structure shall not exceed two hundred (200) square feet.
- (3) An accessory structure shall have a maximum height of eight (8) feet.
- (4) An accessory structure shall be located either:
 - (a) Completely within the required rear yard and a minimum of five (5) feet from rear yard lot lines, or
 - (b) Completely within the buildable area of the lot and to the interior side or rear of the principal building.
- (5) An accessory structure shall be located a minimum of ten (10) feet from the primary building unless it is constructed with a one (1) hour fire rating in which case the minimum separation from the primary building shall be five (5) feet.

Figure 5.8: Accessory Structures Permitted Locations

(E) Donation Drop Box.

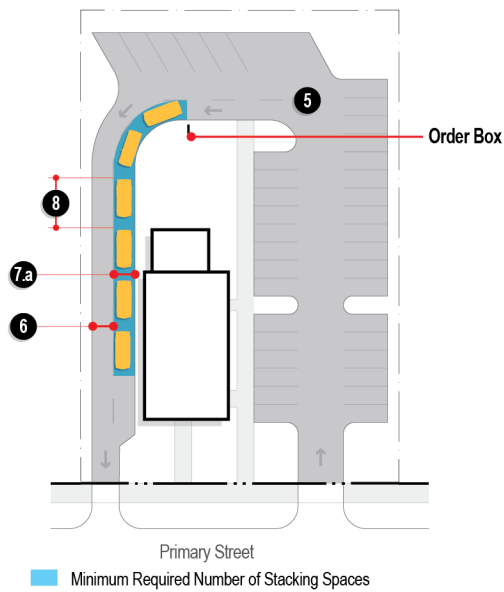
- (1) Donation drop boxes shall be on properties that contain a legally existing and operating use.
- (2) No more than two (2) donation drop boxes shall be permitted on a lot less than or equal to two (2) acres.
- (3) No more than three (3) donation drop boxes shall be permitted on a lot greater than two (2) acres.
- (4) Each donation drop box shall not exceed seven (7) feet in height and twenty-five (25) square feet in ground area.
- (5) Donation drop boxes shall only be located in side or rear yards. No donation drop box shall be located in a front yard.
- (6) Donation drop boxes shall be located on an asphalt or concrete paved surface.
- (7) Donation drop boxes shall not be located in a driveway or drive aisle and shall not reduce the width of paved clear space for the passage of pedestrians to less than five (5) feet. Boxes shall not be located in such a way as to disrupt the flow of vehicular or pedestrian traffic.
- (8) Donation drop boxes shall not be located nearer than forty (40) feet from an adjoining lot in a RE, RS, or RD District.
- (9) Donation drop boxes shall be located to the side or rear of the primary façade of the building.
- (10) A notice must be permanently affixed to each donation drop box in a highly visible location prohibiting the placement of items outside of the box. The name and twenty-four (24) hour telephone number of the owner/operator must be permanently affixed to each donation drop box.

(F) Drive Through.

- (1) Drive-throughs shall be permitted a maximum of four (4) total menu boards and pre-order boards with a combined maximum area of one hundred (100) square feet. Each menu board or pre-order board shall not exceed sixty (60) square feet in area and ten (10) feet in height. Menu boards and pre-order boards may utilize electronic message boards for one hundred (100) percent of the permitted menu board or pre-order board area and must follow all regulations of Section 16-7-7(B) of this UDO.
- (2) Any speaker or intercom associated with a drive-through shall not be audible beyond the boundaries of the property.
- (3) Drive-through canopies shall maintain a uniform and consistent roofline with the building to which the drive-through is associated.
- (4) Stacking spaces and lanes for drive through stations shall not impede on- and off-street traffic movement, are not to cross or pass through off-street parking areas or drive aisles and are not to impede pedestrian access to a public entrance of a building.
- (5) Drive-through lanes are to be separated from off-street parking areas. Individual lanes are to be striped, marked, or otherwise distinctly delineated.
- (6) Drive-through facilities shall be provided with a bypass lane with a minimum width of ten (10) feet.
- (7) Stacking lanes shall have a minimum depth of twenty (20) feet per stacking space and the following minimum lane widths:
 - (a) One (1) lane: Twelve (12) feet,
 - (b) Two (2) or more lanes: Ten (10) feet per lane.
- (8) Drive-through facilities shall be required to provide a minimum number of stacking spaces as detailed in Table 16-5-11(F)(8).

Table 16-5-11(F)(8): Drive-Through Stacking Space Requirements		
Use	Minimum Stack	Measure From
<i>Automated Teller Machine</i>	2 per machine	teller machine
<i>Bank Teller Lane</i>	2 per lane	teller or window
<i>Restaurant</i>	6 per order box	order box
<i>Carwash Stall, Automatic</i>	5 per stall	stall entrance
<i>Carwash Stall, Manual</i>	2 per stall	stall entrance
<i>Oil Change Shop</i>	2 per service bay	service bay entrance
<i>Pharmacy</i>	4 per lane	machine or window
<i>Other</i>	at the discretion of the Planning Commission	

Figure 5.9: Drive Through Requirements



(G) Home Based Childcare.

- (1) All home based childcare shall be required to receive a Special Exception, as detailed in Section 16-9-6 of this UDO.
- (2) The primary use of the lot shall be residential in nature.
- (3) No person other than a resident of the dwelling unit shall be engaged or employed in the home based childcare on the premises.
- (4) No additional sign area, beyond what is permitted in residential districts in Sections 16-7-2, 16-7-5, and 16-7-6 of this UDO shall be granted to a home based childcare.
- (5) No alteration of the residential appearance of the premises shall occur, including the creation of a separate entrance for the home based childcare.

(H) Home Based Business.

- (1) All home based businesses shall be required to receive a Conditional Use Permit, as detailed in Section 16-9-3(D) of this UDO.
- (2) The primary use of the lot shall be residential in nature.
- (3) No person other than a resident of the dwelling unit shall be engaged or employed in the home based business on the premises.
- (4) No additional sign area, beyond what is permitted in residential districts in Sections 16-7-2, 16-7-5, and 16-7-6 of this UDO shall be granted to a home based businesses.
- (5) No mechanical equipment shall be utilized except that which is necessarily, customarily, or ordinarily used for household or leisure purposes.
- (6) No toxic, explosive, flammable, combustible, corrosive, etiologic, radioactive, or other restricted materials shall be used or stored on the site except those which are necessarily, customarily, or ordinarily used for household or leisure purposes.
- (7) There shall be no outside operations, storage, or display of materials or products.
- (8) No alteration of the residential appearance of the premises shall occur, including the creation of a separate entrance for the home based business.
- (9) No process shall be used which is hazardous to public health, safety, morals, or welfare.
- (10) Visitors, customers, or deliveries shall not exceed that normally and reasonably occurring for a residence.
- (11) The home based business shall not displace or impede use of required parking spaces, including any business storage in required garage parking areas.
- (12) No advertisement shall be placed in any media containing the address of the property.

(I) Outdoor Activity / Operation, Permanent.

- (1) Any property with permanent outdoor activity or operations shall have a minimum lot size of five (5) acres.
- (2) Outdoor activities and operations shall be conducted between the hours of 7:00 am and 9:00 pm.
- (3) Outdoor activities and operations shall be located to the rear or interior side of the principal building on the lot.
- (4) Outdoor activities and operations shall be prohibited in front or exterior side yards.
- (5) Outdoor activities and operations shall be setback a minimum of fifty (50) feet from all property lines when adjacent properties are zoned OL, OM, or LC.
- (6) Outdoor activities and operations shall be setback a minimum of one hundred (100) feet from all property lines when adjacent properties are zoned RE, RS, RD, RTH, RM, CH, or RTC.
- (7) The following minimum screening requirements shall apply to permanent outdoor activities and operations visible from the right-of-way of an existing or proposed arterial or collector roadway or a property zoned RE, RS, RD, RTH, RM, OL, LC, or RTC.
 - (a) A solid wall constructed from materials, not including metal, identical to those used on the exterior of the principal building, unless otherwise approved by the Planning Commission, and not less than six (6) feet and not more than eight (8) feet in height shall be erected to screen those portions of permanent outdoor activity and operations areas visible from an existing or proposed arterial or collector roadway or a property zoned RE, RS, RD, RTH, RM, OL, LC, or RTC.
 - (b) A landscape strip, not less than five (5) feet wide shall be located in front of the wall. A minimum of four (4) canopy or evergreen trees shall be planted and evenly spaced per every one hundred (100) lineal feet. A minimum of ten (10) shrubs shall be planted and evenly spaced per every one hundred (100) lineal feet. All landscape maintenance requirements of Section 16-6-3(I) of this UDO shall apply.

(J) Outdoor Display / Sale of Merchandise, Permanent.

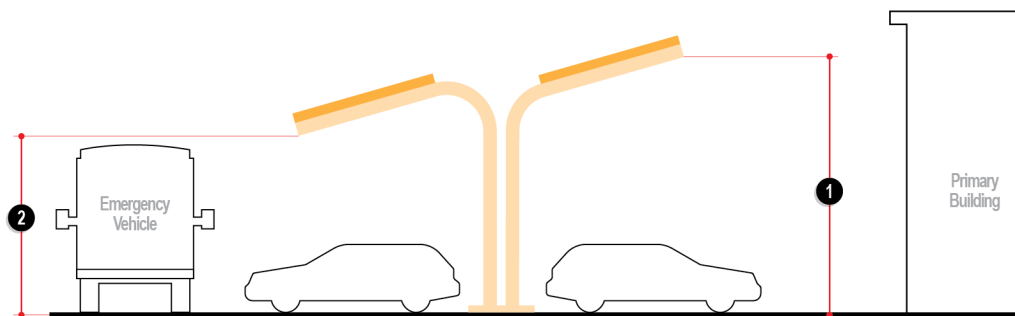
- (1) Only those goods and materials associated with the existing on-site use may be displayed or sold.
- (2) Permanent outdoor display or sales areas shall not be located within any required yard or parking area.
- (3) Permanent outdoor display or sales areas shall be surfaced with an approved hard surface material. Partially paved or unpaved outdoor display or sales areas shall be prohibited.
- (4) Permanent outdoor display or sales areas shall not exceed ten (10) percent of the gross floor area of the primary building on the property unless approved as a Specific Use.

(K) Outdoor Storage, Permanent.

- (1) Permanent outdoor storage areas shall be surfaced with an approved hard surface material. Partially paved or unpaved outdoor storage areas shall be prohibited.
- (2) The following minimum screening requirements shall apply to permanent outdoor storage areas which are visible from the right-of-way of an existing or proposed arterial or collector roadway or from a property zoned RE, RS, RD, RTH, RM, OL, OM, LC, CH, or RTC.
 - (a) A solid wall constructed from materials, not including metal, identical to those used on the exterior of the primary building, unless otherwise approved by the Planning Commission, and not less than six (6) feet and not more than eight (8) feet in height shall be erected to screen those portions of permanent outdoor storage areas visible from an existing or proposed arterial roadway or from a property zoned RE, RS, RD, RTH, RM, OL, OM, LC, CH, or RTC.
 - (b) A landscape strip, not less than five (5) feet wide shall be located in front of the wall. A minimum of four (4) canopy or evergreen trees shall be planted and evenly spaced per every one hundred (100) lineal feet. A minimum of ten (10) shrubs shall be planted and evenly spaced per every one hundred (100) lineal feet. All landscape maintenance requirements of Section 16-6-3(l) of this UDO shall apply.
- (3) Shipping containers not located on a truck shall be considered outdoor storage. Shipping containers located on a truck which is kept in the same parking or loading area for more than thirty (30) days shall be considered outdoor storage. Any shipping containers considered outdoor storage shall be subject to the regulations of this section.

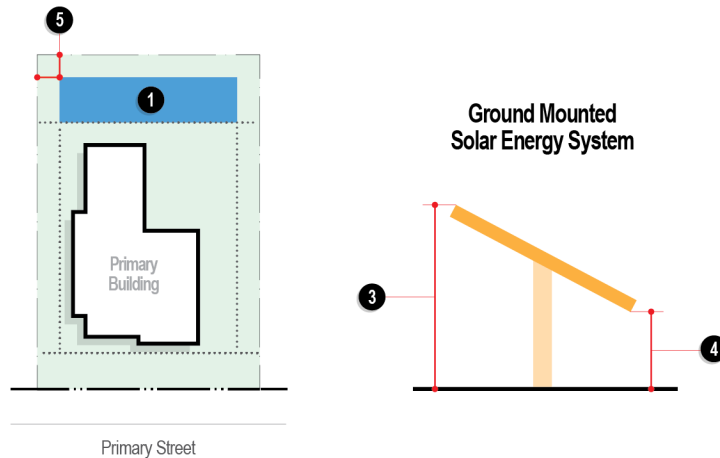
(L) Solar Energy Collection System, Canopy.

- (1) The height of canopy solar energy collection systems shall not exceed the height of the primary building that the parking area serves.
- (2) The minimum height of solar energy collection systems shall allow clearance for emergency and service vehicles.

Figure 5.10: Canopy Solar Energy Collection Systems

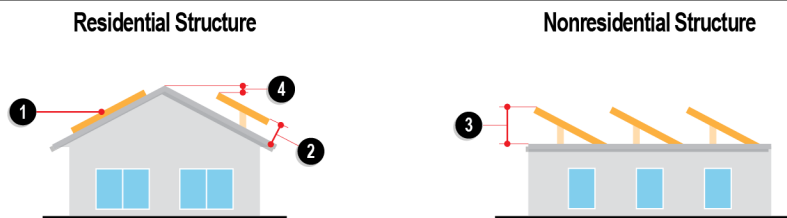
(M) Solar Energy Collection System, Ground Mounted.

- (1) Ground mounted solar energy collection systems shall be permitted in the rear yard only.
- (2) An unlimited quantity of panels is permitted on all zoning lots with the exception of any lot in a RS, or RD district ten thousand (10,000) square feet or less in size, which are limited to a total of one hundred (100) square feet in area of panels.
- (3) The maximum height of ground mounted solar energy collection systems shall be five (5) feet in height, measured from the grade at the base of the pole to the highest edge of the system.
- (4) Minimum clearance between the lowest point of the system and the surface on which the system is mounted is twelve (12) inches.
- (5) All parts of the freestanding system shall be set back ten (10) feet from the side and rear lot lines and shall not be located in a public utility easement.

Figure 5.11: Ground Mounted Solar Energy Collection Systems

(N) Solar Energy Collection System, Roof Mounted.

- (1) Roof mounted solar energy collection systems may be located on any roof face of principal or accessory buildings. Systems should be flush mounted when possible.
- (2) Systems on residential structures shall not extend beyond twelve (12) inches parallel to the roof surface of a pitched roof or flat roof.
- (3) Systems on nonresidential structures shall not extend beyond thirty-six (36) inches parallel to the roof surface of a pitched roof or flat roof.
- (4) Systems on all structures shall not extend above the highest peak of a pitched roof. Height is measured from the roof surface on which the system is mounted to the highest edge of the system.
- (5) All materials used for racking, mounts, mounting clamps, and flashings shall be of a color consistent with the color of the roof surface to minimize visibility.

Figure 5.12: Roof Mounted Solar Energy Collection Systems

16-5-13. Temporary Use Specific Standards

(A) Food Truck.

(1) Location.

- (a) **Nonresidential.** A standalone food truck may locate in the LC, CS, and CG Zoning Districts through the issuance of a Temporary Use Permit in Section 16-9-2(H).
- (b) **Residential.** A stand-alone food truck may locate in a RS1, RS2, RS3, RM1, RM2, RM3 District through the issuance of a Conditional Use Permit in Section 16-9-2(D).
- (c) **Special Districts.** In the DC and DT Districts, food carts or trucks are prohibited except within the “Downtown Commons” park area or during approved special events.
 - (I) Downtown Commons regulation are subject to change by Council.
 - (II) Food trucks shall not stay overnight.
 - (III) Food trucks shall be located within dedicated food truck spaces.
 - (IV) In the Riverfront Tourist Commercial District, food carts or trucks are prohibited except within an approved Planned Unit Development or food truck court or during approved special events.

(2) Criteria For Food Truck Operation.

- (a) The owner or operator of the food cart or truck shall maintain all required licenses, including but not limited to, any license required by the State of Oklahoma, and Tulsa County Department of Health.
- (b) All permits shall be displayed to the public in a visible location on the food truck.
- (c) The establishment of a food truck on a one-time basis shall not restrict the number of times the HOA or other entity can go through the Conditional Use Permit process for each individual event.
- (d) Multiple Food carts or trucks may locate on the same lot or parcel so long as each vendor has the property owner's written permission and all other provisions contained herein may be met.
- (e) Operations of any food cart or truck shall be at least one hundred (100) feet from any eating and drinking establishment existing unless written permission is granted by the eating or drinking establishment(s).
- (f) Food trucks on any privately owned lot or parcel must have written permission from the owner.
- (g) Food carts or trucks shall comply with the City's traffic and parking ordinances as amended.
- (h) Trash receptacles shall be provided on-site, and the owner/operator shall be responsible for keeping the area surrounding the food cart or truck clear of litter and properly cleaned.

(3) Signs, except for a-frame/sandwich board signs shall be permanently affixed to the food truck.

- (a) Each food truck may have one (1) temporary sign, a-frame/sandwich board, which may not be located in any right-of-way or impede pedestrian or vehicular traffic.
- (b) The sign shall be within twenty-five (25) feet of the food truck.

(4) Site Requirements.**(a) Obstructions.**

- (I) The operation of the food truck shall not block a pedestrian walkway or public sidewalk in a manner which reduces its width to less than five (5) feet or causes damage to improvements within the public right-of-way.
- (II) Operations shall not obstruct parking lot circulation or block access to a public street, alley, or sidewalk.
- (III) Operations shall not be located in a driveway or drive aisle except within a residentially zoned parcel, in conjunction with a Conditional Use Permit

(b) City Right of Way. Food carts or trucks may not operate within any City right-of-way outside of an approved Special Event permit.

- (I) No merchandise shall be offered, displayed or sold and no customers served except from the sidewalk.
- (II) Only non-motorized carts may be located on sidewalks.
- (III) Carts or trucks shall be located at least twenty-five (25) feet from any intersection (measured from the edge of sidewalk to the cart or truck) and fifteen (15) feet from any driveway.

(c) Accessories.

- (I) Canopies, umbrellas, and outdoor tables and chairs shall not block a pedestrian walkway in a manner that reduces its width to less than five (5) feet or creates a visual obstruction to traffic.
- (II) Tables and chairs (furniture) shall be permitted.
 - (i) Shall be located on improved and/or paved surfaces.
 - (ii) Shall not be displayed on-site overnight.
- (III) When not in operation, a food cart or truck shall be stored off-site unless approved in conjunction with a Temporary Use Permit.
- (IV) No food cart or truck shall be located within fifty (50) feet of the outer boundary of any City-permitted or licensed event where the sale of merchandise and food is allowed, unless it is part of the event.
- (V) Any location in a City right-of-way, including sidewalks, may be subject to temporary suspension or revocation without cause, but for reasons that may include construction, repairs, maintenance or emergencies.
- (VI) Sites for food trucks are required to have full public improvements (curb, gutter, sidewalk, access drive, etc.).
- (VII) Food trucks shall locate on paved surfaces. Unimproved surfaces, landscaping areas, and required setback areas are prohibited.

(d) Single Event Exceptions. These permit requirements do not apply to food trucks that are:

- (I) Part of a City-permitted event, or
- (II) For a private, catered event occurring on private property for private parties, reunions, or small gatherings in any district. (See Exception List)
 - (i) A Special Event Permit may be required to locate on any city street or right-of-way where the provisions of Section 16-5-13 (A) (2-3) section cannot be met.

- (ii) Food carts or trucks may not cater private events from either the sidewalk or road right-of-way without a Conditional Use Permit with the City of Jenks.
- (III) Residential districts. No additional permit is required for a food truck servicing a private catered event occurring on private property such as private parties, reunions, or small gatherings.
- (IV) Jenks School District. A food truck may locate on Jenks School District property with written permission from the owner. Food carts or trucks may locate in the right-of-way adjacent to Jenks Public School District property with a special event application approval.
- (V) Non-profits, A food truck may locate on the property with written permission from the owner. No event permit is required for a food truck servicing a private, catered event occurring on private property.

(B) Outdoor Dining.

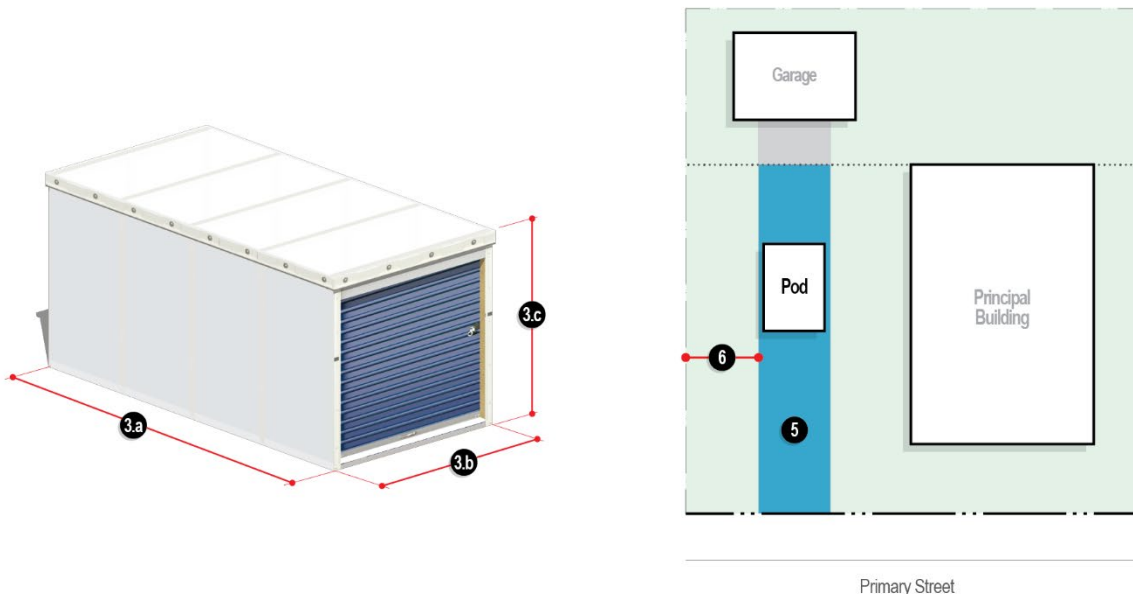
- (1) The outdoor dining area shall be located on an approved hard paved surface.
- (2) Outdoor dining areas may utilize a maximum of twenty (20) percent of the parking spaces required for the operation of the principal use or two thousand (2,000) square feet, whichever is less.
- (3) Outdoor dining areas shall not block a pedestrian walkway or public sidewalk in a manner which reduces the width of that walkway or sidewalk to less than five (5) feet.
- (4) A fence, landscape hedge, or wall with a height of four (4) feet shall be utilized to segregate the outdoor dining area.
- (5) Use of outdoor dining areas shall be limited to the posted operational hours of the associated eating and drinking use.

(C) Outdoor Display / Sale of Merchandise, Temporary.

- (1) Only those goods and materials associated with the existing on-site use may be displayed or sold.
- (2) Temporary outdoor display / sale of merchandise shall be permitted for a period not to exceed ninety (90) days per calendar year.
- (3) Temporary outdoor display / sale of merchandise areas shall occur:
 - (a) On the sidewalk area at the foundation of the principal building, not including a five (5) foot wide pedestrian walkway.
 - (b) In a portion of the parking lot, which shall not exceed twenty (20) percent of the parking spaces required for the operation of the primary use, or two thousand (2,000) square feet, whichever is less.

(D) Portable Outdoor Storage Device.

- (1) One (1) portable outdoor storage device shall be permitted per lot.
- (2) A Temporary Use Permit, as detailed in Section 16-9-2(H) of this UDO, shall be obtained prior to the setting of the portable outdoor storage device on the property. A site drawing shall be submitted showing the location on the property where the unit will be placed, size of the unit, and distance to all applicable property lines and all other buildings and structures.
- (3) No portable outdoor storage device shall be greater than:
 - (a) Twenty (20) feet in length,
 - (b) Eight (8) feet in width, or
 - (c) Eight (8) feet in height.
- (4) The portable outdoor storage device shall not encroach on City property, City right-of-way, neighboring property, sidewalk, or be placed in the street.
- (5) The unit must be sited on an approved hard paved surface between the front property line and the rear building line of the principal building.
- (6) The minimum distance between the portable outdoor storage device and the interior side yard property line is four (4) feet or upon the approval by the City Planner and as agreed upon by written consent by the neighboring property owner.
- (7) Temporary portable outdoor storage units may be placed for no more than thirty (30) days in any consecutive twelve (12) month period. Extensions beyond the thirty (30) day limit may be granted by the City Planner.

Figure 5.13: Portable Outdoor Storage Devices

(E) **Seasonal Sales.**

- (1) A Temporary Use Permit, as detailed in Section 16-9-2(G) of this UDO, shall be obtained prior to the commencement of any seasonal sales activity.
- (2) Seasonal sales shall include the outdoor display or sale of seasonal merchandise not otherwise associated with the principal use of the lot such as holiday tree, firework, or pumpkin sales.
- (3) Seasonal sales shall be permitted for a period not to exceed forty-two (42) days per calendar year.
- (4) Seasonal sales areas may utilize a maximum of twenty (20) percent of the parking spaces required for the operation of the principal use or two thousand (2,000) square feet, whichever is less.
- (5) Seasonal sales areas shall not block pedestrian walkways in a manner which reduces the width of that walkway to less than five (5) feet.

Article 6. Development Standards

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16-6-1. Off-Street Parking and Loading

- (A) **Applicability of Requirements.** 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 Section as follows:
- (1) For all buildings and structures erected after the effective date of this UDO, parking and loading facilities shall be provided as required by the applicable use or combination of uses.
 - (2) 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 for required parking or loading facilities, parking, and loading facilities as required in this Section shall be provided for such increase in intensity of use. However, if due to site constraints and the inability to share parking with adjoining properties, the City Planner may waiver up to twenty (20) percent of the required parking.
 - (3) Whenever the existing use of a building or structure is changed to a new use, with the exception of multitenant shopping centers, parking and/or loading facilities shall be provided as required for such new use. However, if due to site constraints and the inability to share parking with adjoining properties, the City Planner may waiver up to twenty (20) percent of required parking.

(B) General Requirements.

- (1) Space allocated to any 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.
- (2) No more than one (1) parking space shall be allowed within the required front or exterior side yard of a lot in the RM-1 or RM-2 District for each six hundred (600) square feet of lot area in the front or exterior side yards.
- (3) Required off-street parking spaces and off-street loading berths shall not be used for the storage, sales, dismantling, or servicing of any vehicle, equipment, materials, or supplies.
- (4) Required off-street parking spaces and off-street loading berths shall be located on the lot containing the use for which the required spaces or berths are to be provided unless a shared parking agreement is approved by the City in accordance with Section 16-6-1(F)(7).

- (C) **Setbacks.** Off-street loading areas shall not be located within fifty (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.

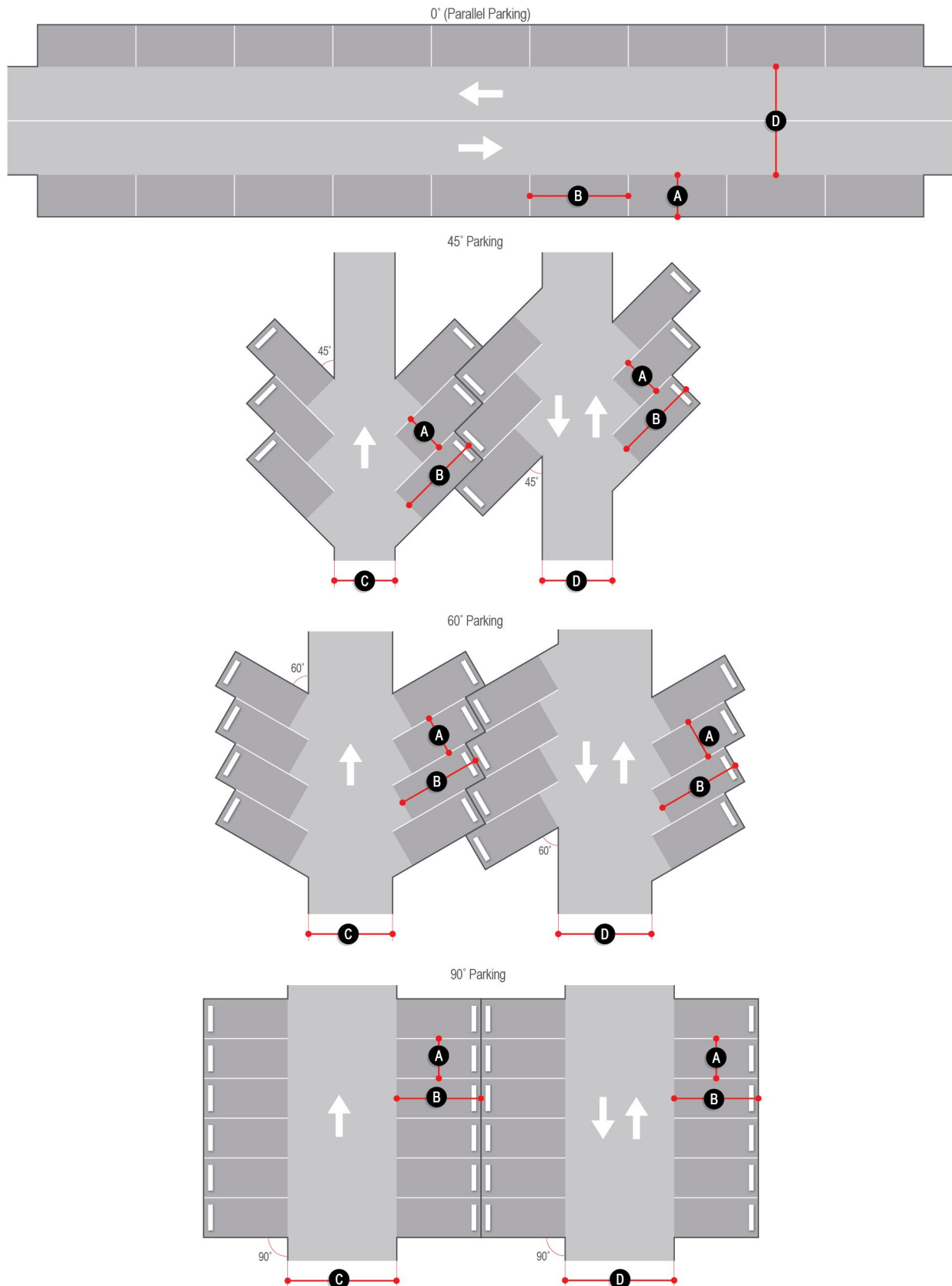
(D) Design Standards for Off-Street Parking Areas.

- (1) **Access.** Each required parking space shall be accessible from a public street without passing through another required space, except in the RE and RS Districts.
- (2) **Cross Access.** To facilitate vehicular access between adjoining developments and to minimize off-street parking area access points along streets and alleys, non-single-family development shall comply with the following standards:
 - (a) Internal vehicular circulation systems shall be designed to allow for vehicular cross-access between the development's off-street parking areas and off-street parking areas in an adjoining non-single-family development, or to the boundary of adjoining vacant land.
 - (b) Required vehicular cross access between the adjoining off-street parking areas shall be provided through the use of a single two-way maneuvering lane or two one-way maneuvering lanes that are sufficiently wide to accommodate traffic by automobiles, service vehicles, loading vehicles, and emergency vehicles.
 - (c) The City Planner may waive or modify the requirement for vehicular cross access on determining that such cross access is impractical or undesirable because it would require crossing a significant physical barrier or environmentally sensitive area, would create unsafe conditions, or there exists an inability to connect to adjacent property.
 - (d) Easements allowing cross access to and from properties served by a vehicular cross-access, along with agreements defining maintenance responsibilities of property owners, shall be recorded with Tulsa County before issuance of a building permit for the development.
- (3) **Lighting.** Lighting used to illuminate an off-street parking area, if any, shall meet all requirements for outdoor lighting as detailed in Section 16-6-7.
- (4) **Surfacing.** Off-street parking areas shall be surfaced with a dust free all-weather material including but not limited to concrete, bituminous pavement, pavers, or an equivalent material as approved by the City Engineer.
- (5) **Drainage.** Off-street parking areas shall require submittal of stormwater drainage plans in compliance with City of Jenks Stormwater Management program and Design Criteria to the City Engineer for review and approval prior to installation.

- (6) **Curb and Gutter.** Combination concrete curb and gutter or concrete barrier curb is required around the perimeter of all parking areas, except for residential parking areas with fewer than eight (8) spaces. Where alternatives to concrete curb and gutter are demonstrated to be more appropriate and recommended by the City Engineer, the alternatives may be approved by the City Planner.
- (7) **Wheel Guards.** Parking spaces adjacent to sidewalks, pedestrian circulation areas, or landscape areas shall be provided with wheel guards or bumper guards to prevent the encroachment of parked vehicles in these areas. Wheel guards or bumper guards are not required for interior stalls. Wheel guards shall be located to ensure a minimum of four (4) feet of clearance is maintained between the front of a vehicle and a pedestrian circulation area.
- (8) **Parking Space and Drive Aisle Dimensions.** Plans for the layout of off-street parking areas shall be in accordance with Table 16-6-1(D)(8). If wheel guards are used, stall lengths shall be measured from the internal face of the wheel guard. Two-way aisle width minimum standards shall apply to the total aisle, not a single lane.

Table 16-6-1(D)(8): Parking Stall and Aisle Dimensional Standards				
Parking Angle (degrees)	Minimum (feet)			
	(A)	(B)	(C)	(D)
	Stall Width	Stall Length	One-Way Aisle Width	Two-Way Aisle Width
0	8	20	11	12
45	9	19	16	20
60	9	20	16	20
90	9	18	20	24

Figure 6.1: Dimensional Requirements of Parking Spaces and Drive Aisles



(E) Off-Street Parking Requirements.

- (1) **Parking Requirements in the DC District.** Requirements regarding the allowed location of off-street parking in the DC - Downtown Core District are located in Section 16-3-5.
- (2) **Minimum Requirements.** Except as otherwise expressly stated, off-street parking spaces shall be provided in accordance with the parking ratio requirements established in Table 16-6-1(E). Parking spaces reserved for specific user groups other than ADA compliant spaces and spaces with electric vehicle charging stations shall not count towards the minimum requirement.
- (3) **Maximum Requirements.** To minimize excessive areas of pavement, no off-street parking area shall exceed the required minimum number of parking spaces by more than twenty (20) percent for multifamily, mixed-use, and nonresidential uses only, except as approved by the City Planner. In approving additional spaces above the maximum, the City Planner shall determine that the parking is needed based on documented evidence of actual use and demand provided by the applicant.
- (4) **Calculations.** The following rules shall apply when calculating the required minimum number of parking spaces:
 - (a) **Fractions.** When measurements of the number of required spaces result in a fractional number, the number shall be rounded up to the next higher whole number.
 - (b) **Area Measurements.** Unless otherwise expressly stated, all area-based (square footage) parking standards must be computed on the basis of gross floor area (GFA).
 - (c) **Occupancy or Capacity-Based Standards.** For the purpose of computing parking requirements based on employees, students, residents or occupants, calculations must be based on the largest number of persons working on any single shift, the maximum enrollment, or the maximum fire-rated capacity, whichever is applicable as determined by the City Planner and the Fire Department.
 - (d) **Unlisted Uses.** In the case of uses not listed in Table 16-6-1(E), the number of spaces for a similar use, as determined by the City Planner, shall apply.

Table 16-6-1(E): Off-Street Parking Requirements

Use	Minimum Parking Requirement
Agricultural Uses	
Community Garden	n/a
Passive Agriculture	n/a
Urban Agriculture, indoor	1/1,500 sq ft GFA
Urban Agriculture, outdoor	n/a
Residential Uses	
Duplex	2/unit
Community Group Home, Re-entry Facility, Residential Treatment Center, Transitional Living Center	As determined by the Planning Commission
Multifamily, above ground floor	1.5/efficiency-1 bedroom unit 2/2+ bedroom unit
Multifamily Building, 8 units or more	
Multifamily Building, less than 8 units	
Multifamily Complex	
Residential Clubhouse	1/300 sq ft GFA
Senior Housing, dependent	.5/unit
Senior Housing, independent	1.5/unit
Single-Family Detached	2/unit

Table 16-6-1(E): Off-Street Parking Requirements

Use	Minimum Parking Requirement
Townhome	1.5/efficiency-1 bedroom unit

Table 16-6-1(E): Off-Street Parking Requirements

Use	Minimum Parking Requirement
Restaurant, sit down	
Entertainment Uses	
Archery / Gun Range	1/firing line plus 1/250 sq ft of accessory retail space
General Entertainment, indoor, less than 10,000 sq ft	As determined by parking demand study
General Entertainment, indoor, 10,000 sqft - 49,999 sq ft	
General Entertainment, indoor, more than 50,000 sq ft	
General Entertainment, outdoor	
Vehicle Related Uses	
Autobody Repair	1/200 sq ft GFA
Car Wash	1/carwash stall plus 1/employee
Fuel Sales	1/fuel pump plus 1/250 sq ft of accessory retail space plus 1/100 sq ft of accessory restaurant space
Gas Station With Mini-Mart	
Service Station	1/200 sqft GFA
Trucking Establishment	
Vehicle Sales and Rental	1/600 sqft GFA plus 1/1,000 sqft of open air display, storage, or service area
Industrial Uses	
Brewery / Winery / Distillery	1/500 sq ft GFA
Laboratory	
Manufacturing, Artisan	1/1,000 sq ft GFA
Manufacturing, Heavy	
Manufacturing, Light	
Mining and Mineral Processing	
Warehouse, distribution	1/500 sq ft GFA
Warehouse, storage	
Warehouse, office	Office portion: 1/300 sq ft GFA Warehouse portion: 1/1,000 sq ft GFA
Medical Marijuana Uses	
Medical Marijuana Commercial Grower	1/800 sq ft GFA
Medical Marijuana Education Facility	1/500 sq ft GFA
Medical Marijuana Dispensary	1/200 sq ft GFA
Medical Marijuana Research Facility	1/500 sq ft GFA
Medical Marijuana Testing Laboratory	
Medical Marijuana Processing Facility, heavy	1/800 sq ft GFA
Medical Marijuana Processing Facility, light	

(F) Shared Parking Facilities.

- (1) **Purpose.** Shared parking is encouraged as a means of conserving land resources, reducing stormwater runoff, reducing the heat island effect caused by large, paved areas, and improving community appearance.
- (2) **Authorization.** Shared parking facilities for off-street parking of two (2) or more buildings or uses may be approved by the Planning Commission subject to compliance with this Section.
- (3) **Location.** Shared parking facilities shall be located within three hundred (300) linear feet of the primary entrance of the main residential building and within five hundred (500) linear feet of the primary entrance of the main nonresidential building.
- (4) **General Requirements.**
 - (a) The number of parking spaces provided shall not be less than the sum of the separate requirements for each such building or use. Where a mix of two (2) or more land uses creates staggered peak periods of parking demand, shared parking agreements that have the effect of reducing the total amount of required parking may be approved.
 - (b) Required accessible parking spaces for persons with disabilities may not be shared and shall be located on-site.
 - (c) Adjacent lots that are subject to a shared parking agreement shall be interconnected by the provision of a cross-access easement for vehicular and pedestrian passage.
- (5) **Shared Parking for Uses with Different Hours of Operation.**
 - (a) For purposes of this Section, the following uses are considered daytime uses:
 - (I) Office Uses,
 - (II) Commercial Service Uses,
 - (III) Commercial Retail Uses,
 - (IV) Industrial Uses, and
 - (V) Other similar primarily daytime uses, as determined by the Planning Commission.
 - (b) For purposes of this Section, the following uses are considered evening or weekend uses:
 - (I) Physical Health and Entertainment Uses,
 - (II) Public/Semi-Public Uses,
 - (III) Eating and Drinking Uses, and
 - (IV) Other similar primarily nighttime or weekend uses, as determined by the Planning Commission.
- (6) **Shared Parking Study.** The applicant(s) shall demonstrate, through a professionally prepared shared parking study, that there is no substantial conflict in the peak periods of parking demand of the uses for which shared parking is proposed. The shared parking analysis shall include, at minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover and the anticipated hourly and peak parking and traffic loads for all uses that will be sharing parking spaces. If existing land uses are to be included in the shared parking agreement, the study shall also include parking counts that document parking occupancy during weekday, weekend, daytime, and evening periods of peak and off-peak parking demand.

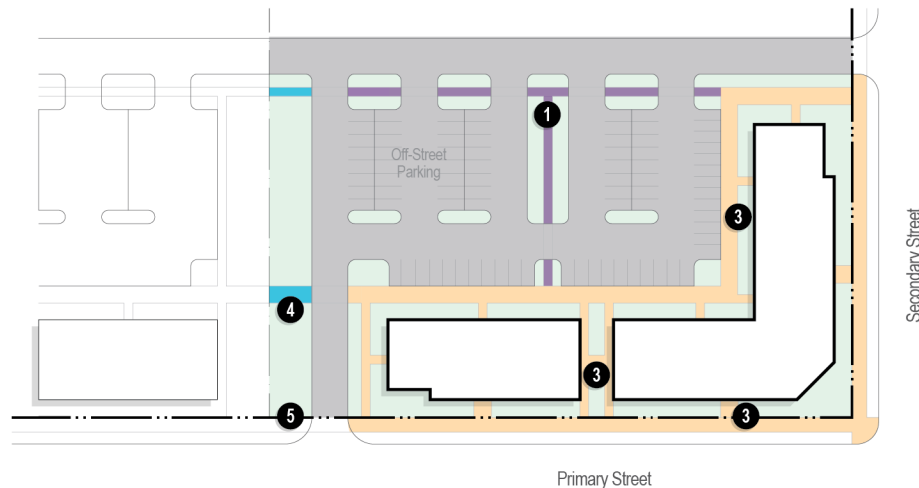
- (7) **Agreement.** The applicant(s) shall provide a copy of the executed shared parking agreement prior to the City Council's authorization of a shared parking facility permit.
- (a) Shared parking agreements shall have a term of not less than five (5) years, including any renewals at the option of the lessee.
 - (b) Authorization of the shared parking facility will continue in effect only as long as the agreement, binding on all parties, remains in force. Should the agreement cease to be in force, parking must be provided as otherwise required by this Section.
- (G) **Adjustments to Required Parking.** The purpose of this Section is to allow adjustments to the minimum number of parking spaces required to avoid constructing unneeded and excessive off-street parking areas. Reducing the amount of excess off street parking areas is intended to provide for more cost-efficient site development, to eliminate constructing more impervious surface than necessary, to minimize storm water runoff, to avoid construction of unnecessarily large storm water management facilities, and to provide more landscape areas and open space on commercial and industrial sites. To achieve these purposes, the Planning Commission or Board of Adjustment may reduce the minimum number of required off-street parking spaces in specific cases as described in this Section.
- (1) **Adjustments.** In all districts, the minimum number of required parking spaces may be adjusted on a case-by-case basis. The petitioner for such an adjustment shall show to the satisfaction of the Planning Commission or Board of Adjustment that adequate parking will be provided for residents, customers, clients, visitors, and employees. The following provisions and factors shall be used as a basis to adjust parking requirements:
- (a) **Procedures.** The petitioner shall submit the requested parking reduction with the Planning Commission when the request is to be approved as part of a plan review or other Planning Commission permit process. The petitioner shall submit the requested parking reduction to the Board of Adjustment if the request is an amendment to a previously approved site plan or not otherwise part of a Planning Commission permit process.
 - (b) **Evidence That Actual Parking Demands Will Be Less Than Ordinance Requirements.** The petitioner shall submit written documentation and data to the satisfaction of the Planning Commission or Board of Adjustment that the operation will require less parking than required in Table 16-6-1(E).
 - (c) **Use of Optional Modes of Transportation.** Upon demonstration to the Planning Commission that effective alternative transportation to the automobile will occur within twelve (12) months following the issuance of the certificate of occupancy, the Planning Commission may reduce parking requirements. Optional modes of transportation may include, but are not limited to, bus transit, van pool operations, car pool/ride sharing, and bicycles. Parking management plans/operations may also be used as a basis to reduce required parking. Parking management plans may include, but are not limited to, flexible working hours or shifts, preferential parking for car pools/van pools, transit/van pool fare subsidy, and establishment of a transportation coordinator to implement car pool, van pool, and transit programs. Proposals for adjustments of parking requirements under this Section shall show how the alternative transportation modes will be implemented, the permanency of such modes, extent of the program, the number of vehicles the mode will replace, and other pertinent information as requested by the Planning Commission.
 - (d) **Bicycle Parking and Credit.** Any use which provides bicycle parking beyond the minimum requirement as detailed in Section 16-6-1(I)(4)(c) may be granted a credit toward one (1) required parking space for every four (4) additional bicycle parking spaces.
- (2) **Space to be Set Aside for Reduced Parking.** The Planning Commission may require the site plan for the commercial or industrial use be designed to provide sufficient open space on the subject site to accommodate the additional parking spaces otherwise required by this Article. Such open space shall be in addition to required yards, setbacks, driveways, private streets, loading and service areas. Sufficient open space shall be provided which, if converted to off-street parking areas, would provide off street parking to meet the full requirements of this Article at the time of application.

- (a) **Planning Commission Review and Verification.** Upon the receipt of a complaint, the Planning Commission shall review the adequacy of parking where an adjustment to parking requirements has been granted and set aside space has been required. If the parking is found to be inadequate, the Planning Commission shall order the use of the property to comply with the parking requirements set forth in Table 16-6-1(E).

(H) **Pedestrian Circulation Standards.**

- (1) Off-street parking areas shall include on-site pedestrian circulation systems to ensure the safety of pedestrians, bicyclists, and motorists.
- (2) The on-site pedestrian circulation system shall comply with all ADA standards.
- (3) The on-site pedestrian circulation system shall be marked and must connect all buildings on the site to one another and provide connections to the required vehicle and bicycle parking spaces.
- (4) The on-site pedestrian circulation system must connect building entrances to adjacent public rights-of-way along direct routes that do not require significant out-of-direction travel.
- (5) The on-site pedestrian circulation system shall provide at least one (1) connection to all adjacent properties along a shared street frontage. Connections must provide access to existing walkways on adjacent properties, or to the likely future location of walkways on those properties. The City Planner may waive this requirement upon determining that no walkway exists, a future walkway is unlikely to exist, or such connection would create a safety hazard.

Figure 6.2: Pedestrian Circulation Standards



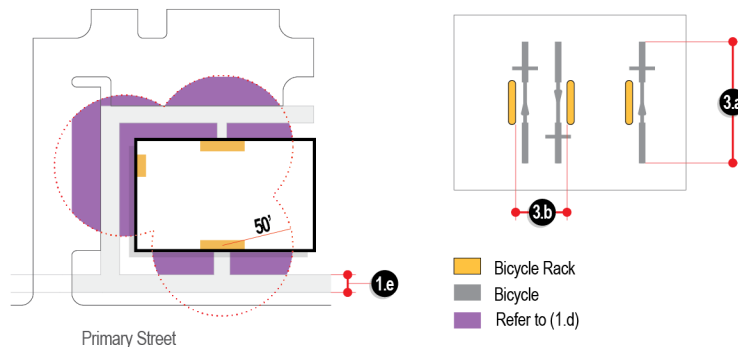
(I) **Off-Street Bicycle Parking.**

(1) **Location.**

- (a) Required bicycle parking shall be provided on the same lot as the use for which it is intended to serve.
- (b) Bicycle parking spaces shall be adequately lit and located such that they are highly visible from the street and/or building entrance(s) from where bicyclists approach.
- (c) The location of bicycle parking shall not conflict with pedestrian and/or vehicle circulation.
- (d) Bicycle parking shall be sited within fifty (50) feet of a building's main entrance. If provided indoors, bicycle parking shall be located within a common area designated for secure bicycle storage.
- (e) Bicycle parking adjacent to a pedestrian walkway shall be sited to ensure that a minimum five (5) foot walkway clearance is maintained.

- (2) **Design Criteria.** All bicycle parking facilities shall be designed in accordance with standards established by the National Association of City Transportation Officials.
- (3) **Dimensional Standards.**
- (a) Each bicycle parking space shall be a minimum of six (6) feet in length.
 - (b) Bicycle racks shall be located at least three (3) feet in all directions from any obstruction, including but not limited to other bicycle racks, walls, doors, posts, columns, or landscaping.
 - (c) A minimum vertical clearance of seven (7) feet shall be maintained above all bicycle parking facilities.
- (4) **Off-Street Bicycle Parking Requirements.**
- (a) **Exemption.** The bicycle parking requirements of this Section shall apply to all uses other than the following:
 - (I) All vehicle related uses,
 - (II) Single-family detached, duplex, and townhome uses, and
 - (III) Uses in the DC District.
 - (b) When the required amount of bicycle parking is two (2) spaces or less, the use shall provide a minimum of two (2) spaces in a bicycle parking area.
 - (c) Unless otherwise specified herein, the number of required bicycle parking spaces shall be equal to five (5) percent of required vehicle parking spaces, up to ten (10) bicycle parking spaces.

Figure 6.3: Off-Street Bicycle Parking Location and Dimensional Standards



(J) Off-Street Loading Requirements.

- (1) **Purpose.** The purpose of this Section is to prevent congestion of public rights-of-way and private lots to promote the safety and general welfare of the public by establishing minimum requirements for the provision of loading facilities on various sites.
- (2) **Applicability.** Any use which has a gross floor area of six thousand (6,000) square feet or more, and which requires deliveries or makes shipments, shall provide off-street loading facilities in accordance with the regulations of this Section except for uses within the DC and RTC Districts.
- (3) **Location.** All loading berths shall be located twenty-five (25) feet or more from the intersection of two (2) street right-of-way lines. Loading berths shall not be located within any required front yard or corner yard setback area and shall be oriented away from the primary road. All loading areas shall be located on the private lot and shall not be located within, or so as to interfere with, any public right-of-way, off-street parking area, or pedestrian circulation area.
- (4) **Size of Off-Street Loading Area.** Adequate space for standing, turning, loading, and unloading services shall be provided in a manner that does not interfere with required off-street parking areas, pedestrian circulation areas, and with the public use of streets or alleys.
- (5) **Access to Off-Street Loading Area.** Each loading berth shall be located to facilitate access to a public street or alley and shall not interfere with other vehicular or pedestrian traffic and shall not interfere with the function of parking areas. In no instance shall loading areas rely on backing movements into public rights-of-way. Users of shared loading areas are encouraged to coordinate loading activities to minimize off-site impacts.
- (6) **Surfacing and Marking.** All required loading areas shall be paved and maintained in a dust-free condition at all times. Said surface shall be marked in a manner that demarcates the loading areas.
- (7) **Use of Off-Street Loading Areas.** The use of all off-street loading areas shall be limited to the loading and unloading of vehicles. Said area shall not be used to provide minimum required parking spaces.
- (8) **Lighting.** Lighting used to illuminate an off-street loading area, if any, shall meet all requirements for outdoor lighting as detailed in Section 16-6-7.
- (9) **Required Loading Spaces.** The number of loading spaces provided shall be determined by the developer and shall provide for adequate space for standing, turning, loading, and unloading services. These spaces shall be provided in a manner that does not interfere with internal site circulation, ingress or egress to the site, access to or use of required off-street parking areas and pedestrian circulation areas, and with the public use of streets or alleys.

16-6-2. Driveways

(A) **Residential District Driveway Standards.** A single slab or ribbon driveway from the property line to legal, on-site parking shall be provided and shall be in conformance with the following criteria.

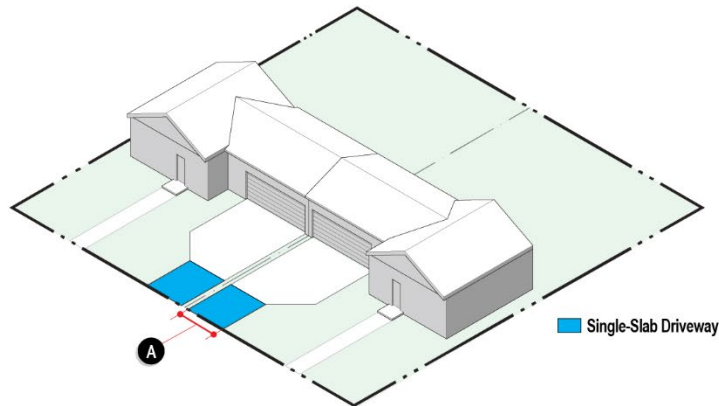
(1) **Limit of One.**

- (a) One (1) single slab or ribbon driveway and one (1) curb cut shall be permitted per single-family residential lot every seventy-five (75) feet of lot frontage.
- (b) New single-family detached residential parcels taking access from collector or arterial streets, as identified by INCOG, shall share driveways in order to protect public safety by limiting curb cuts, unless otherwise approved as an administrative exception as detailed in Section 16-9-3(E).

(2) **Single-Slab Driveway Design Standards.**

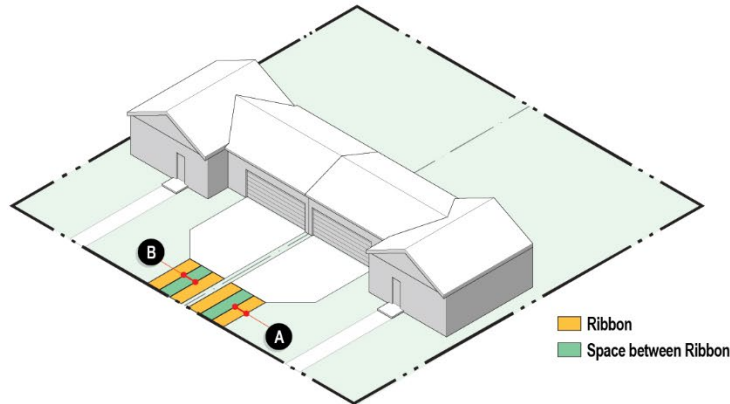
- (a) Single-slab driveways on lots with duplex and townhome uses shall not exceed twenty seven (27) feet in width at the property line. Single-slab driveways on lots with single-family detached uses shall not exceed the width of the garage doors.
- (b) Single-slab driveways shall be surfaced with concrete including decorative concrete, patterned concrete, and exposed aggregate concrete, concrete pavers, paving blocks, or similar materials approved by the City Engineer. Porous asphalt may only be used on lots three (3) acres or larger.

Figure 6.4: Single-Slab Driveway Design Standards

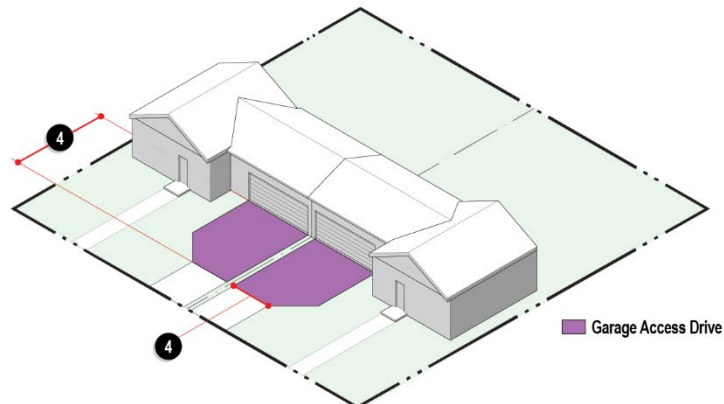


(3) Ribbon Driveway Design Standards.

- (a) Ribbons shall be a minimum of two (2) feet wide and a maximum of three (3) feet wide.
- (b) Ribbons shall be a minimum of three (3) feet apart measured from their nearest edges. The space between ribbons shall be planted in turf grass or other ground cover used in the front yard.
- (c) Ribbons shall be concrete including decorative concrete, patterned concrete, and exposed aggregate concrete, and concrete pavers, paving blocks, or similar materials approved by the City Engineer. Porous asphalt may only be used on lots three (3) acres or larger.

Figure 6.5: Ribbon Driveway Design Standards

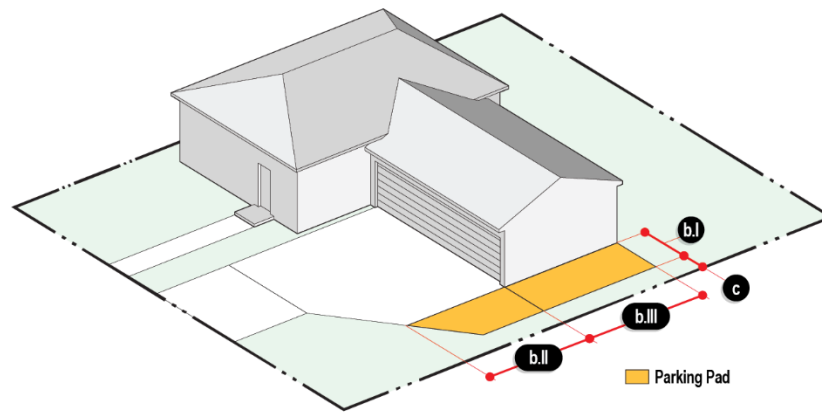
- (4) **Garage Access Drive For Duplex and Townhome Uses.** A garage access drive, the width of the garage, as measured from the garage door(s) plus an additional three (3) feet on either side of the garage door(s), is permitted to extend for a distance of sixteen (16) feet from the garage doors before tapering, within ten (10) feet, back to the maximum driveway width.

Figure 6.6: Duplex and Townhome Garage Access Drive Design Standards

- (5) **Porte Cochère and Courtyard.** If a porte cochère is utilized, a courtyard in the rear of the porte cochère for the purpose of accessing the garage(s) may be allowed. The dimensions of the courtyard shall be as approved by the City Planner to ensure compliance with maximum impervious surface requirements as established in Section 16-3-1. The driveway leading to the porte cochère shall comply with the requirements established in Section 16-6-2(A)(1-3) and shall terminate directly at the porte cochère without being subject to the tapering requirements for garage access drives in Section 16-6-2(A)(4).

(6) Parking Pad.

- (a) **Limit of One.** A single-family driveway may be extended to include one (1) parking pad.
- (b) **Configuration.**
 - (I) A parking pad shall be a maximum of ten (10) feet in width.
 - (II) The portion of the parking pad adjacent to the driveway shall have a maximum length of twenty (20) feet, as measured from the front façade line of the garage. A minimum seven (7) foot taper shall be included in the twenty (20) foot maximum.
 - (III) The portion of the parking pad adjacent to the garage shall have a maximum length equal to the depth of the garage, as measured from the front façade line of the garage.
- (c) **Location.** The parking pad shall be set back a minimum of five (5) feet from any side property line.

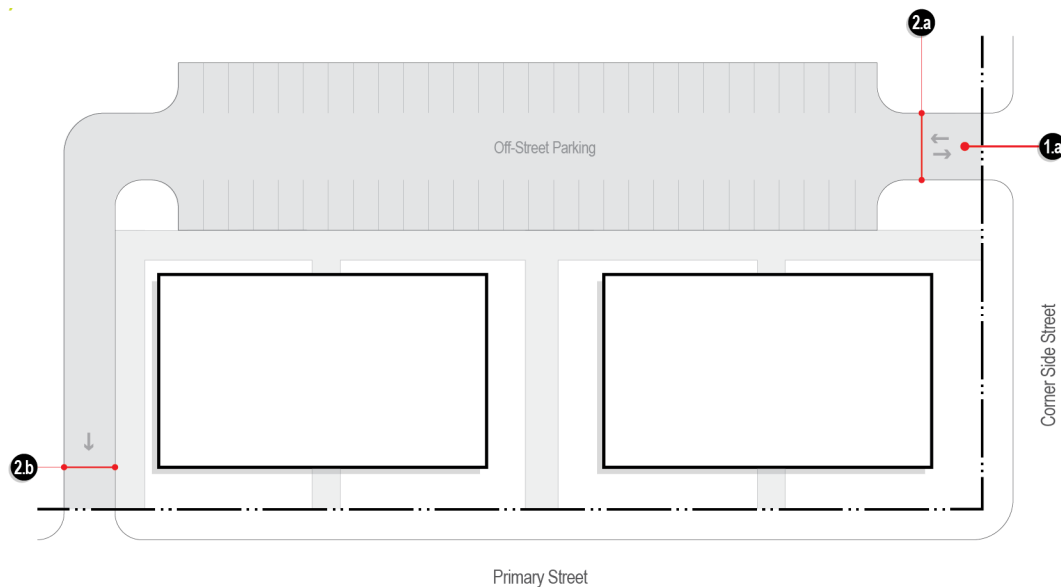
Figure 6.7: Parking Pad Design Standards

(B) Multifamily and Nonresidential Driveway Standards.**(1) Location.**

- (a) Where an off-street parking area of a corner lot abuts an alley or a corner side street, access to the off-street parking area shall be obtained from a driveway off the alley or corner side street.
- (b) No lot can have multiple driveways for purposes of vehicular ingress and egress without a minimum of three hundred (300) foot separation between such curb cuts along a street, unless otherwise approved by the City Engineer.

(2) Driveway Design Standards.

- (a) Two-way driveways for multifamily and nonresidential uses shall be a minimum of twenty (20) feet and a maximum of thirty-six (36) feet at the property line.
- (b) One-way driveways for multifamily and nonresidential uses shall be a minimum of twenty (20) feet and a maximum of twenty-six (26) feet at the property line.
- (c) Driveways for multifamily and nonresidential uses shall be surfaced with an asphaltic concrete or portland cement concrete pavement.

Figure 6.8: Multifamily and Nonresidential Driveway Standards

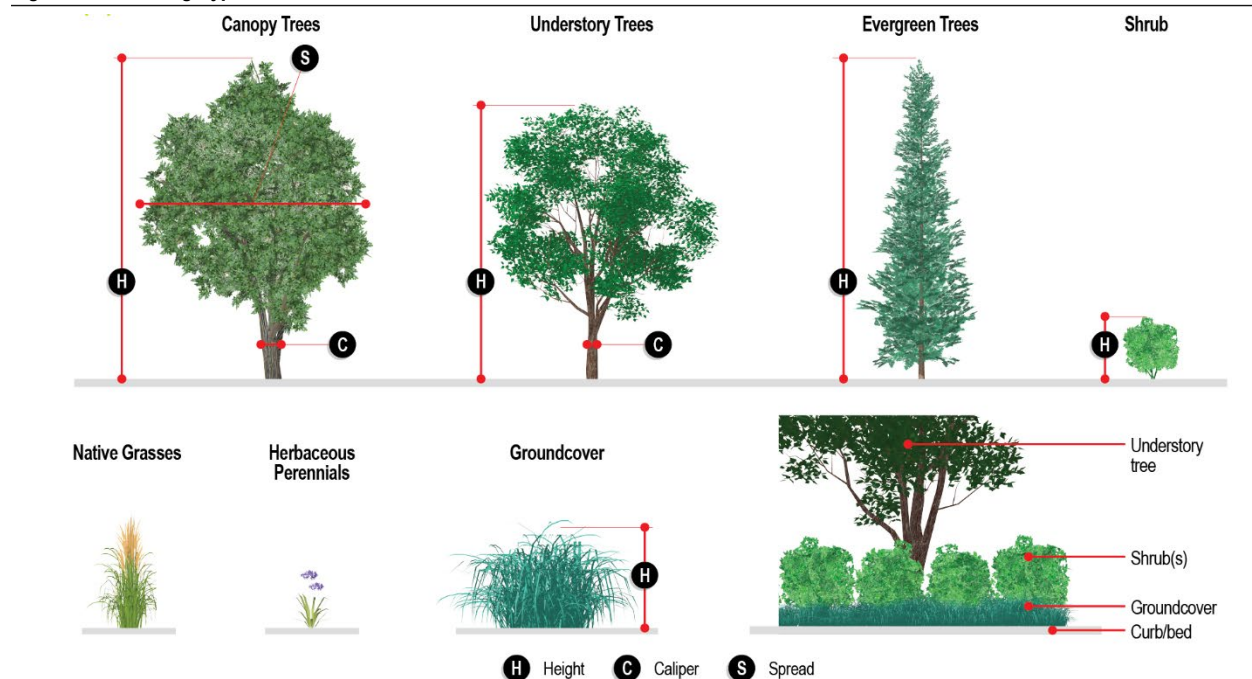
16-6-3. Landscape

Landscape improvements required by this Section shall apply to all non-single-family development and consist of living plants in a combination of trees, shrubs, native grasses and/or groundcover. Unless otherwise stated in this Section, all size specifications for plant materials shall be based upon the time of planting. When caliper is specified for tree planting, the caliper of the tree trunk shall be measured at six (6) inches above the soil level. Any plant materials used to meet the requirements of this Section shall not include any plant material identified as a Regulated Invasive Plant by the Oklahoma Department of Agriculture, Food, and Forestry.

(A) Planting Types.

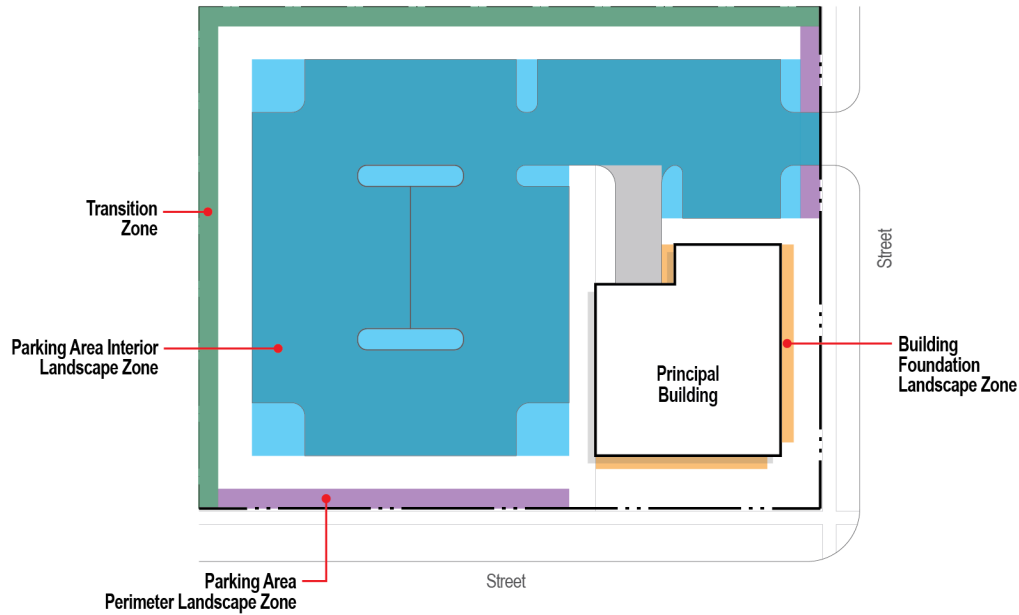
- (1) **Canopy Trees.** A woody plant (deciduous or evergreen) having not less than a two and one-half (2.5) inch caliper with single central axis which typically reaches a mature height of not less than forty (40) feet and a mature spread of not less than fifteen (15) feet.
- (2) **Understory Trees.** A woody plant having not less than a one and one-half (1.5) inch caliper, or six (6) feet tall for multiple stem species, that normally attains a mature height of at least fifteen (15) feet.
- (3) **Evergreen Trees.** A tree having foliage that persists and remains green throughout the year and has a height of not less than six (6) feet at installation and maturing to a height of not less than twenty (20) feet.
- (4) **Shrub.** A woody plant (deciduous or evergreen) of low to medium height characterized by multiple stems continuous from its base and having a height of not less than two (2) feet.
- (5) **Native Grasses.** Grasses that are native to, or adapted to, the State of Oklahoma, not including noxious weeds.
- (6) **Herbaceous Perennials.** Plants with non-woody stems whose above-ground growth largely or totally dies back during winter months but whose underground plant parts (roots, bulbs, etc.) survive.
- (7) **Groundcover.** Herbaceous plants, other than turf grass, or prostrate shrubs normally reaching an average maximum height of eighteen (18) inches at maturity.

Figure 6.9: Planting Types



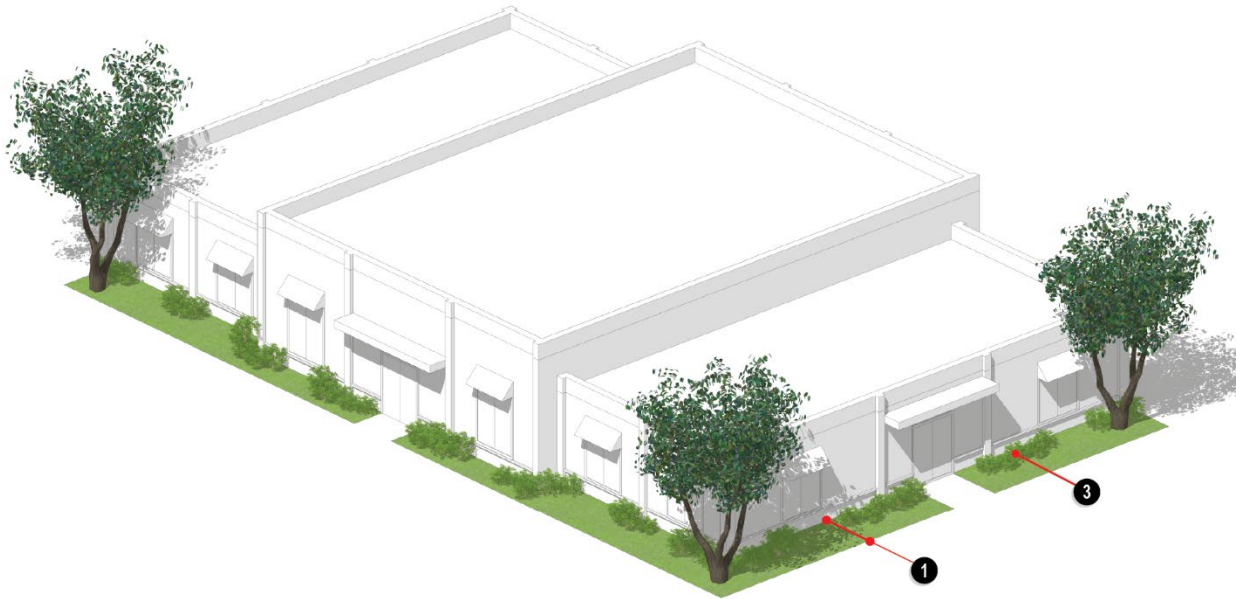
- (B) **Required Landscape Zones.** Figure 6.10 illustrates the location of the required landscape zones as detailed in the following Sections. The City Planner may approve up to a twenty-five (25) percent reduction in the overall required amount of landscape material for properties in the IL District or IM District not visible from properties in commercial or residential districts or from major thoroughfares.

Figure 6.10: Required Landscape Zones



- (C) **Building Foundation Landscape Zone.** All nonresidential, mixed use, and multifamily development where a front yard setback is required, with the exception of food processing facilities regulated by the FDA, shall include landscape located at the building foundation as required by this Section. Landscape required by this Section shall be in addition to landscape required under other sections of this UDO. It is the objective of this Section to provide a softening effect at the base of buildings.
- (1) Applicable development is required to maintain a building foundation area at front and exterior side yards with a minimum width of seven (7) feet at a minimum.
 - (2) Foundation plantings shall be designed to supplement buffer yard plantings to frame important views, while visually softening long expanses of walls.
 - (3) Foundation plantings shall be installed across eighty (80) percent of the length of the façade of the building.
 - (4) Foundation plantings may include trees, shrubs, native grasses, and groundcover.
 - (5) Where the area between the building and parking lot or street curb is entirely paved for pedestrian use, landscaping may consist of canopy trees planted in structural soils beneath tree grates or permeable pavement, at the rate of one (1) tree per fifty (50) linear feet of building façade. Minimum structural soil volume shall be six hundred (600) cubic feet.
 - (6) Above-ground stormwater planter boxes along building facades may be substituted for foundation plantings.

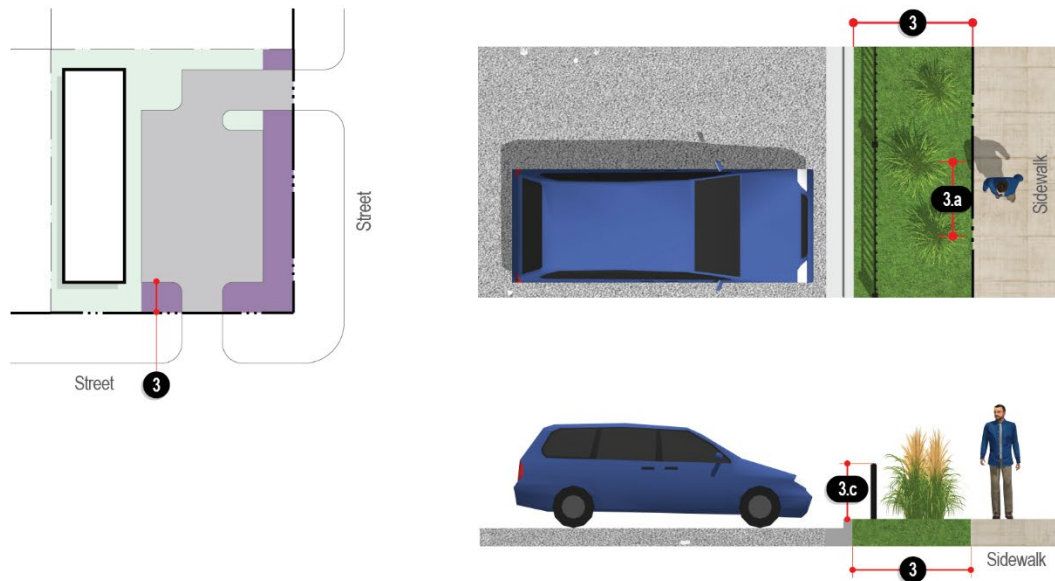
Figure 6.11: Building Foundation Landscape Zone



(D) **Parking Area Perimeter Landscape Zone.** Landscape required by this Section shall be in addition to landscape required under other Sections of this UDO. It is the objective of this Section to provide screening between off-street parking areas and rights-of-way, and to provide for the integration of stormwater management with required landscaping.

- (1) **Location.** All off-street parking areas which abut a public or private right-of-way, excluding alleys, shall include landscape and trees as required by this Section located between the back of curb of the off-street parking area and the right-of-way.
- (2) **Applicability.** The parking lot perimeter landscape regulations of this Section apply to the following:
 - (a) The construction or installation of any new off-street parking area, and
 - (b) The expansion of any existing off-street parking area, in which case the requirements of this Section apply only to the expanded area.
- (3) **Requirements.** Perimeter landscape shall be established along the edge of the off-street parking area and have a minimum width of seven (7) feet as measured from the back of curb of the off-street parking area, to accommodate vehicle bumper overhang and ensure planting areas that are adequate in size.
 - (a) One (1) shrub or native grasses the height of which shall not be less than three (3) feet nor greater than five (5) feet, shall be planted for every three (3) feet of landscape area length.
 - (b) Landscaped areas outside of shrubs/native grasses and tree masses shall be planted in live groundcover.
 - (c) A low masonry wall or fence the height of which provides effective screening to a maximum height of three (3) feet may be used in conjunction with required landscaping as detailed above. Plant materials shall be installed between the sidewalk and the fence or wall to provide a softening effect.

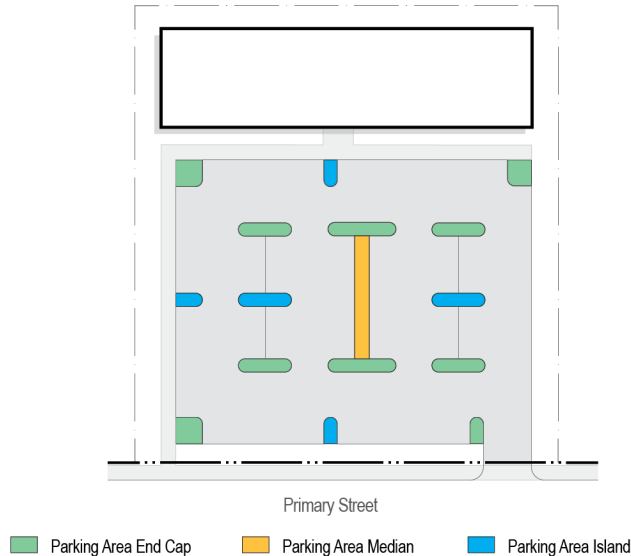
Figure 6.12: Parking Area Perimeter Landscape Zone



- (E) **Parking Area Interior Landscape Zone.** All off-street parking areas shall include landscape and trees located within the off-street parking area as required by this Section. Trees and landscape required by this Section shall be in addition to trees and landscape required under other Sections of this UDO. It is the objective of this Section to provide shade within parking areas, break up large expanses of parking area pavement, support stormwater management where appropriate, improve the appearance of parking lots as viewed from rights-of-way, and provide a safe pedestrian environment.
- (1) **Applicability.** The parking area interior landscape zone regulations of this Section apply to the following:
- (a) The construction or installation of any new off-street parking lot containing fifteen (15) or more parking spaces, and
 - (b) The expansion of any existing off-street parking area if the expansion would result in fifteen (15) or more new parking spaces, in which case the requirements of this Section apply only to the expanded area.
- (2) **Requirements.** The level of parking lot interior landscape required shall depend on the size and location of the off-street parking area as follows.
- (a) Off-street parking areas consisting of fifteen (15) or more continuous spaces interior parking area landscape shall be required to provide full interior landscaping amenities as specified in subsections (3) through (9) below.
 - (b) Off-street parking areas consisting of fewer than fifteen (15) continuous spaces that are located to the front or side of the principal building shall be required to terminate all rows of parking with a parking area end cap, as detailed in subsection (4), but shall otherwise be exempt from the requirements of subsections (3) through (9) below.
 - (c) Off-street parking areas consisting of fewer than fifteen (15) continuous spaces that are located in the rear of the principal building shall be exempt from the requirements of this section.
- (3) **Amount.** The amount of required parking area interior landscape shall be determined by the yard in which the off-street parking area is located as detailed below.
- (a) **Off-Street Parking Areas in Front or Side of Principal Buildings.**
 - (I) **Parking Area End Caps.** A parking area end cap shall be located at the end of any bay of parking bordered by a drive aisle, public or private street, or pedestrian circulation system.
 - (II) **Parking Area Median Amount Requirement.** Parking area medians shall be placed between every third bay of parking.

- (III) **Parking Area Island Amount Requirement.** Parking area islands shall be located on parking bays which are not required to have parking area medians. Parking area islands shall be spaced not more than one hundred thirty-five (135) feet or more than fifteen (15) continuous spaces apart.

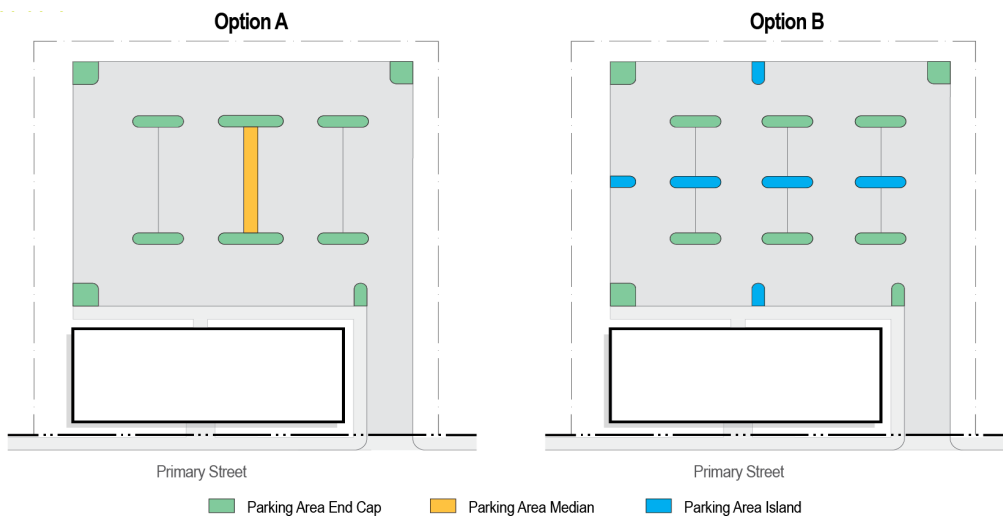
Figure 6.13: Interior Parking Area Landscape Zone Requirements for Parking Areas in Front or Side of Principal Building



(b) **Off-Street Parking Areas in Rear of Principal Building.**

- (I) **Parking Area End Caps.** A parking area end cap shall be located at the end of any bay of parking bordered by a drive aisle, public or private street, or pedestrian circulation system.
- (II) **Parking Area Median or Parking Area Island Amount Requirement.** The developer may choose to install either parking area medians or parking area islands. If the developer chooses to install parking area medians, they shall be placed between every third bay of parking. If the developer chooses to install parking area islands, they shall be located on parking bays which are not required to have parking area medians. Parking area islands shall be spaced not more than one hundred thirty-five (135) feet or more than fifteen (15) continuous spaces apart.

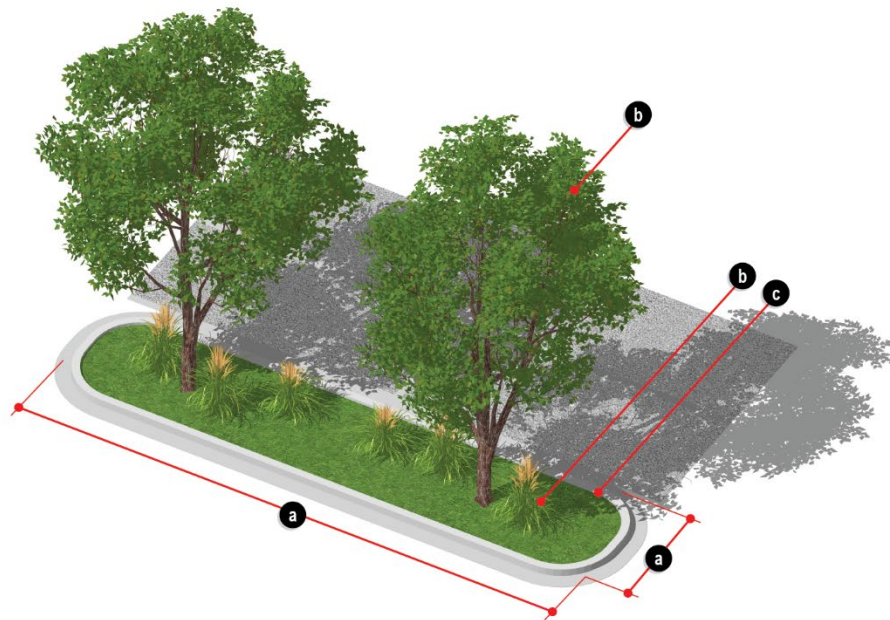
Figure 6.14: Interior Parking Area Landscape Requirements For Parking Areas Located In Rear of Principal Building



(4) **Parking Area End Cap Standards.**

- (a) **Size.** Parking area end caps shall be a minimum nine (9) feet wide by eighteen (18) feet long and shall have a minimum soil depth of thirty-six (36) inches. Double rows of parking shall provide parking area end caps opposite one another to form continuous single end cap.
- (b) **Planting.** A minimum of one (1) canopy tree and three (3) shrubs or native grasses shall be provided for every parking area end cap. If the end cap extends the width of a double bay, then two (2) canopy trees shall be provided.
- (c) **Design.** Parking area end caps shall be protected with concrete curbing or other suitable barriers approved by the City Planner. Such end caps shall be properly drained or irrigated as appropriate to the site conditions to ensure survivability of plant materials or proper stormwater management function.

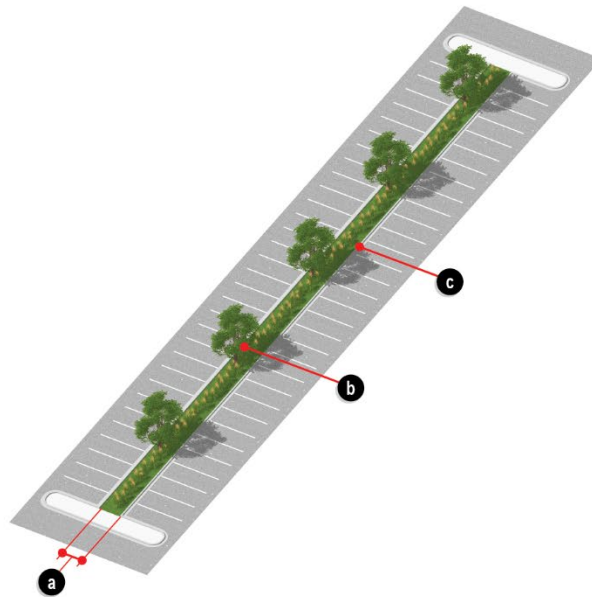
Figure 6.15: Parking Area End Cap Standards



(5) **Parking Area Median Standards.**

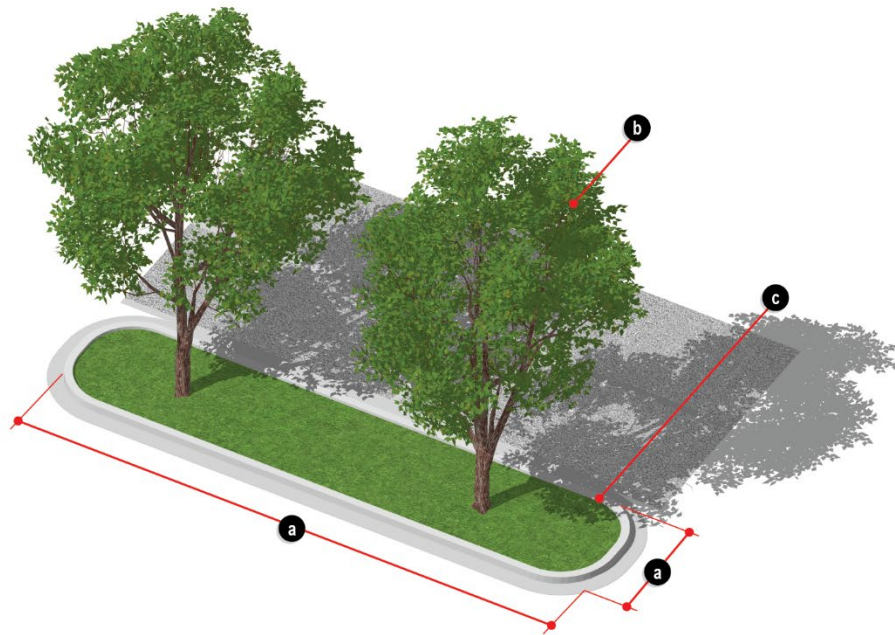
- (a) **Size.** Parking area medians shall have a minimum width of nine (9) feet and minimum soil depth of thirty-six (36) inches.
- (b) **Planting.** A minimum of one (1) canopy tree and fifteen (15) shrubs or native grasses shall be planted for each fifty (50) linear feet of parking area median.
- (c) **Design.** Parking area medians shall be protected with concrete curbing unless the parking area median is designed to be utilized for stormwater management in which case the perimeter shall be protect by wheel stops, or other suitable barriers approved by the City Planner. Such medians shall be properly drained or irrigated as appropriate to the site conditions to ensure survivability of plant materials and proper stormwater management function.

Figure 6.16: Parking Area Median Standards



(6) Parking Area Island Standards.

- (a) **Size.** Parking area islands shall be a minimum nine (9) feet wide by eighteen (18) feet long and shall have a minimum soil depth of thirty-six (36) inches. Double rows of parking shall provide parking area islands opposite one another to form continuous single islands.
- (b) **Planting.** A minimum of one (1) canopy tree shall be provided for every parking area island. If the island extends the width of a double bay, then two (2) canopy trees shall be provided.
- (c) **Design.** Parking area islands shall be protected with concrete curbing or other suitable barriers approved by the City Planner. Such islands shall be properly drained or irrigated as appropriate to the site conditions to ensure survivability of plant materials or proper stormwater management function.

Figure 6.17: Parking Area Island Standards

- (7) **Pedestrian Circulation Systems.** Pedestrian circulation systems, as required in the interior of off-street parking areas in Section 16-6-1(H), shall be located along parking area medians. The City Planner may waive or modify this requirement on determining that locating pedestrian circulation systems along parking area medians is impractical due to site conditions or undesirable because it would create unsafe conditions.
- (8) **Type of Landscape Material.** Except where areas are designed as vegetated stormwater management areas, canopy trees shall be the primary plant materials used in parking area islands and canopy trees and shrubs or native grasses shall be the primary plant materials used in parking area medians. Understory trees, evergreen trees, shrubs, native grasses, groundcover, and other plant materials may be used to supplement the required plantings but shall not create visibility concerns for automobiles and pedestrians. If medians or islands are designed as stormwater management areas, deviations from required plantings may be approved by the City Planner.
- (9) **Groundcover.** A minimum of seventy-five (75) percent of the surface area of every parking area island and median shall be planted with living groundcover.

(F) **Transition Zone Landscape Requirements.** Transition zone landscape shall be required along interior property lines of all nonresidential, mixed use, and multifamily development. It is not expected that the transition area will totally screen such uses but rather will minimize land use conflicts and enhance aesthetics. Landscape required by this Section shall be in addition to landscape required under other Sections of this UDO.

(1) **Applicability.** Transition zone landscaping is required as follows:

- (a) The construction or installation of any new primary building or primary use; and
- (b) The expansion of any existing primary building or primary use that results in an increase in gross floor area by more than five (5) percent or one thousand (1,000) square feet, whichever is greater. In the case of expansions that trigger compliance with transition zone requirements, transition zone landscaping is required only in proportion to the degree of expansion. The City Planner is authorized to allow the transition zone to be established adjacent to the area of expansion or to disperse transition zone landscaping along the entire site transition zone.

(2) **Application of Transition Zone Types.** Transition zones shall be provided based on Table 16-6-3(F)(2), except where adjacent uses are of a similar nature, scale, and intensity as determined by the City Planner. As per Table 16-6-3(F)(2), the type of required transition zone is dependent upon the land use type of the subject lot and the land use type of the adjacent lot(s).

Table 16-6-3(F)(2): Application of Transition Zone Types											
Subject Lot Land Use	Adjacent Lot Land Use										
	Agricultural	Single-Family Residential	All Other Residential	Institutional	Retail	Service	Lodging	Eating/Drinking	Entertainment	Vehicle Related	Industrial
<i>Agricultural</i>	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
<i>Single-Family Residential</i>	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
<i>All Other Residential</i>	n/a	C	A	B	B	B	B	B	B	C	D
<i>Institutional</i>	n/a	C	B	A	B	B	B	B	B	C	D
<i>Retail</i>	n/a	C	B	B	A	A	A	A	A	B	C
<i>Service</i>	n/a	C	B	B	A	A	A	A	A	B	C
<i>Lodging</i>	n/a	C	B	B	A	A	A	A	A	B	C
<i>Eating/Drinking</i>	n/a	C	B	B	A	A	A	A	A	B	C
<i>Entertainment</i>	n/a	C	B	B	A	A	A	A	A	B	C
<i>Vehicle Related</i>	n/a	C	B	B	A	A	A	A	A	B	C
<i>Industrial</i>	n/a	D	D	D	D	D	D	D	D	D	D

- (3) **Transition Zone Types.** Four (4) transition zone types are established in recognition of the different contexts that may exist, as shown in Table 16-6-3(F)(3). Transition zones may include a combination of elements including setback distances for separation, planting types, solid fencing, green walls, vegetated stormwater management areas, living groundcover, or turf.

Table 16-6-3(F)(3): Transition Zone Types					
Specification		Type A	Type B	Type C	Type D
(a)	Minimum Zone Width (1)	5 feet	10 feet	15 feet	20 feet
(b)	Minimum Fence/Wall Height (2)(3)	optional	optional	6 feet	6 feet
<i>Minimum Number of Landscape Elements per 100 Linear Feet</i>					
(c)	Understory Tree	optional	3	4	5
(d)	Canopy/Evergreen Tree	4	3	4	5
(e)	Shrubs/Native Grasses	optional	15	25	35
Notes:					
(1) Required yard setbacks may be utilized for transition zone landscape.					
(2) Fence or wall requirements may be satisfied by a solid evergreen or arborvitae hedge with a maximum height of six (6) feet, as approved by the City Planner.					
(3) Fencing shall still be required on the subject lot in any instance that the adjoining property contains a fence along the lot line.					

Figure 6.18: Transition Zone Type A

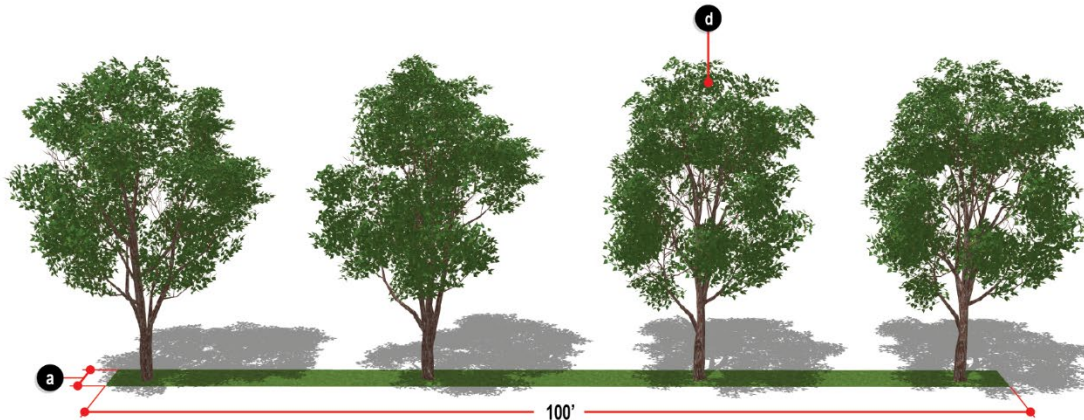


Figure 6.19: Transition Zone Type B

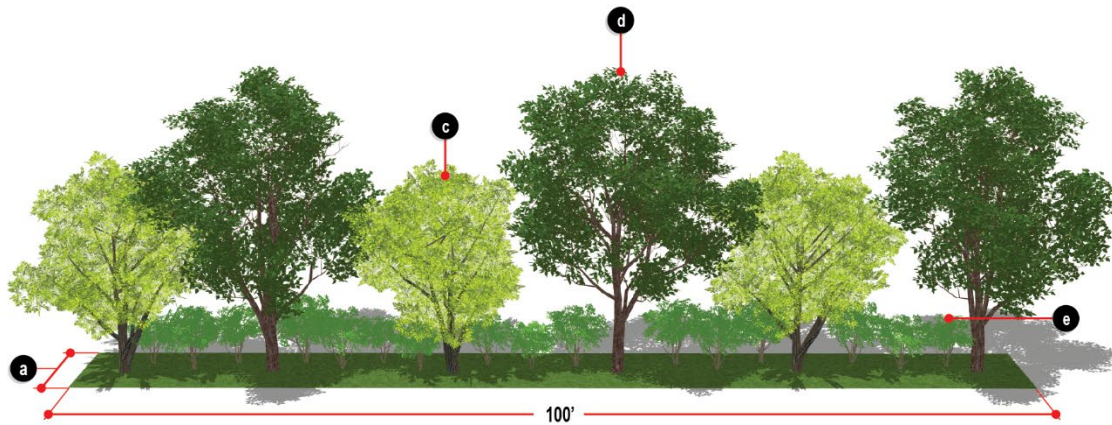


Figure 6.20: Transition Zone Type C

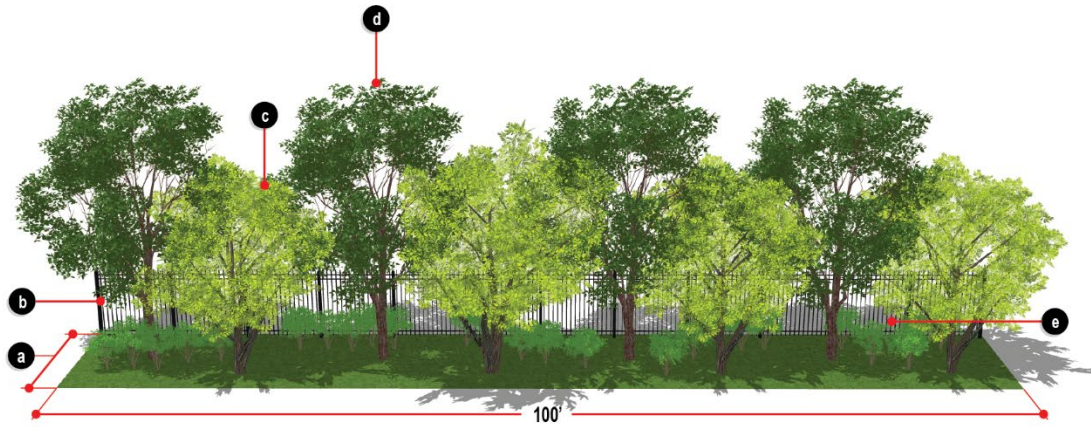


Figure 6.21: Transition Zone Type D



(G) **Species Diversity Requirements.** The following species diversity requirements shall be required for all developments, unless otherwise approved by the City Planner in conjunction with approval of vegetated stormwater management areas.

- (1) A minimum of fifty (50) percent of the landscape elements utilized on a parcel that is less than one-half (0.5) acre shall be drought tolerant native species.
- (2) A minimum of sixty (60) percent of the landscape elements utilized on a parcel that is between one-half (0.5) and five (5) acres shall be drought tolerant native species. Total landscape elements, excluding turf, shall not be comprised of more than thirty (30) percent of any single species or fifty (50) percent of any genus.
- (3) A minimum of seventy-five (75) percent of the landscape elements utilized on a parcel that is greater than five (5) acres shall be drought tolerant native species. Total landscape elements, excluding turf, shall not be comprised of more than twenty (20) percent of any single species or twenty-five (25) percent of any genus.

(H) **Tree Preservation.** Preservation of existing high-quality trees within a new development or redevelopment site is highly encouraged. Preserved trees may fulfill a portion of the landscape requirements established in this Section. Should the developer propose to maintain existing high-quality trees to count toward satisfying certain landscape requirements of this UDO, the City Planner may, upon receipt of a tree preservation plan, waive certain landscape requirements if mature, high-quality trees on a lot are proposed to be preserved. If, upon inspection at the conclusion of the project, trees identified for preservation have been removed, damaged, or are otherwise in declining condition, all waived required landscape shall be installed.

(I) **Installation and Maintenance of Landscape Zones.**

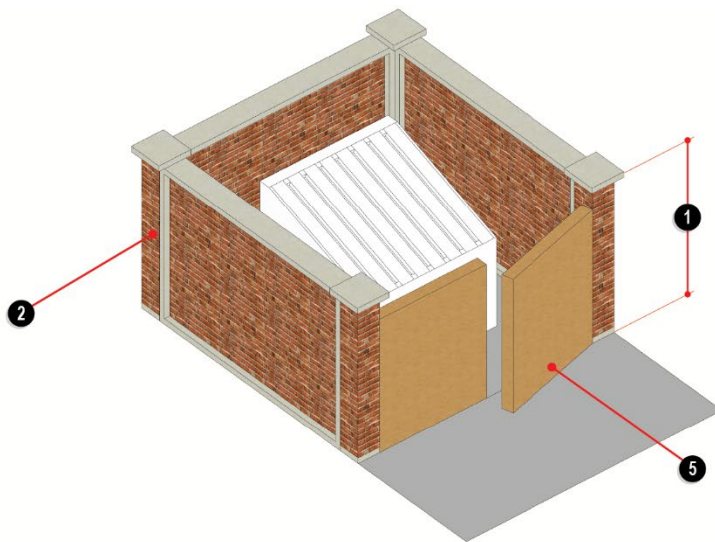
- (1) Immediately upon planting, all landscape shall conform to the American Standard for Nurserymen, published by the American Association of Nurserymen, Inc., as revised from time to time.
- (2) Dead plant materials shall be replaced within sixty (60) days upon notification from the City, taking into consideration the season of the year, and shall have at least the same quantity and quality of landscape elements as initially approved. If the particular project is constructed in more than one (1) phase, the sixty (60) day timeframe shall apply to each individual phase.
- (3) All landscape shall be maintained in a healthy, clean, and weed-free condition. The ground surface of landscape areas shall be covered with either turf and/or other types of pervious groundcover or mulch.
- (4) All landscape zones shall be irrigated as follows:
 - (a) For stormwater management areas where irrigation is not specified, all installed plantings shall be guaranteed to the City for a period of eighteen (18) months following municipal approval of installation. During this guarantee period, the landowner shall supply water as necessary to promote successful establishment and growth.
 - (b) Any required landscaped zone not intended for stormwater management, greater than one hundred and fifty (150) square feet in area, shall be provided with an underground irrigation system or be provided with a portable water supply within fifty (50) feet of said landscaped areas. No part of an irrigation system may be installed in City right-of-way.

16-6-4. Screening

(A) **Trash and Recycling Receptacles.** The following requirements shall apply to all nonresidential, mixed use, and multifamily development.

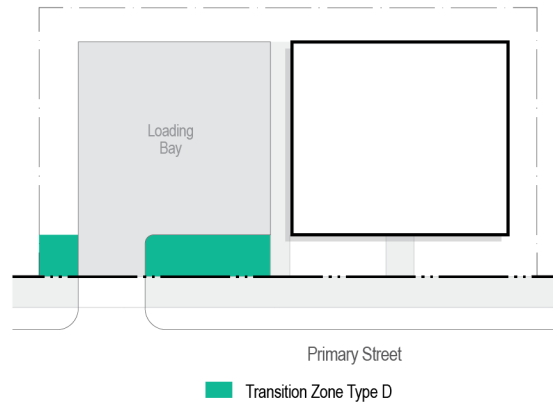
- (1) Trash and recycling receptacles shall be screened on three (3) sides with a solid, opaque material with a minimum height of six (6) feet and a maximum height of eight (8) feet. The use of materials that are not solid, such as slats in chain-link, shall only be used to meet this requirement in the Industrial District, however, solid, opaque materials shall be required on any lot in the Industrial District that is adjacent to a residential lot.
- (2) Materials used for screening shall complement the architecture of the primary building.
- (3) Materials and elevations for enclosures that are attached to buildings shall be designed to be integrated into the primary building.
- (4) If enclosures are to be attached to buildings, they shall comply with applicable fire and building codes.
- (5) Enclosure openings shall be gated with an opaque material and shall not be directly visible from a public right-of-way and/or adjoining residential areas.
- (6) Enclosure openings shall be kept closed at all times except for when the receptacle is being accessed by a service truck or person authorized to place refuse in the enclosure.
- (7) Property owners shall be responsible for ensuring that trash and recycling receptacles be placed in the enclosure at all times other than when it is being emptied by a service truck.
- (8) Access drives shall be constructed of material and thickness to accommodate truck loading. Year-round accessibility to the enclosure area for service trucks shall be maintained by the property owner or tenant.
- (9) Enclosures shall be of an adequate size to accommodate expected containers. It is recommended that the enclosure be designed to be expandable to accommodate future additional containers.
- (10) Enclosure structures shall be designed to protect the walls from damage by containers. Such protection may be provided by use of barrier curbing, reinforced masonry walls, bollards, or other similar means.
- (11) Trash and recycling receptacle enclosures shall not occupy area used for required parking spaces.

Figure 6.22: Trash and Recycling Receptacle Screening Standards



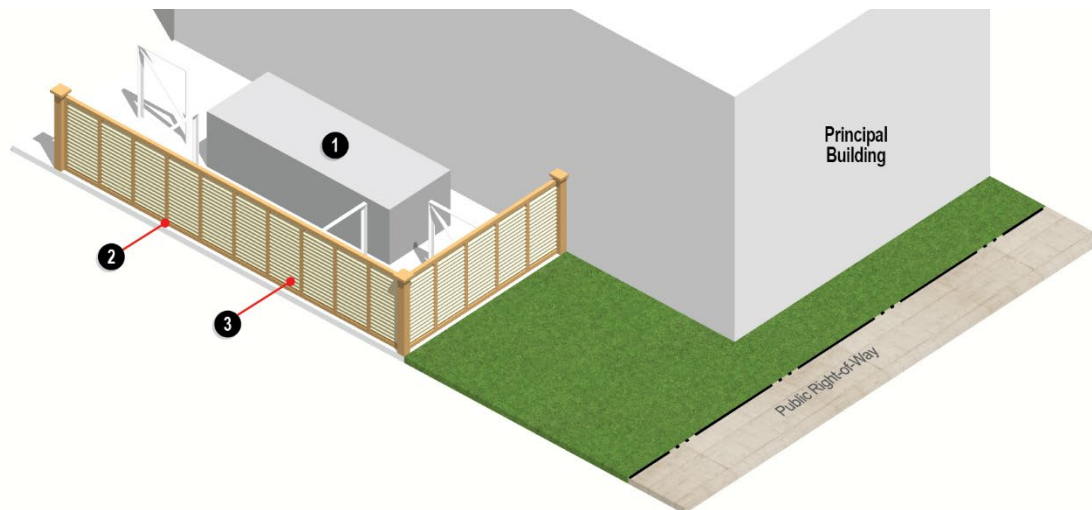
- (B) **Loading Docks and Truck-Parking Areas.** Loading docks and truck-parking areas that are visible from any property in a residential district shall be completely screened from view with a Type D transition zone as specified in Table 16-6-3(F)(3).

Figure 6.23: Loading Dock and Truck Parking Area Screening Standards



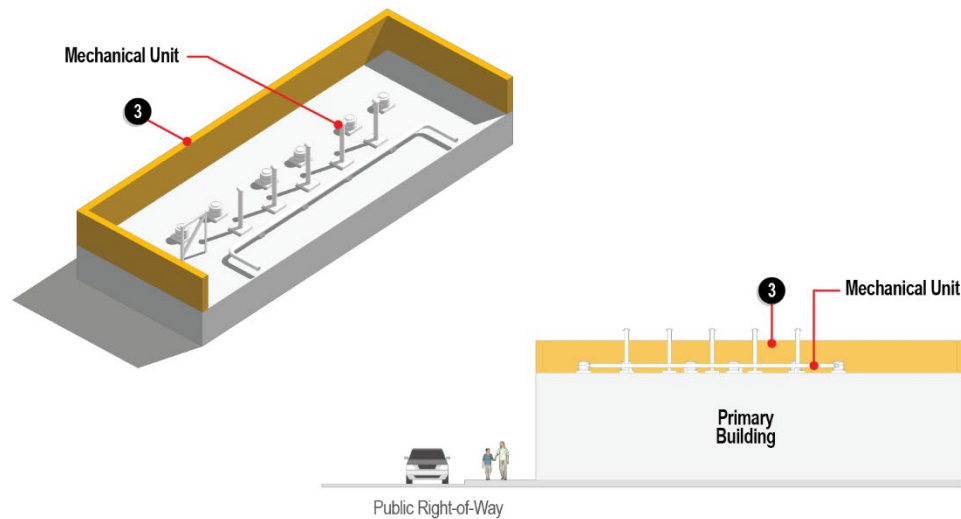
- (C) **Ground/Wall Mounted Mechanical Units.** The following requirements shall apply to all nonresidential, mixed use, and multifamily development ground-mounted and wall-mounted mechanical units, including but not limited to generators, air-conditioning condensers, heat pumps, ventilation units, computer cooling equipment, storage silos, tanks etc., and any related utility structures and equipment.
- (1) Locating mechanical units within the principal building is strongly encouraged in order to minimize exterior visual impacts. Ground/wall mounted mechanical units are prohibited within the front or exterior side yard, regardless of whether screening is provided, unless operationally necessary and approved by the City Planner.
 - (2) Ground/wall mounted mechanical units that are visible from any public right-of-way or adjacent property in a residential district shall be screened from public view.
 - (3) Materials used for screening shall be designed to be architecturally integrated with the building and established so that the area or element being screened is no more than twenty (20) percent visible through the screen.
 - (4) Chain-link fence or slats in chain-link fence shall not be used to meet this requirement.

Figure 6.24: Ground/Wall Mounted Mechanical Unit Screening Standards



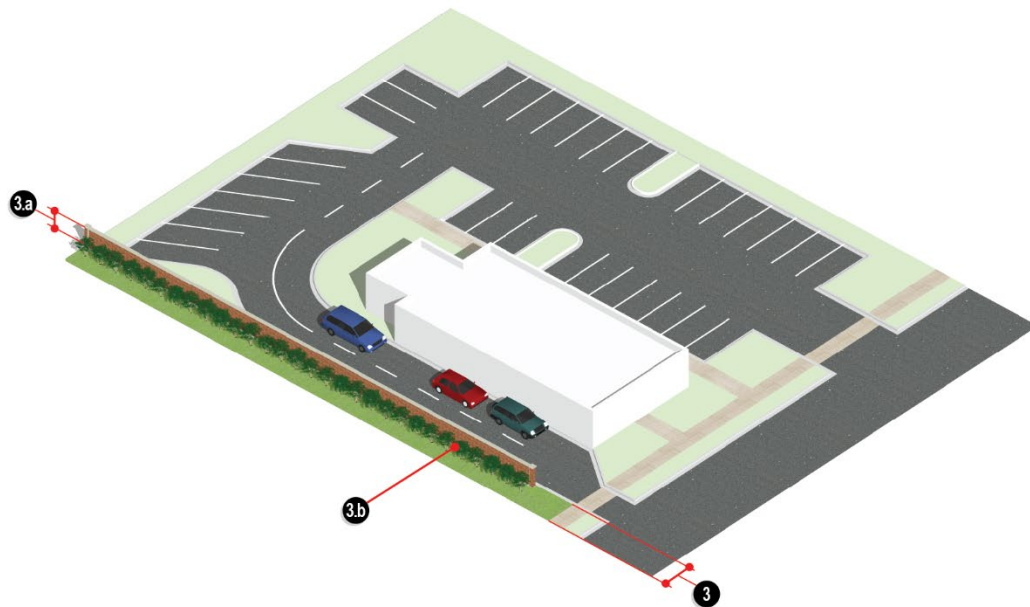
- (D) **Roof Mounted Mechanical Units.** The following requirements shall apply to all roof mounted mechanical units, including but not limited to air-conditioning condensers, heat pumps, ventilation units, computer cooling equipment, etc., and any related utility structures and equipment which service nonresidential, mixed use, or multifamily developments.
- (1) Locating mechanical units within the principal building is strongly encouraged in order to minimize exterior visual impacts.
 - (2) Roof mounted mechanical units that are visible from any public right-of-way or adjacent property in a residential district shall be completely screened from public view.
 - (3) Materials used for screening shall be architecturally integrated with the building in the form of a parapet wall and shall be continuous, permanent, and sound attenuating.
 - (4) Screening shall be required when new equipment is installed and shall be provided around both new and existing roof mounted mechanical units in order to provide visual continuity. Normal maintenance of roof mounted mechanical units shall not trigger the screening requirements.
 - (5) Additional screening may be required due to topographic differences in the adjoining properties.

Figure 6.25: Roof Mounted Mechanical Unit Screening Standards



- (E) **Drive Throughs.** The following requirements shall apply to all drive throughs regardless of the use to which it is accessory.
- (1) Drive aisles of drive throughs must be effectively screened from view at the edges of sites adjacent to property in a residential district to minimize the impact of exterior site lighting, headlight glare and any menu boards and intercom systems.
 - (2) Screening must be approved during the specific use permitting process.
 - (3) The screening area shall be a minimum of six (6) feet in width, unless otherwise approved by the Planning Commission during the special use permitting process, and must consist of:
 - (a) An opaque masonry wall or wood fence with a minimum height of four (4) feet and a maximum height of six (6) feet, and
 - (b) Shrubs or native grasses installed every three (3) feet along the exterior of the wall or fence to provide a softening effect.

Figure 6.26: Drive Through Screening Standards

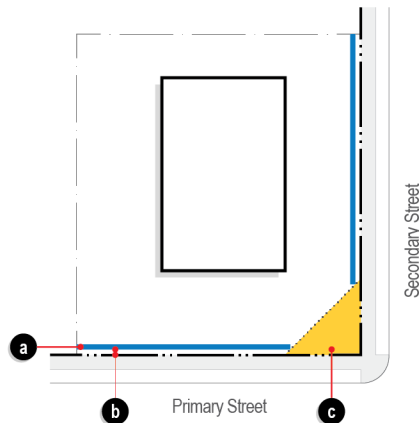


16-6-5. Fences

(A) General Provisions.

- (1) **Permit Required.** The construction of any fence greater than seven (7) feet in height shall require a building permit.
- (2) **Prohibited Fence Types.** Spiked or open picket metal fencing shall be prohibited.
- (3) **Location.** All fences allowed in this Section shall be located:
 - (a) Wholly within or along property lines,
 - (b) Outside of a clear sight triangle as detailed in Section 16-6-6,
 - (c) In a manner which does not block access to underground utility access structures; drainage structures; telephone, electric, cable television or gas pedestals; or fire hydrants,
 - (d) A minimum of two (2) inches above finished grade if located in a drainage swale or a drainage easement, and
 - (e) In a manner which does not inhibit the function of stormwater drainage structures.
- (4) **Construction Standards.** Fences shall be designed and constructed to resist a horizontal wind pressure of not less than thirty-five (35) pounds per square foot, in addition to all other forces to which they may be subjected. Fences that are leaning at an angle of fifteen (15) degrees or greater are considered dangerous and shall be in violation of this UDO. All fences must be constructed with a continuous flat top.

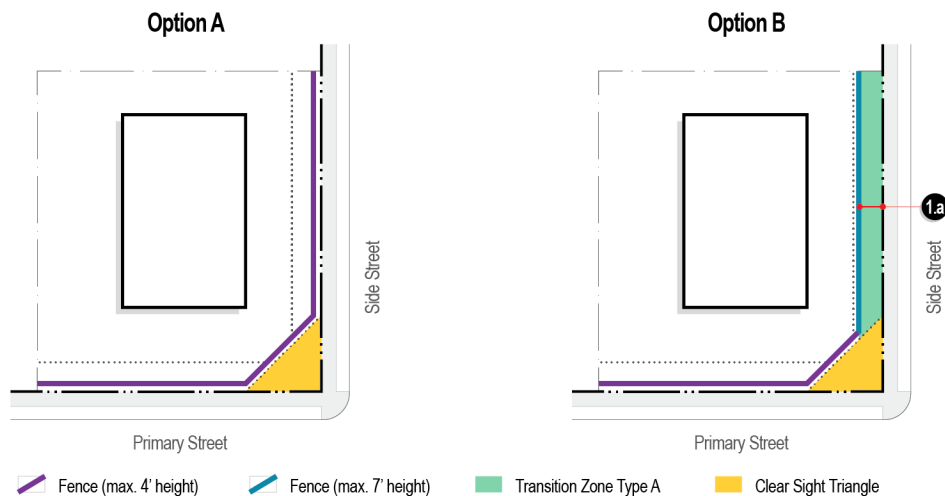
Figure 6.27: General Fence Location Standards



- (5) **Private Covenants.** Private covenants enacted by homeowners associations or other private entities may apply and may further restrict the construction or location of fences beyond the regulations of this UDO.

- (B) **Fences on Lots with Single-Family Uses.** Fences on lots with single-family uses shall meet the requirements established below. Barbed wire, razor wire, or makeshift materials such as plywood or tarps shall be prohibited on lots with single-family uses. All fences shall be erected so that the posts and all other supporting members face inward toward the owner's property.
- (1) **Materials Prohibited.** Barbed wire, razor wire, or makeshift materials such as plywood or tarps shall be prohibited.
 - (2) **Fences in Front and/or Exterior Side Yards.**
 - (a) **Height.** Fences in front and/or exterior side yards shall not exceed four (4) feet in height. Fences in exterior side yards may have a maximum height of seven (7) feet if located a minimum of ten (10) feet from the property line and improved with a landscape area between the fence and right-of-way including the landscape elements required for a Transition Zone Type A as detailed in Table 16-6-3(F)(3).
 - (b) **Materials.** Fences in front yards and/or exterior side yards shall be of non-sight barrier construction and have a maximum opacity of fifty (50) percent. Fence materials utilized in front yards and/or exterior side yards shall complement fence materials utilized in other yards. Permitted fence materials in front yards and/or exterior side yards shall be only those materials which are designed and intended for use in fence installations and shall be limited to:
 - (I) Vegetation,
 - (II) Wood, chemically treated or naturally resistant to decay,
 - (III) Wood Composites,
 - (IV) Aluminum,
 - (V) Vinyl/PVC,
 - (VI) Wrought Iron (non-picketed), and
 - (VII) As approved by the City Planner.

Figure 6.28: Fences on Lots with Single-Family Uses in Front and/or Street Side Yard Standards



(3) Fences in Interior Side and Rear Yards.

- (a) **Height.** The maximum height of a fence in interior side yards and rear yards shall be seven (7) feet.
- (b) **Materials.** Fence materials utilized in interior side yards and rear yards shall complement fence materials utilized in other yards. Permitted fence materials in interior side yards and rear yards shall be only those materials which are designed and intended for use in fence installations and shall be limited to:
 - (I) Masonry,
 - (II) Wood, chemically treated or naturally resistant to decay,
 - (III) Wood Composites,
 - (IV) Aluminum,
 - (V) Vinyl/PVC,
 - (VI) Wrought Iron (non-picketed),
 - (VII) Coated Chain Link without inserts, and
 - (VIII) As approved by the City Planner.
- (c) **Location.** Fences in interior side yards and rear yards shall be located no closer to the front yard than the established front face of the principal building on the lot or the principal building on the adjacent lot.

(C) Fences on Lots with Nonresidential, Mixed Use, or Multifamily Uses.

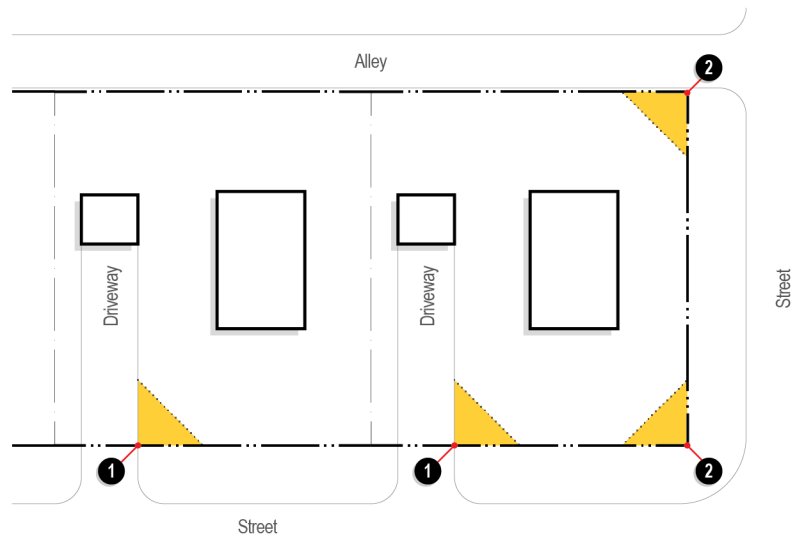
- (1) **Height.** The maximum height of fences on a lot with nonresidential, mixed use, or multifamily uses shall not exceed eight (8) feet.
- (2) **Location.** Fences on lots with nonresidential, mixed use, or multifamily uses shall be located in rear and interior side yards only,
 - (a) **Exceptions.** Fencing required may be allowed in other yards if required for outdoor storage uses as detailed in Section 16-5-12(K) or outdoor activities and operations in Section 16-5-12(I).
- (3) **Materials.** Permitted fence materials on lots with nonresidential, mixed use, or multifamily uses shall be only those materials which are designed and intended for use in fence installations and shall be limited to:
 - (a) Masonry,
 - (b) Wood, chemically treated or naturally resistant to decay,
 - (c) Wood Composites,
 - (d) Aluminum,
 - (e) Vinyl/PVC,
 - (f) Wrought Iron (non-picketed),
 - (g) Coated Chain Link without inserts, and
 - (h) As approved by the City Planner.

- (4) **Barbed Wire.** In the AG District, barbed wire may be utilized along all property lines and shall be limited to a maximum height of one (1) foot from the ground, and a maximum of five (5) strands of wire. The barbed wire shall not be included in the determination of fence height.

16-6-6. Visibility Standards

- (A) A clear sight triangle shall be maintained to minimize sight obstructions at intersections.
- (B) No building or structure shall be permitted that creates a visual obstruction taller than three (3) feet in the clear sight triangle.
- (C) The clear sight triangle shall be measured as a distance fifteen (15) feet from:
- (1) The point where the driveway meets a right-of-way facing property line, or
 - (2) The point where two right-of-way facing property lines meet.

Figure 6.29: Visibility Standards



16-6-7. Outdoor Lighting

- (A) **Fixture Classification.** All outdoor lighting fixtures, with the exception of wall mounted accent lighting and outdoor lighting in the AG District, shall either have a fixture cutoff classification of "Full Cutoff" or be fully shielded, unless otherwise expressly permitted in this UDO.
- (B) **LED Fixtures.** All outdoor lighting utilizing a light-emitting diode (LED) fixture shall meet the following standards:
- (1) **Color Rendering.** Outdoor LED fixtures shall be rated a minimum Color Rendering Index (CRI) value of seventy (70) or higher.
 - (2) **Color Temperature.** Outdoor LED fixtures shall have a correlated color temperature between four thousand (4,000) and five thousand (5,000) degrees Kelvin.
- (C) **Pole Mounted Outdoor Lighting.**
- (1) **Pole Placement.** Pole-mounted outdoor lighting shall be located outside of utility easements, designed in coordination with required landscape zones in Section 16-6-3(B).
 - (2) **Maximum Pole Height.** Pole-mounted fixtures shall be mounted at the following maximum heights by district as shown in Table 16-6-7(C)(2).

Table 16-6-7(C)(2): Pole Mounted Outdoor Lighting Height	
Zoning Districts	Maximum Height (feet)
<i>Residential Districts</i>	25
<i>DC, DT, LC, RTC Districts</i>	30
<i>All Other Districts</i>	37

- (D) **Wall Mounted Accent Lighting.** Wall mounted accent lighting shall be integrated with the architectural character of the building and shall use low-luminosity lamps, with two thousand (2,000) source lumens or less. The illumination on any vertical surface shall not exceed one-half (0.5) maintained foot candle and shall not spill over roof lines or building edges.
- (E) **Outline Lighting Prohibited.** Outline lighting shall be prohibited from windows and signs but may be used on buildings, or structures, if approved by the Planning Commission.
- (F) **Maximum Light Level at Property Line.** All outdoor lighting fixtures shall be designed and located so that the maximum light level shall be one-half (0.5) maintained foot candles at any property line.
- (G) **Light Level Measurement.**
- (1) **Location.** Light level measurements shall be made at the property line of the property upon which the light to be measured is being generated. If measurement on private property is not possible or practical, light level measurements may be made at the boundary of the public street right-of-way that adjoins the property of the complainant or at any other location on the property of the complainant. Measurements shall be made at finished grade (ground level), with the sensor in the horizontal position and not mounted more than six (6) inches above ground level, and with the light-registering portion of the meter held parallel to the ground and pointing upward.
 - (2) **Light Meter Specifications.** Light levels shall be measured in foot candles with a direct-reading portable light meter. The meter shall:
 - (a) Have cosine and color correction,
 - (b) Have an accuracy tolerance of no greater than plus or minus five (5) percent, and
 - (c) Have been calibrated within the last two (2) years.

16-6-8. Flood Damage Prevention

- (A) **Statutory Authorization.** The Legislature of the State of Oklahoma has in (statutes) 82 O.S., §§ 1601—1620 delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses. Therefore, the City of Jenks, Oklahoma, City Council does ordain as is set out in the provisions of this Section.
- (B) **Findings of Fact.**
- (1) The flood hazard areas of the City of Jenks are subject to periodic inundation that results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.
 - (2) These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed or otherwise protected from flood damage.
- (C) **Statement of Purpose.** 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:
- (1) Protect human life and health,
 - (2) Minimize expenditure of public money for costly flood control projects,
 - (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public,
 - (4) Minimize prolonged business interruptions,
 - (5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains,
 - (6) 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
 - (7) Ensure that potential buyers are notified that property is in a flood area.
- (D) **Methods of Reducing Flood Loss.** In order to accomplish its purposes, this Section 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, and
 - (5) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters, or which may increase flood hazards to other lands.
- (E) **Lands to Which This Section Applies.** This Section shall apply to all areas of special flood hazard within the jurisdiction of the City of Jenks, Oklahoma.

(F) Basis For Establishing the Areas of Special Flood Hazard.

- (1) 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 a part of this Section.
- (2) That all provisions of the flood management regulations of Section 60.3(d) of the National Flood Insurance Program (44 CFR 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.

(G) Establishment of Development Permit. A development permit shall be required to ensure conformance with the provisions of this Article.**(H) Compliance.** No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this Article and other applicable regulations.**(I) Abrogation and Greater Restrictions.** This Article is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Article and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.**(J) Interpretation.** In the interpretation and application of this Article, all provisions shall be:

- (1) Considered as minimum requirements,
- (2) Liberally construed in favor of the governing body, and
- (3) Deemed neither to limit nor repeal any other powers granted under State statutes.

(K) Warning and Disclaimer of Liability. The degree of flood protection required by this Section is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by manmade or natural causes. This Section does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This Section shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this Section or any administrative decision lawfully made hereunder.**(L) General Standards.** 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 floodwaters 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.
- (M) **Specific Standards.** In all areas of special flood hazards where base flood elevation data has been provided as set forth in Section 16-6-8(F) or 16-6-8(N)(3), 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 of this subsection as proposed in Section 16-6-8(M)(2) is satisfied.
 - (2) **Nonresidential construction.**
 - (a) 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 water-tight 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.
 - (b) 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.
 - (c) The Floodplain Administrator shall maintain records of all certifications including the specific elevation (in relation to mean sea level) to which any structure is floodproofed.
 - (d) The minimum development criteria for projects outside the levee and within the boundaries of the Arkansas River Floodplain, but not within the river channel or floodway:
 - (I) All structures shall be built at a height one (1) foot above the 1986 flood event (approximately 350-year floodplain or,
 - (II) A three hundred six thousand [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 (1) 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 (1) foot above grade, and
 - (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 FHB 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 that are:
 - (I) 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 with Zones A1-30, AH and AE on the community's FIRM that are not subject to the provisions of this subsection be elevated so that either:
 - (I) The lowest floor of the manufactured home is at the base flood elevation; or
 - (II) Placed on reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six (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 one hundred eighty (180) consecutive days,
- (b) Be fully licensed and ready for highway use, or
- (c) Meet the permit requirements of Section 16-6-8(M)(2), and the elevation and anchoring requirements for "manufactured homes" in subsection (M)(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.

(N) Standards For Subdivision Proposals.

- (1) All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with Section 16-6-8(B), (C), and (D) of this Section.
- (2) All proposals for the development of subdivisions shall meet development permit requirements of Section 16-6-8(G) and Section 16-9-4 and the provisions of this Section.
- (3) Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which is greater than fifty (50) lots or five (5) acres, whichever is lesser, if not otherwise provided pursuant to Section 16-6-8(F).
- (4) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- (5) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

(O) Standards For Areas of Shallow Flooding.

- (1) Located within the areas of special flood hazard established in 16-6-8(F), are areas designated as shallow flooding. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and where velocity flows may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:
 - (a) All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified).
 - (b) All new construction and substantial improvements of nonresidential structures;
 - (I) Have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified), or
 - (II) Together with attendant utility and sanitary facilities be designed so that below the base flood level the structure is water-tight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.
 - (c) A registered professional engineer or architect shall submit a certification to the Floodplain Administrator that the standards of this Section, as proposed in Section 16-9-4(B)(2), are satisfied.
 - (d) Require within Zones AH or AO adequate drainage paths around structures on slopes, to guide floodwaters around and away from proposed structures.

(P) Floodways.

- (1) Floodways located within areas of special flood hazard established in Section 16-6-8(F), 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:
 - (a) 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.
 - (b) If subsection (1)(a) of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this Section 16-6-8.
 - (c) 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.

Article 7. Sign Standards

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16-7-1. Purpose and Intent

- (A) **Purpose.** The purpose of this Article is to set out regulations for the erection and maintenance of signs visible from the public right-of-way while preserving the right of free speech and expression.
- (B) **Scope.** The regulations of Article shall provide a balanced and fair legal framework for design, construction, and placement of signs that:
- (1) Promotes the safety of persons and property by ensuring that signs do not create a hazard by:
 - (a) Collapsing, catching fire, or otherwise decaying,
 - (b) Confusing or distracting motorists, or
 - (c) Impairing drivers' ability to see pedestrians, obstacles, or other vehicles, or to read traffic signs.
 - (2) Promotes the efficient communication of messages, and ensures that persons exposed to signs:
 - (a) Are not overwhelmed by the number of messages presented, and
 - (b) Are able to exercise freedom of choice to observe or ignore said messages according to the observer's purpose.
 - (3) Protects the public welfare and enhances the appearance and economic value of the community by protecting scenic views and avoiding sign clutter that can compromise the character, quality, and viability of commercial corridors,
 - (4) Ensures that signs are compatible with their surroundings, and prevents the construction of signs that are a nuisance to occupants of adjacent and contiguous property due to brightness, reflectivity, bulk, or height,
 - (5) Promotes the use of signs that are aesthetically pleasing, of appropriate scale, and integrated with the built environment, in order to meet the objectives related to the quality and character of development set forth in the Comprehensive Plan of the City of Jenks,

- (6) Enhances property values and business opportunities,
- (7) Assists in wayfinding, and
- (8) Provides fair and consistent permitting and enforcement.

(C) **Authority.** The City Council finds that:

- (1) This Article advances important and substantial governmental interests,
- (2) The regulations set out in this Article are unrelated to the suppression of constitutionally-protected free expression and do not involve the content of protected messages which may be displayed on signs, nor do they involve the viewpoint of individual speakers,
- (3) The incidental restriction on the freedom of speech is no greater than is essential to the furtherance of the interests protected by this Article, and
- (4) Certain types of speech are not protected by the First Amendment due to the harm that they cause to individuals or the community, and speech that is harmful to minors may be prohibited in places that are accessible to minors.
- (5) Any Planned Unit Development ordinance or Specific Use approved prior to the adoption of this UDO which references compliance with the City of Jenks Zoning Code shall meet the applicable sign standards of this UDO.

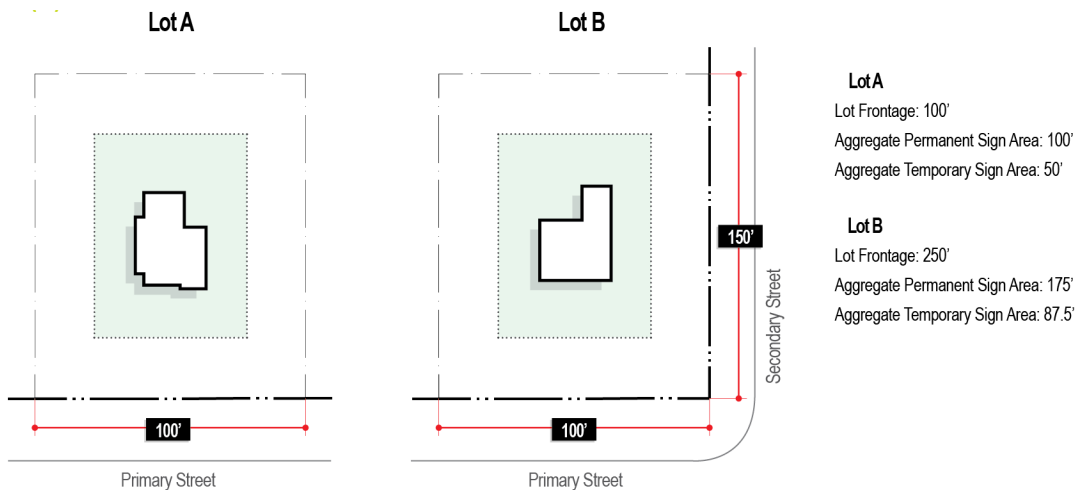
(D) **General Findings of Fact.** The City Council finds that:

- (1) The ability to display signs of reasonable size and dimensions is vital to the health and sustainability of many businesses, and the display of signs with noncommercial messages is a traditional component of the freedom of speech, but the constitutional guarantee of free speech may be limited by appropriate and constrained regulation that is unrelated to the expression itself,
- (2) The City has an important and substantial interest in preventing sign clutter (which is the proliferation of signs of increasing size and dimensions as a result of competition among property owners for the attention of passing motorists), because sign clutter degrades the character of the community, makes the community a less attractive place for commerce and private investment, and dilutes or obscures messages displayed along the City's streets by creating visual confusion and aesthetic blight,
- (3) Sign clutter can be prevented by regulations that balance the legitimate needs of individual property owners to convey their commercial and noncommercial messages against the comparable needs of adjacent and nearby property owners and the interest of the community as a whole in providing for a high-quality community character,
- (4) Temporary signs that are not constructed of weather-resistant materials are often damaged or destroyed by wind, rain, and sun, and after such damage or destruction, degrade the aesthetics of the City's streets if they are not removed,
- (5) The City has an important and substantial interest in keeping its rights-of-way clear of obstructions and litter,
- (6) The City has an important and substantial interest in protecting the health of its tree canopy, which contributes to the character and value of the community, and
- (7) The uncontrolled use of billboard signs and their location, density, size, shape, motion, illumination, and demand for attention can be injurious to the purposes of this UDO, and destructive to community character and property values, and that, as such, restrictions on the display of off-premises commercial messages are necessary and desirable.

16-7-2. Limit on Sign Area

- (A) **Permanent Sign Area Limit.** Each lot shall be allowed aggregate permanent sign area equal to one (1) square feet of sign area per linear foot of lot frontage.
- (B) **Temporary Sign Area Limit.** Each lot shall be allowed aggregate temporary sign area equal to one-half (0.5) square foot of sign area per linear foot of lot frontage.
- (C) **Premises Having Frontage on More Than One Dedicated Street.** Premises having frontage on more than one (1) dedicated street will be allowed an additional one-half (0.5) square foot of aggregate sign area for each lineal foot of the secondary lot frontage; however additional sign area shall only be displayed on the secondary frontage.
- (D) **Irregularly Shaped Lots.** Irregularly shaped lots with minimal lot frontage, relative to more typically shaped lots in the district, may petition for additional aggregate sign area through the Comprehensive Sign Plan process as detailed in Section 16-7-9.

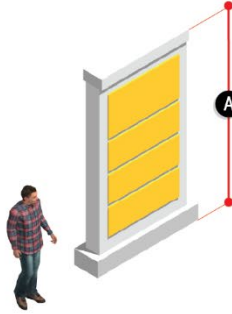
Figure 7.1: Limit on Sign Area



16-7-3. Sign Measurement

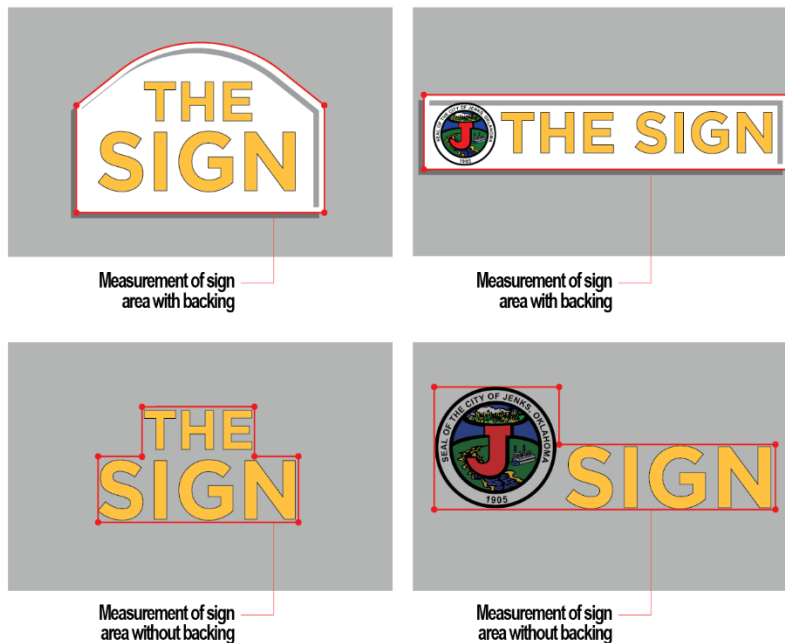
- (A) **Sign Height.** Sign height shall be measured by the total distance between the highest point on the sign to the average elevation of the ground upon which the sign supports are placed, except when the sign supports rest upon a berm or other area elevated above the surrounding ground or when the sign supports rest upon a ditch or other area lower than the surrounding ground. In such cases, the elevation of the centerline of the adjacent roadway shall be considered as the ground level.

Figure 7.2: Sign Height Measurement



- (B) **Sign Area.** Unless otherwise defined, sign area is determined by the total area enclosed by a continuous perimeter along the edges of a sign, including any frame or border. The area of a sign composed of individually-affixed letters is determined by the total area of the smallest geometric shape enclosing the copy. A maximum of two (2) geometric shapes may be utilized. The calculation for a double-faced sign shall be the area of one (1) face only.

Figure 7.3: Sign Area Measurement



16-7-4. Permitted Sign Types

The following key is to be used in the interpretation of Table 16-7-4.

- (A) **Permitted Sign Types.** Sign types marked as “P” in the table shall be permitted subject to all applicable regulations of this UDO and only after the issuance of a Sign Permit as detailed in Section 16-9-3(F).
- (B) **Allowed Sign Types.** Sign types marked as “A” in the table shall be allowed subject to all applicable regulations of this UDO.
- (C) **Prohibited Sign Types.** A blank space in the table indicates that a sign type is not allowed in the respective zoning district.
- (D) **Unlisted Sign Types.** Sign types that are not included in Table 16-7-4 shall be considered prohibited.

Table 16-7-4: Permitted Sign Types by District												
Sign Type	District											
	R Districts	AG	OL	OM	LC	CS	CG	DC	DT	RTC	IL	IM
<i>Permanent Signs</i>												
Wall Sign	P (1)	P (1)	P	P	P	P	P	P	P	P	P	P
Single-Tenant Monument Sign	P (1)(2)	P (1)	P	P	P	P	P			P	P	P
Multi-Tenant Monument Sign			P	P	P	P	P			P	P	P
Pole/Pylon Sign						P (3)	P (3)				P (3)	P (3)
Awning/Canopy Sign	P (1)	P (1)	P	P	P	P	P	P	P	P	P	P
Blade Sign					P			P	P	P		
Window Sign, Permanent			P	P	P	P	P	P	P	P	P	P
Billboard Sign						P (3)	P (3)				P (3)	P (3)
<i>Temporary Signs</i>												
Wall Mounted Banner Sign	P (1)	P (1)	P	P	P	P	P	P	P	P	P	P
Ground Mounted Banner Sign	P (1)	P (1)	P	P	P	P	P			P	P	P
Feather Sign						P	P				P	P
Window Sign, Temporary			P	P	P	P	P	P	P	P	P	P
Post Sign	A	A	A	A	A	A	A			A	A	A
Yard Sign	A	A	A	A	A	A	A				A	A
<i>Notes:</i>												
(1) Sign shall be permitted for nonresidential, mixed use, or multifamily developments only.												
(2) Sign shall be permitted at entryways or gateways to subdivisions or neighborhoods only.												
(3) Sign shall be permitted within 300 feet of United States Federal Highways, Federal Interstate Highways, State of Oklahoma Highways, U.S. or State Toll ways or Turnpikes only.												

16-7-5. Permanent Sign Standards

(A) Wall Signs.

(1) Sign Area.

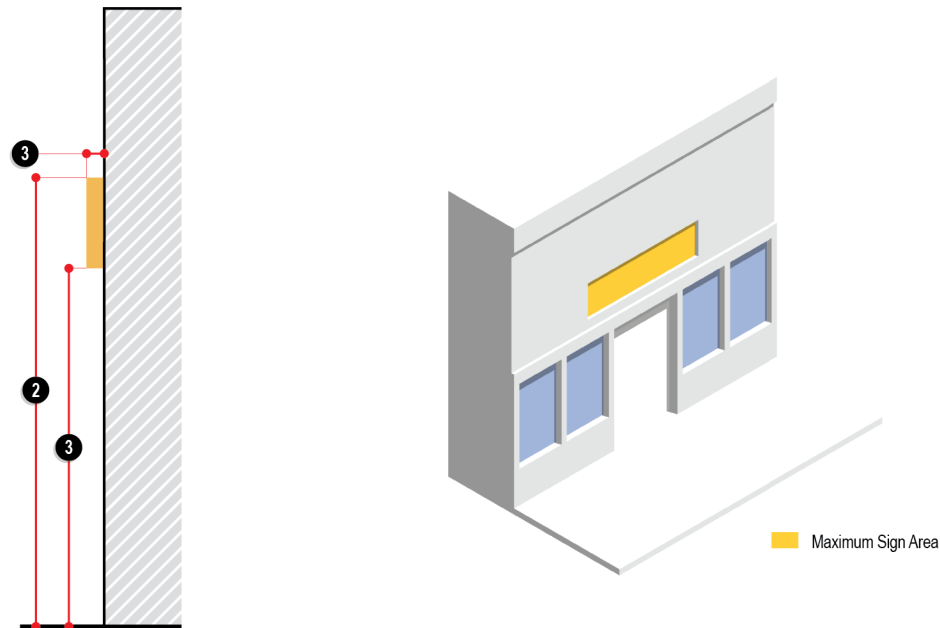
- (a) The maximum sign area of wall signs in the R, OL, LC, and DC Districts shall not exceed five (5) percent of the total area of the face of the wall to which the sign is to be affixed.
- (b) The maximum sign area of wall signs in the OM, CS, RTC, and IL Districts shall not exceed ten (10) percent of the total area of the face of the wall to which the sign is to be affixed.
- (c) The maximum sign area of wall signs in the CG and IM Districts shall not exceed fifteen (15) percent of the total area of the face of the wall to which the sign is to be affixed.

(2) Sign Height. No wall sign shall protrude above the highest roofline or the top of the parapet wall or mansard roof.

(3) Projection.

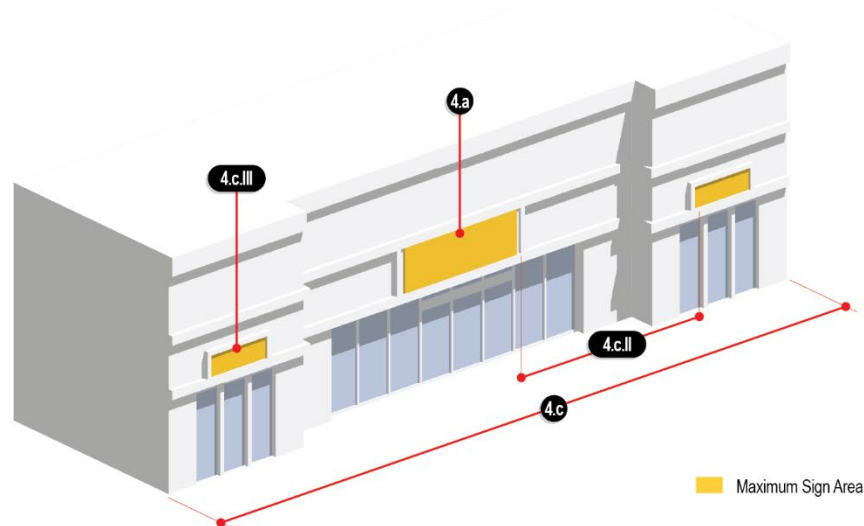
- (a) A wall sign shall not extend more than six (6) inches from the wall of the building or structure to which it is attached.
- (b) A wall sign shall maintain a minimum vertical clearance of ten (10) feet from grade.

Figure 7.4: Wall Sign Area, Height, and Projection



(4) Number of Signs.

- (a) Single tenant buildings shall be permitted a total of two (2) wall signs; however only one (1) wall sign shall be displayed on any single building façade.
- (b) Multi-tenant buildings shall be permitted one (1) wall sign per unit.
- (c) A maximum of two (2) secondary wall signs may be authorized for buildings with lineal frontage in excess of seventy-five (75) feet by the City Planner provided such additional signage is:
 - (I) In keeping with the overall design and architecture of the building,
 - (II) A minimum of twenty (20) feet from the primary wall sign and other secondary wall signs,
 - (III) A maximum of fifty (50) percent of the size of the primary wall sign,
 - (IV) Less visually prominent on the site than the building's primary wall sign, and
 - (V) The total area of all primary and secondary wall signs does not exceed the maximum wall sign area as established in Section 16-7-5(A)(1).

Figure 7.5: Secondary Wall Signs

- (5) **Sign Copy.** If the sign copy utilized on a wall sign is either individually affixed letters, raceway letters, applied vinyl, or printed, etched, or otherwise incorporated directly on the sign's backing plate, the City Planner may approve an increase in sign area up to an additional five (5) percent of the total area of the face of the wall to which the sign is to be affixed. Box/cabinet signs shall be prohibited in the Downtown Commercial District.
- (6) **Other Provisions.**
 - (a) No wall sign shall cover any architectural features (architectural features shall include but not be limited to, pediment, cornice, belt course, pier, windows, pilaster, roof, decorative stone or inlay, kick plate/bulkhead, raised or colored brick pattern, and corbel) of the building to which it is affixed.
 - (b) No wall sign shall be affixed to HVAC screening, elevator overrun, or other features protruding from the roof of the structure.

(B) Single-Tenant Monument Signs.**(1) Sign Area.**

- (a) The maximum sign area of single-tenant monument signs in the AG, R, OL, and LC, Districts shall not exceed fifteen (15) square feet.
- (b) The maximum sign area of single-tenant monument signs in the OM, CS, RTC, and IL Districts shall not exceed thirty (30) square feet.
- (c) The maximum sign area of single-tenant monument signs in the CG and IM Districts shall not exceed forty-five (45) square feet.

(2) Sign Height.

- (a) The maximum sign height of single-tenant monument signs in the R, OL, and LC Districts shall not exceed five (5) feet.
- (b) The maximum sign height of single-tenant monument signs in the OM, CS, RTC, and IL Districts shall not exceed seven (7) feet.
- (c) The maximum sign height of single-tenant monument signs in the CG and IM Districts shall not exceed ten (10) feet.

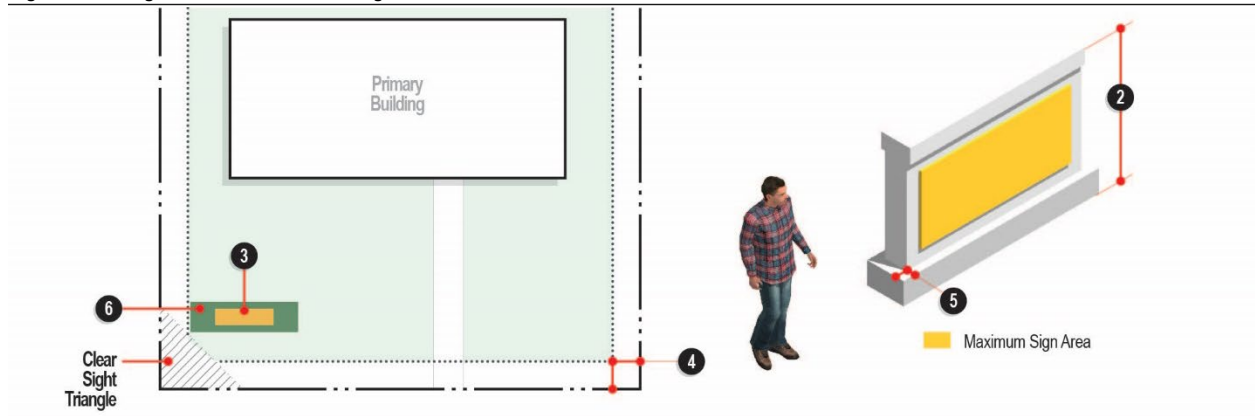
(3) Number of Signs. A maximum of one (1) single-tenant monument sign shall be permitted per lot frontage.**(4) Location.** Single-tenant monument signs shall comply with the following locational standards.

- (a) Shall be located a minimum of five (5) feet from all property lines, rights-of-way, and utility easements;
- (b) Shall not block points of ingress or egress;
- (c) Shall not be placed in any sidewalk or pedestrian circulation system, and
- (d) Shall not be located in a clear sight triangle as detailed in Section 16-6-6.

(5) Sign Base. The base of single-tenant monument sign, including all structural components, shall extend horizontally from the sign face a minimum of ten (10) percent and a maximum of twenty-five (25) percent of the width of the sign face. The base of single-tenant monument signs shall be constructed from masonry, stone, or similar high-quality materials in keeping with the materials and design of the principal building of the lot.**(6) Landscape Requirement.** All single-tenant monument signs shall be required to plant and maintain a landscape area at the base of the sign. The minimum area of the landscape area shall be equal to half of the square footage of the sign area of the associated sign. Landscape areas shall be planted with one (1) shrub or native grass per every three (3) square feet of required landscape area.

- (7) **Other Provisions.** A single-tenant monument sign shall not be permitted on a lot frontage with an existing monument sign or pole/pylon sign.

Figure 7.6: Single-Tenant Monument Sign Standards

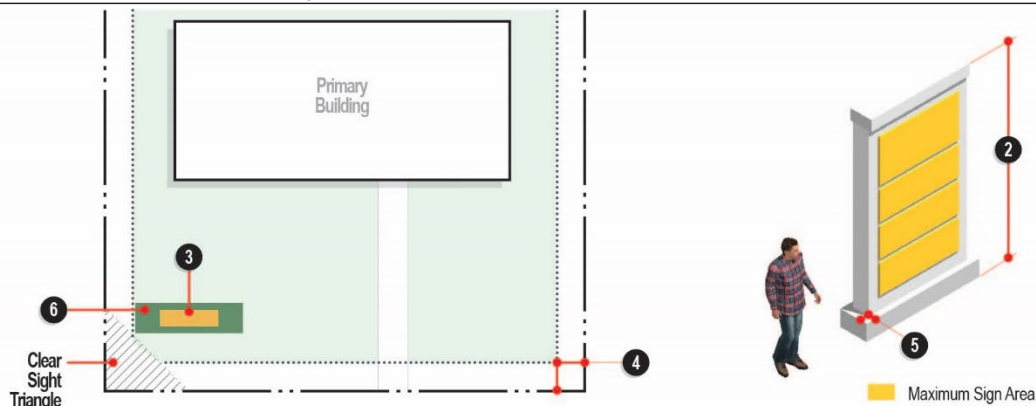


(C) Multi-Tenant Monument Signs.**(1) Sign Area.**

- (a) The maximum sign area of multi-tenant monument signs in the R, OL, and LC Districts shall not exceed thirty (30) square feet.
- (b) The maximum sign area of multi-tenant monument signs in the OM, CS, RTC, and IL Districts shall not exceed sixty (60) square feet.
- (c) The maximum sign area of multi-tenant monument signs in the CG and IM Districts shall not exceed ninety (90) square feet.

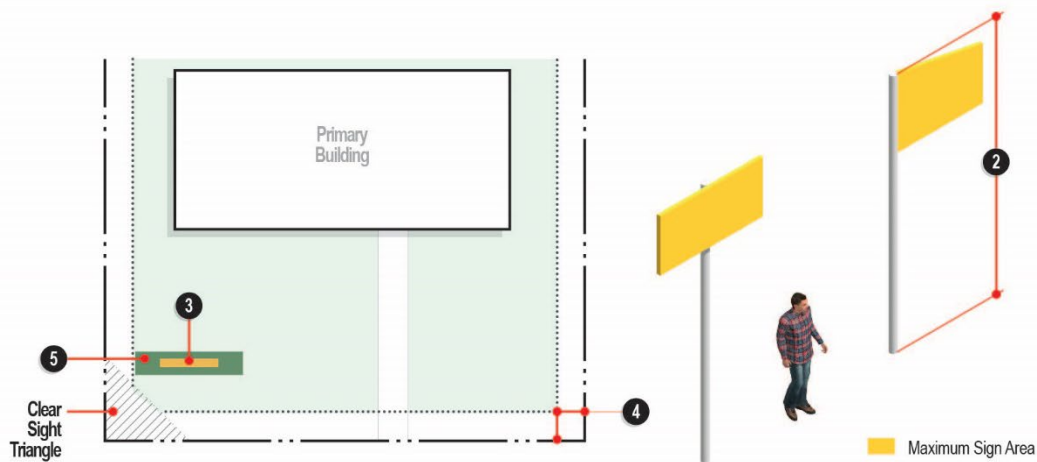
(2) Sign Height.

- (a) The maximum sign height of multi-tenant monument signs in the R, OL, and LC Districts shall not exceed ten (10) feet.
- (b) The maximum sign height of single-tenant monument signs in the OM, CS, RTC, and IL Districts shall not exceed fourteen (14) feet.
- (c) The maximum sign height of single-tenant monument signs in the CG and IM Districts shall not exceed twenty (20) feet.

(3) Number of Signs. A maximum of one (1) multi-tenant monument sign shall be permitted per lot frontage.**(4) Location.** Multi-tenant monument signs shall be located a minimum of five (5) feet from all property lines, rights-of-way, and utility easements; shall not block points of ingress or egress; be placed in any sidewalk or pedestrian circulation system and shall not be located in a clear sight triangle as detailed in Section 16-6-6.**(5) Sign Base.** The base of multi-tenant monument signs, including all structural components, shall extend horizontally from the sign face a minimum of ten (10) percent and a maximum of twenty-five (25) percent of the width of the sign face. The base of single-tenant monument signs shall be constructed from masonry, stone, or similar high-quality materials in keeping with the materials and design of the principal building of the lot.**(6) Landscape Requirement.** All multi-tenant monument signs shall be required to plant and maintain a landscape area at the base of the sign. The minimum area of the landscape area shall be equal to half of the square footage of the sign area of the associated sign. Landscape areas shall be planted with one (1) shrub or native grass per every three (3) square feet.**(7) Other Provisions.** A multi-tenant monument sign shall not be permitted on a lot frontage with an existing monument sign or pole/pylon sign.**Figure 7.7: Multi-Tenant Monument Sign Standards**

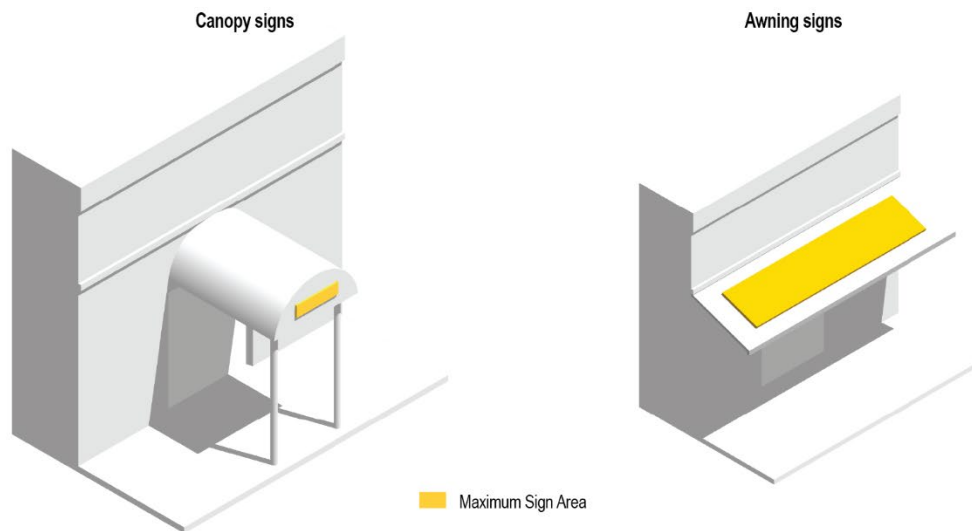
(D) Pole/Pylon Signs.

- (1) **Sign Area.** The sign area of pole/pylon signs shall not exceed thirty (30) square feet in any district.
- (2) **Sign Height.** The sign height of pole/pylon signs shall not exceed forty (40) feet in any district.
- (3) **Number of Signs.** A maximum of one (1) pole/pylon sign shall be permitted per lot.
- (4) **Location.** Pole/Pylon signs shall comply with the following locational standards.
 - (a) Shall be located a minimum of five (5) feet from all property lines, rights-of-way, and utility easements;
 - (b) Shall not block points of ingress or egress;
 - (c) Shall be placed in any sidewalk or pedestrian circulation system, and
 - (d) Shall not be located in a clear sight triangle as detailed in Section 16-6-6.
- (5) **Landscape Requirement.** All pole/pylon signs shall be required to plant and maintain a landscape area at the base of the sign. The minimum area of the landscape area shall be equal to the square footage of the sign area of the associated sign. Landscape areas shall be planted with one (1) shrub or native grass per every three (3) square feet.
- (6) **Other Provisions.** A pole/pylon sign shall not be permitted on a lot frontage with an existing monument sign or pole/pylon sign.

Figure 7.8: Pole/Pylon Sign Standards

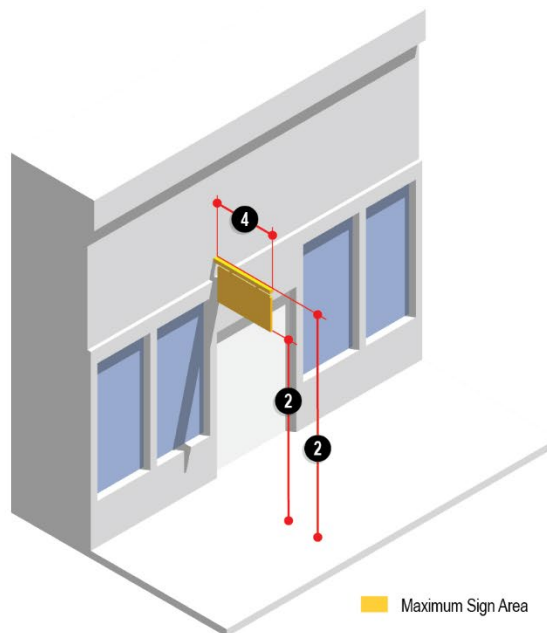
(E) Awning/Canopy Signs.

- (1) **Sign Area.** The maximum sign area of awning/canopy signs shall be fifty (50) percent of the face of the awning or canopy upon which the sign shall be printed or affixed. The area of the awning or canopy sign shall count towards the maximum amount of sign area permitted for wall signs as detailed in Section 16-7-5(A)(1).
- (2) **Other Provisions.** Awning/canopy signs shall only be permitted on awnings/canopies extending above ground floor entrances or windows.

Figure 7.9: Awning-Canopy Sign Standards

(F) Blade Signs.

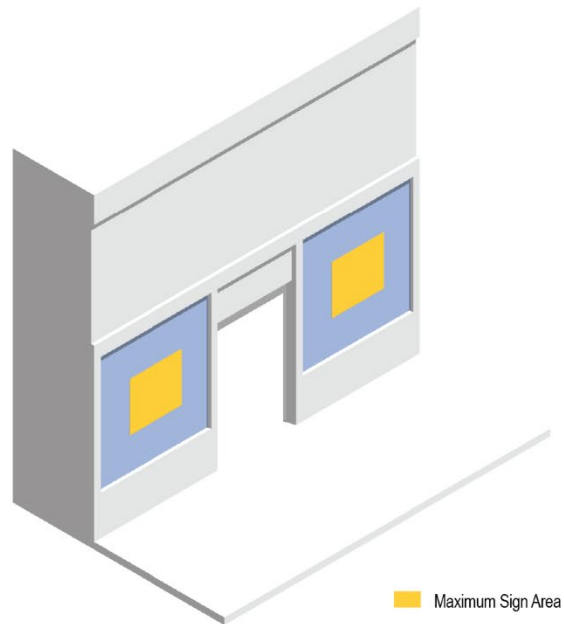
- (1) **Sign Area.** The maximum permitted sign area of blade signs shall be four (4) square feet.
- (2) **Height.** Blade signs shall not extend above the roofline of the building to which it is attached, or a maximum of twelve (12) feet, whichever is less, and shall maintain a minimum vertical clearance of ten (10) feet.
- (3) **Number of Signs.** A maximum of one (1) blade sign shall be permitted per ground floor nonresidential tenant space. A blade sign may be displayed on the same building frontage as a wall or an awning or canopy sign.
- (4) **Projection.** Blade signs shall horizontally project a maximum of four (4) feet from the mean elevation of the building to which it is attached.
- (5) **Other Provisions.**
 - (a) Blade signs shall not be internally illuminated.
 - (b) Blade signs may encroach upon, extend, or project over a public right-of-way or easement. The property owner may be required to provide a release or hold harmless to the City prior to issuing permits for any such signs.

Figure 7.10: Blade Sign Standards

(G) **Window Signs, Permanent.**

- (1) **Sign Area.** The maximum permitted sign area of a permanent window sign shall be twenty-five (25) percent of the square footage of the individual window on which the sign shall be located. Permanent window sign area shall be counted in aggregate with temporary window sign area.

Figure 7.11: Permanent Window Sign Standards

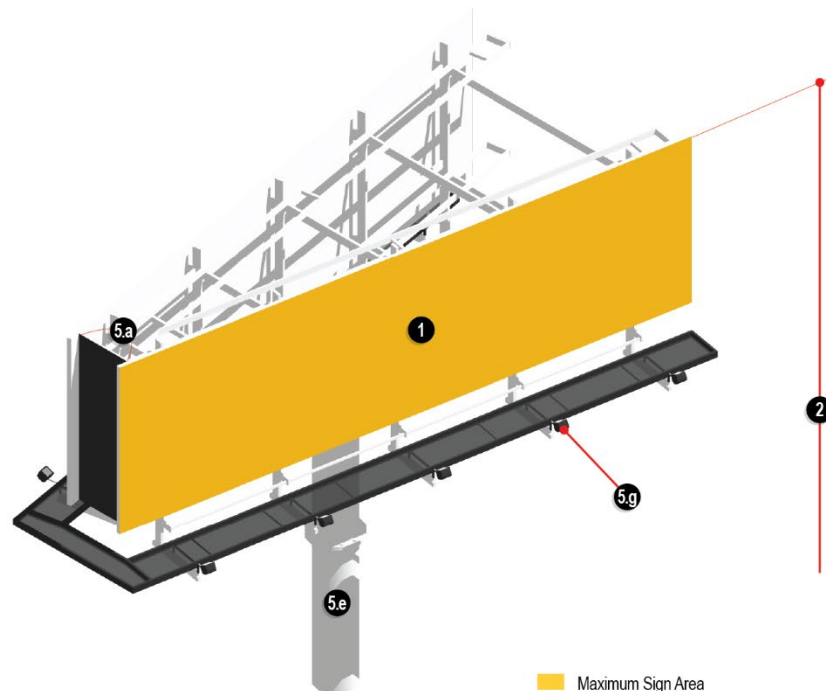


(H) Billboard Signs.

- (1) **Sign Area.** The maximum sign area of billboard signs shall not exceed fourteen (14) feet by forty-eight (48) feet and may include an additional three (3) foot by forty-eight (48) foot marquee located at the base of the sign face.
- (2) **Sign Height.** The maximum height of billboard signs shall not exceed fifty (50) feet.
- (3) **Sign Separation.**
 - (a) A minimum distance of one thousand two hundred (1,200) linear feet shall be required between billboard signs. The separation requirement shall apply to either side of the roadway regardless of which side of the roadway the sign is located upon.
 - (b) Billboard signs shall maintain a minimum separation of fifty (50) feet from any monument sign or pole/pylon sign. The separation requirement shall be measured in a straight line from the nearest point on the sign to the nearest point of any monument sign or pole/pylon sign.
- (4) **Location.**
 - (a) No billboard sign shall be located within three hundred (300) feet of a public park. The setback requirement shall be measured in a straight line from the nearest point on the sign to the nearest point on the property of the park.
 - (b) Billboard signs, if visible from an R district or if visible from a designated residential development area, shall be setback from such district or area a minimum linear distance equal to the area of the billboard sign. The setback requirement shall be measured in a straight line from the nearest point on a sign to the nearest point of an R district or residential development area boundary line.
 - (c) No portion of a billboard sign shall be located within ten (10) feet of a freeway right-of-way. The setback requirement shall be measured in a straight line from the nearest point on a sign to the nearest point of the freeway right-of-way boundary line.
 - (d) No billboard sign shall be permitted to be located upon or constructed within a required landscape zone, off-street parking area, or off-street loading area, 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.

(5) Other Provisions.

- (a) No billboard 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 (30) degrees.
- (b) A billboard sign shall be oriented to be primarily visible from the freeway.
- (c) No billboard sign shall contain flashing, blinking, or traveling lights or reflective glitter.
- (d) 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 (15) percent of the display surface area.
- (e) No billboard sign shall be supported by more than one post or column unless required by site engineering considerations and is certified as such by a registered professional engineer.
- (f) Billboard signs which have animation, revolving or rotating components or movement shall be prohibited.
- (g) Illumination on the face of billboard signs shall not exceed seventy (70) foot candles measured at a two (2) foot distance.
- (h) Any illumination shall be by constant light.
- (i) Billboard signs may include electronic message boards for a maximum of one hundred (100) percent of the permitted sign area subject to compliance with all standards of Section 16-7-7(B).

Figure 7.12: Billboard Sign Standards

16-7-6. Temporary Sign Standards

(A) General Standards for Permitted Temporary Signs.

- (1) **Concurrent Display.** A maximum of two (2) permitted temporary signs, as permitted per district, may be displayed on a lot concurrently.
- (2) **Display Period.**
 - (a) The permitted display period of a permitted temporary shall be a maximum of thirty (30) days.
 - (b) A total of three (3) nonconcurrent display periods shall be permitted per single-tenant building or unit of a multi-tenant building per calendar year.
 - (c) Nonconcurrent display periods shall be separated by a minimum of thirty (30) days.

(B) Wall Mounted Banner Signs.

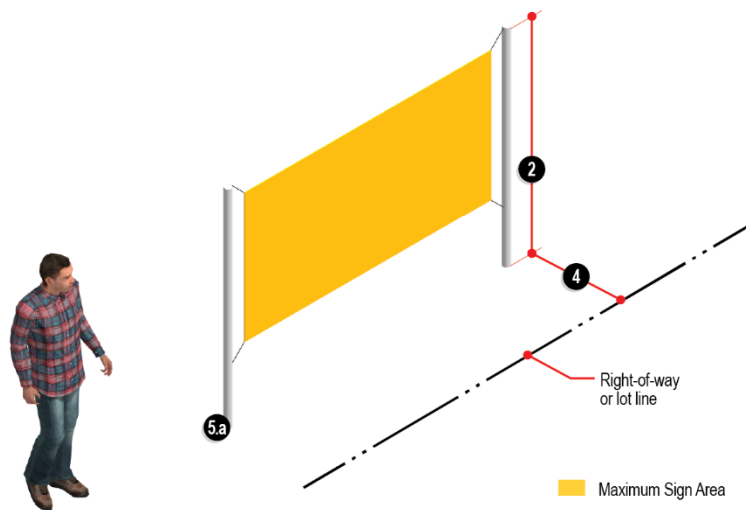
- (1) **Sign Area.**
 - (a) The maximum sign area of wall mounted banner signs in the R, OL, LC, and DC Districts shall not exceed two and one-half (2.5) percent of the total area of the face of the wall to which the sign is to be affixed.
 - (b) The maximum sign area of wall mounted banner signs in the OM, CS, RTC, and IL Districts shall not exceed five (5) percent of the total area of the face of the wall to which the sign is to be affixed.
 - (c) The maximum sign area of wall mounted banner signs in the CG and IM Districts shall not exceed seven and one-half (7.5) percent of the total area of the face of the wall to which the sign is to be affixed.
- (2) **Sign Height.** No wall mounted banner sign shall protrude above the highest roofline or above the top of the parapet wall or mansard roof.
- (3) **Number of Signs.** A maximum of one (1) wall mounted banner sign shall be permitted per lot frontage of a single-tenant building or unit of a multi-tenant building.
- (4) **Location.** Wall mounted banner signs shall be affixed to a building.
- (5) **Projection.** Wall mounted banner signs shall be affixed flat against the building to which they are mounted.

Figure 7.13: Wall Mounted Banner Sign Standards



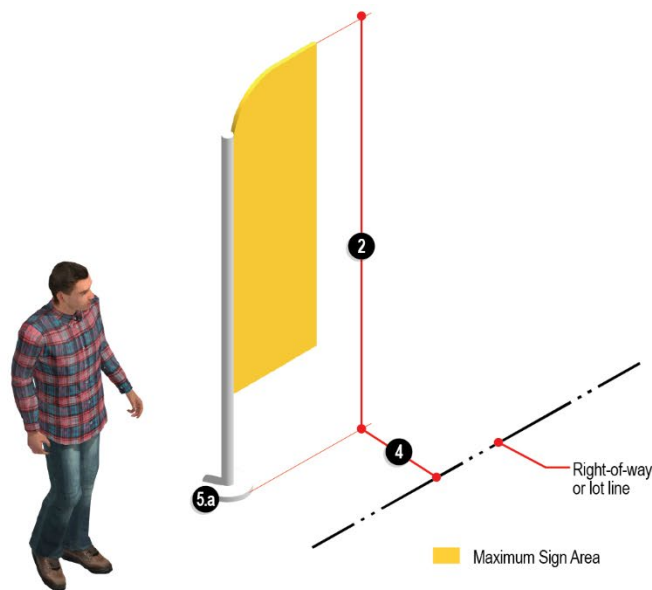
(C) Ground Mounted Banner Signs.

- (1) **Sign Area.** The maximum sign area of a ground mounted banner sign shall not exceed thirty-two (32) square feet.
- (2) **Sign Height.** The maximum height of a ground mounted banner sign shall not exceed six (6) feet.
- (3) **Number of Signs.** A maximum of one (1) ground mounted banner sign shall be permitted per lot frontage.
- (4) **Location.** Ground-mounted banner signs shall meet the following locational requirements.
 - (a) Shall be located a minimum of five (5) feet from all property lines, rights-of-way, and utility easements;
 - (b) Shall not block points of ingress or egress;
 - (c) Shall be placed in any sidewalk or pedestrian circulation system, and
 - (d) Shall not be located in a clear sight triangle as detailed in Section 16-6-6.
- (5) **Other Provisions.**
 - (a) Ground mounted banner signs shall be securely anchored into the ground or secured in a portable base designed for such function.
 - (b) Ground mounted banner signs shall be maintained in good condition and shall not sag, lie on the ground, be torn, or otherwise kept in a disorderly state.

Figure 7.14: Ground Mounted Banner Sign Standards

(D) Feather Sign.

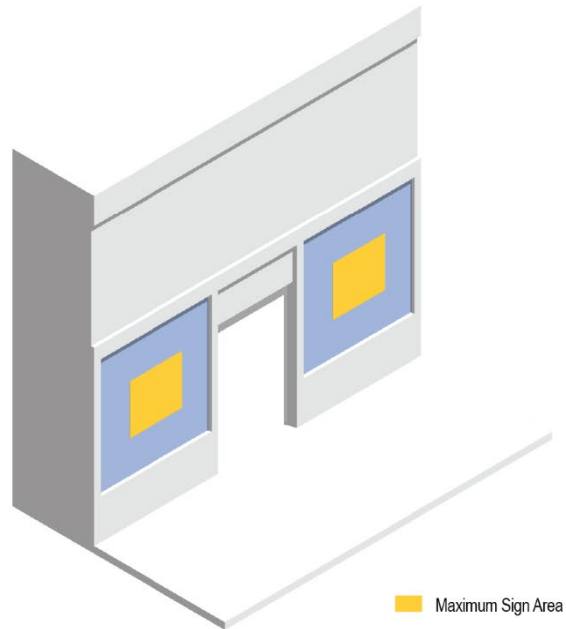
- (1) **Sign Area.** The maximum sign area of feather signs shall not exceed sixteen (16) square feet.
- (2) **Sign Height.** The maximum height of a feather sign shall not exceed eight (8) feet.
- (3) **Number of Signs.** A maximum of one (1) feather sign shall be permitted per twenty-five (25) feet of linear lot frontage.
- (4) **Sign Separation.** Each feather sign shall be separated from another feather sign by at least twenty-five (25) feet.
- (5) **Location.** Feather signs shall meet the following locational requirements.
 - (a) Shall be located a minimum of five (5) feet from all property lines, rights-of-way, and utility easements;
 - (b) Shall not block points of ingress or egress;
 - (c) Shall be placed in any sidewalk or pedestrian circulation system, and shall not be located in a clear sight triangle as detailed in Section 16-6-6.
- (6) **Other Provisions.**
 - (a) Feather signs shall be securely anchored into the ground or secured in a portable base designed for such function.
 - (b) Feather signs shall be maintained in good condition and shall not sag, lie on the ground, be torn, or otherwise kept in a disorderly state.

Figure 7.15: Feather Sign Standards

(E) **Window Sign, Temporary.**

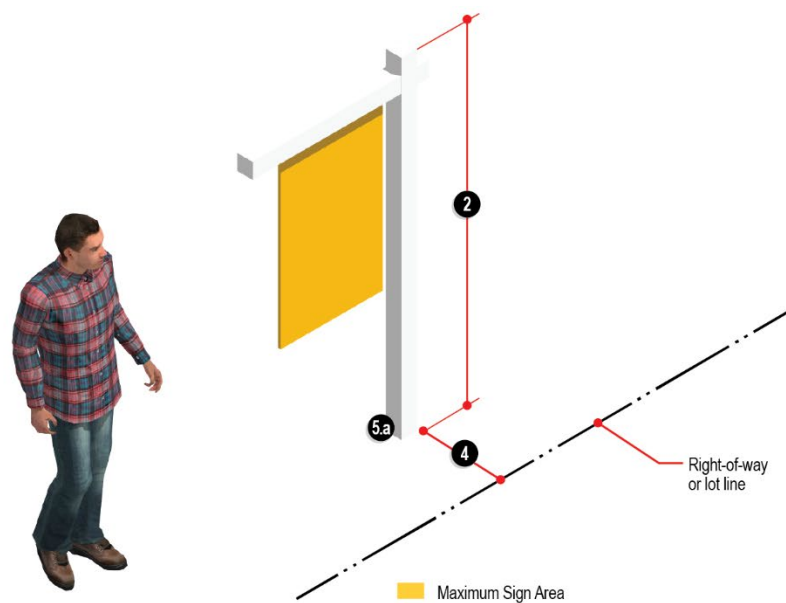
- (1) **Sign Area.** The maximum sign area of a temporary window sign shall be thirty (30) percent of the square footage of the individual window on which the sign shall be located. Temporary window sign area shall be counted in aggregate with permanent window sign area.

Figure 7.16: Temporary Window Sign Standards



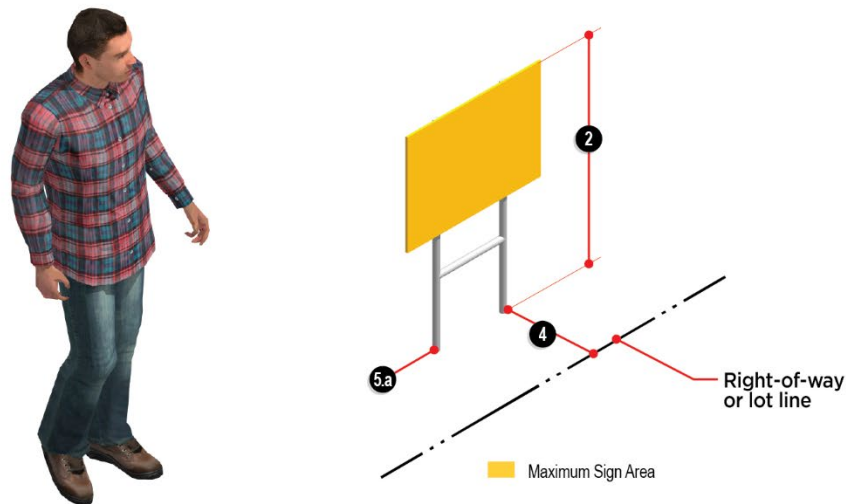
(F) Post Signs.

- (1) **Sign Area.** The maximum sign area of a post sign shall not exceed six (6) square feet.
- (2) **Sign Height.** The maximum height of a post sign shall not exceed six (6) feet.
- (3) **Number of Signs.** A maximum of one (1) post sign shall be allowed per lot frontage.
- (4) **Location.** Post signs shall meet the following locational requirements:
 - (a) Shall be located a minimum of five (5) feet from all property lines, rights-of-way, and utility easements;
 - (b) Shall not block points of ingress or egress;
 - (c) Shall not be placed in any sidewalk or pedestrian circulation system, and
 - (d) Shall not be located in a clear sight triangle as detailed in Section 16-6-6.
- (5) **Other Provisions.**
 - (a) Post signs shall be securely anchored into the ground or secured in a portable base designed for such function.
 - (b) Post signs shall be maintained in good condition and shall not sag, lie on the ground, be torn, or otherwise kept in a disorderly state.

Figure 7.17: Post Sign Standards

(G) Yard Signs.

- (1) **Sign Area.** The maximum sign area of a yard sign shall not exceed four (4) square feet.
- (2) **Sign Height.** The maximum height of a yard sign shall not exceed three and one-half (3.5) feet.
- (3) **Number of Signs.**
 - (a) A maximum of two (2) yard signs may be displayed concurrently for a period of thirty (30) consecutive days.
 - (b) An unlimited number of yard signs may be displayed concurrently for a period of forty-eight (48) hours.
- (4) **Location.** Yard signs shall meet the following locational criteria.
 - (a) Yard signs shall be located a minimum of five (5) feet from all property lines, rights-of-way, and utility easements;
 - (b) Shall not block points of ingress or egress;
 - (c) Shall be placed in any sidewalk or pedestrian circulation system, and
 - (d) Shall not be located in a clear sight triangle as detailed in Section 16-6-6.
- (5) **Other Provisions.**
 - (a) Yard signs shall be securely anchored into the ground or secured in a portable base designed for such function.
 - (b) Yard signs shall be maintained in good condition and shall not sag, lie on the ground, be torn, or otherwise kept in a disorderly state.
 - (c) Yard signs in residential districts displayed for a period of forty eight (48) hours or less shall be exempt from the requirements of this section.

Figure 7.18: Yard Sign Standards

16-7-7. General Sign Standards

(A) Illumination.

- (1) **Location and Design of Light Source.** Whenever an external artificial light source is used for a sign, such source shall be located, shielded, and directed so as not to be directly visible from any public street or private residence. No receptacle or device housing a permitted light source for a sign shall protrude more than twelve (12) inches from the face of the sign or building to which it is attached except if such light source is ground mounted, locked in place, and cannot be redirected.
- (2) **Level of Illumination.** In no event shall the illumination of any sign, resulting from any internal or external artificial light source, exceed the outdoor lighting standards established in Section 16-6-7. All artificial illumination shall be so designed, located, shielded, and directed as to prevent the casting of glare or direct light upon adjacent property or streets.
- (3) **Signs Adjacent to Residential Areas.** Any illuminated sign located on a lot abutting or across a street from, and visible from, any residentially zoned area shall not be illuminated between the hours of ten 10:00 p.m. and 7:00 a.m. except that such sign may remain illuminated during such time as the activity to which the sign pertains is open for business so long as such sign is not a public or private nuisance.

(B) Electronic Message Boards. Single-tenant and multi-tenant monument signs, pole/pylon signs, and billboard signs may incorporate electronic message boards in accordance with the following.

- (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.
- (2) Each message must be displayed for a minimum of eight (8) seconds.
- (3) Change of message must be accomplished in two (2) seconds.
- (4) Change of message must occur simultaneously on the entire sign.
- (5) No flashing, dimming, or brightening may occur except to accommodate a message change.
- (6) Electronic message boards must contain a default mechanism that freezes an image in case of malfunction.
- (7) Electronic message boards shall 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 (0.5) hour after sunset until one half (0.5) hour before sunrise or six thousand five hundred (6500) NITs between one half (0.5) hour before sunrise until one half (0.5) hour after sunset.
- (8) Electronic message boards shall be able to display multicolor high quality images based on display size. Multi-color display shall be able to show a minimum of two hundred eighty one (281) trillion color shades.
- (9) Electronic message boards shall comply with Table 16-7-7(B)(9).

Table 16-7-7(B)(9): Resolution to Size Matrix	
Size of Electronic Message Board	Maximum Pixel Size
10 sqft - 25 sqft	10 mm
26 sqft - 75 sqft	16 mm
76 sqft - 125 sqft	19 mm
126 sqft and larger	23 mm

- (10) Electronic message boards shall 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 three hundred (300) feet of a residential lot.
 - (11) Operators must be able to respond to a malfunction or safety issue within one (1) hour of notification.
 - (12) Applications shall be reviewed by the City Engineer and determined that the sign placement does not interfere with traffic control devices within three hundred (300) feet 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.
- (C) Visibility Standards. All signs shall comply with the visibility standards established in Section 16-6-6.

16-7-8. Prohibited Signs and Content

- (A) **Prohibited Signs.** The following sign types shall be prohibited in all zoning districts:

- (1) Roof Signs,
- (2) Outline Lighting,
- (3) Signs with flashing lights,
- (4) Snipe Signs,
- (5) Pennants,
- (6) Streamers,
- (7) Spinners,
- (8) Propellers,
- (9) Inflatable Shapes, and
- (10) Signs which encroach on the public right-of-way.

- (B) **Prohibited Content.**

- (1) The following content is prohibited without reference to the viewpoint of the individual speaker:
 - (a) Text or graphics of an indecent or immoral nature and harmful to minors,
 - (b) Text or graphics that advertise unlawful activity,
 - (c) Text or graphics that are obscene, fighting words, defamation, incitement to imminent lawless action, or true threats, or
 - (d) Text or graphics that present a clear and present danger due to their potential confusion with traffic control signs or signs that provide public safety information (for example, signs that use the words "Stop," "Yield," "Caution," or "Danger," or comparable words, phrases, symbols, or characters in such a manner as to imply a safety hazard that does not exist).
- (2) The narrow classifications of content that are prohibited by this subsection are either not protected by the United States or Oklahoma Constitutions, or are offered limited protection that is outweighed by the substantial governmental interests in protecting the public safety and welfare. It is the intent of the City Council that each paragraph of this Subsection be individually severable in the event that a court of competent jurisdiction were to hold one or more of them to be inconsistent with the United States or Oklahoma Constitutions.

16-7-9. Comprehensive Sign Plan

- (A) **Intent.** The intent of the comprehensive sign program is to set forth a theme as to the placement, lettering style, color, materials, mounting method, and other related design considerations of signs.
- (B) **Applicability.** Any building or development on an irregularly shaped lot may elect to submit a comprehensive sign plan to receive additional aggregate sign area beyond the maximum established in Section 16-7-2. After the approval of a comprehensive sign plan, no permanent sign shall be erected, placed, or maintained except in conformance with the Comprehensive Sign Plan.
- (C) **Conditions.** The City Planner may attach conditions, requirements, or standards necessary to assure that the signs covered by the Comprehensive Sign Plan will not be materially detrimental to persons or property in the vicinity. In making its determination, the City Planner shall not base any condition on the content of a sign.
- (D) **Evaluation Criteria.**
 - (1) **Placement.** All signs shall be placed where they are visible and legible. Factors to be considered include the location of a sign relative to traffic movement and access points, site features, other structures, and orientation relative to viewing distances and viewing angles. Wall Signs may be approved on building walls other than the wall of a unit of a multi-tenant building in which some units have little or no visibility from the street.
 - (2) **Quantity.** The number of signs that may be approved within any development shall be sufficient to provide necessary facilitation of internal circulation of vehicular and pedestrian traffic and wayfinding for safety of the occupants of vehicles and pedestrians. Factors to be considered shall be those that impact safety considerations such as the size of the development and the number of development sub-areas.
 - (3) **Size.** All signs shall be no larger than necessary for visibility and legibility but in no instance shall the sign area or sign height exceed the maximum established per sign type per district. Factors to be considered in determining appropriate size include topography, volume, and speed of traffic, viewing distances and angles, proximity to adjacent uses, and placement of display.
- (E) **Application.** A comprehensive sign plan shall be submitted on a form established by the City Planner. The application shall contain the following information as well as all other information required by the City Planner to ensure compliance with the comprehensive sign plan evaluation criteria.
 - (1) Name, address, and telephone number of the applicant.
 - (2) Location of building, structure, or lot to which or upon which the comprehensive sign plan shall apply.
 - (3) Name of person, firm, corporation, or association developing the comprehensive sign plan.
 - (4) Written consent of the owner or lessee of the building, structure, or land to which the proposed comprehensive sign plan is applicable.
 - (5) Scale drawing of all signs included in the comprehensive sign plan indicating the dimensions, the materials to be used, the type of illumination, if any, and the method of construction and attachment. Said drawings shall be drawn at a scale no smaller than one-eighth (1/8) inch equals one (1) foot and shall be prepared, signed, and sealed by a registered professional engineer when required by the City Engineer.
 - (6) A scale drawing indicating the location and position of all signs included in the comprehensive sign plan in relation to nearby buildings or structures. Said drawing shall be at a scale no smaller than one (1) inch equals fifty (50) feet.
- (F) **Review and Action.** The City Planner shall review the comprehensive sign plan application and approve, approve with conditions, or deny the application based on the evaluation criteria. A written decision including the findings on the evaluation criteria shall be rendered to the applicant.

- (G) **Appeals.** Any applicant who receives a notice of denial from the City Planner may, within thirty (30) days after receipt of such decision, appeal such decision to the Board of Adjustment by filing a written notice of appeal with the City Planner with an explanation as to why said decision was not warranted according to the applicant.
- (1) **Criteria.** The Board of Adjustment shall find that the City Planner misapplied or erroneously interpreted one of the evaluation criteria in item (D) of this Section to determine that the denial decision was not warranted. A written decision including the findings on the evaluation criteria shall be rendered to the applicant.
- (H) **Amendments to Comprehensive Sign Plans.**
- (1) **Minor Amendments.** Minor amendments may be approved by the City Planner and shall include any change in the site plan or design details of an approved Comprehensive Sign Plan which is consistent with the standards and conditions applied to the Plan. A minor amendment shall not:
- (a) Increase the sign area or sign height of any sign,
 - (b) Allow for additional signs to be erected, constructed, and/or displayed,
 - (c) Replace an approved sign type with another sign type, including electronic message boards, and
 - (d) Alter the square footage of associated landscape areas.
- (2) **Major Amendments.** Major amendments shall require the resubmittal of a Comprehensive Sign Plan application and shall include any change in the site plan or design details of an approved Comprehensive Sign Plan which is not consistent with the standards and conditions applied to the Plan and not considered a minor amendment.

16-7-10. Safety, Maintenance, and Abandonment

- (A) Every sign and all parts thereof, including framework, supports, background, anchors and wiring systems shall be constructed and maintained in compliance with the applicable codes of the City.
- (B) All signs, together with all supports, braces, guys, and anchors shall be kept in proper repair in accordance with the provisions of this UDO. When not galvanized or constructed of approved corrosion resistive, noncombustible materials, signs shall be painted when necessary, to prevent corrosion, rust, peeling paint, and excessive fading. Failure of owners to keep signs maintained in good mechanical and visual repair shall be deemed a violation of this UDO.
- (C) It shall be the duty and responsibility of the owner or lessee of every sign to maintain the immediate premises occupied by the sign in a clean condition, free of rubbish. Any landscaping surrounding the sign shall be kept trimmed and in good repair. If the landscaping installed at the time of sign approval dies, said landscaping shall be replaced immediately or as soon as weather permits.
- (D) Every existing sign shall be subject to an inspection whenever the City Planner deems it necessary. In the event an inspection demonstrates that repairs, and/or maintenance is necessary, the sign owner shall be notified and required to complete said repairs and/or maintenance within thirty (30) days of notification. The City Planner is authorized to grant one (1) thirty (30) day extension, if, upon written request, it is deemed necessary due to extenuating circumstances.
- (E) If the City Planner shall find that any sign is unsafe or unsecure, or is a threat to the public safety, or was, after the adoption of this UDO constructed, erected, or maintained in violation of the provisions of this title, he or she shall give written notice per the provisions of this UDO. Such notice shall specify the manner in which the sign is unsafe or in violation of this UDO.
- (F) Sign copy shall be removed and in the case of a wall sign, the building façade shall be repaired, by the owner or lessee of the premises upon which the sign is located when the use which the sign is associated is no longer conducted on the premises. The sign copy shall be removed within thirty (30) days of when the use ceases to operate. If the owner or lessee fails to remove the sign copy, the City Planner shall give the owner thirty (30) days written notice to remove it. Failure to comply with the notice shall be deemed a violation of this UDO.

Article 8. Subdivision Standards

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16-8-1. Purpose

The purpose of this Article is:

- (A) To establish reasonable rules and regulations governing the subdivision, development and platting of land, the preparation of plats, the location and extension of streets and highways, the installation of utilities and the provision of necessary public grounds for parks, playgrounds and public open space,
- (B) To promote and protect the public health, safety and general welfare, to conserve, protect and enhance property values and to secure the efficient use of land,
- (C) To discourage scattered development beyond existing public utilities and to facilitate the adequate provision of public improvements,
- (D) To assure the development of land for optimum use with necessary protection against deterioration and obsolescence,
- (E) To limit and control the pollution of the environment that can be caused by inadequate or incomplete urban development,
- (F) To provide common grounds of understanding and a sound working relationship between the City and the subdivider, and
- (G) To implement the goals and objectives of the Comprehensive Plan.

16-8-2. General Subdivision Standards

(A) Land Suitability.

- (1) **General Land Suitability.** Land which the Planning Commission finds to be unsuitable for subdivision or because of flooding, improper drainage and erosion, adverse topography, steep slopes, or rock formations, shall not be subdivided or developed unless adequate steps are taken by the subdivider and approved by the Planning Commission to resolve the hazards created by the unsuitable land conditions.
- (2) **Unsuitable Land for Subdivision.** Land which the Planning Commission finds to be unsuitable for development within a proposed subdivision because of flooding, improper drainage and erosion, adverse topography, steep slopes, or rock formations, and not detrimental to the development of the subdivision, shall be set aside for uses as permitted by the Planning Commission.

(B) Zoning District Compliance.

No subdivision shall be approved unless it conforms to all of the requirements of this UDO. Whenever there is a discrepancy between minimum standards or dimensions noted in this Article and those contained in other chapters of this UDO, building codes or other adopted regulations, codes or ordinances, the most restrictive shall apply.

(C) Comprehensive Plan Conformance.

- (1) All proposed subdivisions shall conform to the most recently adopted Comprehensive Plan.
- (2) The arrangement, character, extent, width, grade, and location of all streets shall conform to all the elements of the Comprehensive Plan and shall be designed in accordance with sound planning and engineering principles as well as the improvement provisions outlined in this Article.
- (3) **Permanent Markers and Monuments.**
 - (a) Permanent reference markers shall be placed at the intersection of the centerlines of rights-of-way. There shall be in each subdivision a minimum of two (2) such monuments. If no two (2) of the intersection monuments are within line-of-sight to each other, an additional marker shall be placed on right-of-way centerline so as to establish a straight line which can be seen line-of-sight from one end to the other. An additional such marker shall be placed at the center point of the turn-around in each cul-de-sac. These markers shall be in the form of a non-corrosive metal plate and each shall be stamped with a cross at the point of the intersection and the elevation to the tenth (0.1) of a foot.
 - (b) Permanent reference markers shall be placed at each turning point in the boundary of the subdivision. These markers shall be a twenty-four (24) inch long iron pipe or bar of at least one-half (1/2) inch diameter, to be set in concrete.
 - (c) Permanent reference markers shall be placed at a minimum of two (2) corners of each lot in an addition. The markers shall be at least twenty-four (24) inches long and at least one-half (1/2) inch in diameter made of iron pipe or bar and driven into unexcavated soil.
 - (d) Permanent reference markers shall be placed at the points of curvature and points of tangency of all inside and outside rights-of-way lines, and at the point of intersection of the outside line of a curve in street right-of-way. These markers shall be a twenty-four (24) inch long iron pipe or bar of at least one-half (1/2) inch diameter to be driven into unexcavated soil.
 - (e) The location of all permanent markers shall be shown on the face of the record plat.

(4) **Street Designations and Names.**

- (a) **Street Designations.** When the applicable conditions are met, the following designations shall be used for all streets.

- (I) **Avenue:** A North-South road longer than five hundred (500) feet.
- (II) **Boulevard:** A street divided by a median.
- (III) **Circle:** A short street that begins and circles back to terminate on the same road.
- (IV) **Court:** A cul-de-sac.
- (V) **Drive:** A curvilinear street of more than five hundred (500) feet in length.
- (VI) **Highway:** A designated state or federal highway.
- (VII) **Interstate:** A road of the highest order, characterized by limited access and wide right-of-way.
- (VIII) **Lane:** A curvilinear street of less or equal to five hundred (500) feet in length.
- (IX) **Loop:** A short drive that begins and ends on the same street.
- (X) **Place:** A minor street lying between numbered thoroughfares.
- (XI) **Street:** An East-West road longer than five hundred (500) feet.

(b) **Street Names.**

- (I) Street names shall meet the naming convention established by the City Engineer and shall not:
 - (i) Exceed fourteen characters in length, excluding street-type designation,
 - (ii) Contain hyphens, apostrophes or other non-letter characters,
 - (iii) Exceed two (2) words in length, excluding street-type designation,
 - (iv) Contain directional prefixes or suffixes (i.e., north, south, east, and west),
 - (v) Be phonetically similar to other street names in the City of Jenks (i.e., Shadow – Chateau, Parakeet – Park Heat, Grade – Grate),
 - (vi) Have the same name but different street type designation (i.e. Willow Drive – Willow Court), or
 - (vii) Duplicate facilities or geographic locations (i.e. Basketball Court, Bowling Alley).
- (II) Street names within a subdivision shall have a consistent theme (i.e. tree species, names of artists, bird species).

16-8-3. General Design Standards

- (A) **Design Criteria Manual.** The City Engineer is authorized to develop, adopt, and amend from time to time, Engineering and Design Standards for the design, installation, and construction of public utilities. All subdivisions and the installation of all public utilities within any development shall comply with the requirements established in the Engineering Design Criteria, as amended from time to time.

16-8-4. Subdivision Procedures

(A) **Types of Subdivision of Land.**

- (1) Lot Split.
- (2) Minor Subdivisions.
 - (a) Lot Combination.
 - (b) Other Subdivision Corrections.
- (3) Major Subdivisions.
 - (a) Preliminary Plat.
 - (b) Final Plat

(B) **General Subdivision Procedures.**

(1) **Application Submittal.**

- (a) All land subdivision applications shall be submitted to the City Planner and be accompanied by a fee as set forth in the Master Fee Schedule.
- (b) After the receipt of the application, the City Planner shall review the application to determine that all required information has been submitted and notify the applicant of completeness or deficiencies.
- (c) Failure to cure the deficiencies within six (6) months from notification of such deficiencies shall be deemed abandonment of the application without further notice from the City.
- (d) A pre-platting conference shall be required before the submittal of any Major Subdivision application.

(2) **City Planner Report.**

- (a) After the determination of completeness, the subdivision application shall be reviewed by the City Planner pursuant to the criteria set forth in this Article per application type.
- (b) The City Planner shall meet with the Technical Advisory Committee as needed to review the subdivision application.
- (c) The City Planner shall prepare and issue a report to the applicant identifying issues of concern to be addressed as well as a recommendation for approval, approval with conditions, or denial.
- (d) The City Planner shall forward their report to the applicant for review.

(3) **Revised Application.**

- (a) The applicant shall revise the application as necessary based on the issues of concern identified by the City Planner in their report.

- (b) The revised application shall be accompanied by a letter explaining how all of the issues of concern have been addressed and detailing any other changes that have been made to the application.
 - (c) The applicant shall submit the revised application to the City Planner who shall review the revised application for the purpose of ensuring that all required information has been provided and that all issues of concern have been addressed. Once it is determined that all required information has been submitted and all issues of concern addressed, the application shall be referred to the next step in the process. If the City Planner determines that the required information and/or issues of concern have not been addressed, the City Planner shall notify the applicant of such deficiencies.
 - (d) Failure to cure the deficiencies within six (6) months from notification of such deficiencies shall be deemed abandonment of the application without further notice from the City.
- (4) **Next Steps.** Once the City Planner has determined that all required information has been submitted and all issues of concern have been addressed, the application subdivision application shall proceed to the next steps in the review process. The review procedures for lot splits are established in Section 16-8-4(C), the review procedures for Minor Subdivisions are established in Section 16-8-4(D), and the review procedures for Major Subdivisions are established in Section 16-8-4(E).
- (C) **Lot Splits.** Subdivisions containing three (3) or fewer lots defined as "lot splits" in these regulations, may be excepted by City Council from all or part of the procedural provisions applicable for Major or Minor Subdivisions. The number of lots for purposes of determination of status as a lot split shall be counted cumulatively from the date of adoption of these regulations with respect to each parcel, provided that for the preservation of the spirit of these regulations, any and all parcels that have been similarly divided upon review of the Planning Commission under the provisions of previous subdivision regulations shall be counted into the cumulative total for the determination of eligibility for consideration of a request for treatment as a lot split.
- (1) **Lot Split Review Requirements.**
- ☐ Lot split application is complete.
 - ☐ Lot split fees paid.
 - ☐ Scaled drawing of lot split(s) provided.
 - ☐ Drawing shows all existing and proposed lot lines.
 - ☐ Drawing shows adjacent streets and street widths.
 - ☐ Drawing shows existing access limitations.
 - ☐ Drawing shows a north arrow and map scale.
 - ☐ Lot dimensions and area either conform with UDO requirements or Variance of zoning code requirements have been obtained by Jenks Board of Adjustment.
 - ☐ Public water and/or sanitary sewer is not available (appropriate tests shall be conducted by health department of its assigns to determine the proposed lots' suitability for a private sewer disposal device).
 - ☐ If the lot split results in inadequate access to utility easements, dedication of easement has been provided.
 - ☐ If the lot split results in inadequate access to public street, dedication of right-of-way has been provided.

(2) **Procedure.**(a) **Application for Lots Splits.** Applications for lots splits shall include a scaled drawing showing:

- ☐ All existing and proposed lot lines,
- ☐ All existing buildings, and
- ☐ All improvements and their distances from lot lines, adjacent streets and street widths, existing access limitations,
- ☐ A north arrow, and map scale.

(b) **City Action on Lot Splits.** The City Planner, upon receiving a lot split application shall visually inspect the tract being split, notify the Planning Commission of the proposed lot split, review the proposed lot split in regard to the requirements of this UDO, prepare a recommendation concerning the proposed lot split and submit the matter for Planning Commission review and approval. If the lot split is approved by the Planning Commission and if a conveyance of interest of the created parcels is presented, the "Lot Split Approval Stamp" shall be affixed to the instrument of the transfer of interest and signed by the City Planner. Should the Planning Commission recommend that a lot split proposal be denied, the applicant may appeal to the Board of Adjustment for relief. Such appeal shall be by written petition and shall be accompanied by a fee as prescribed by ordinance.

(3) **Approval Guidelines.** Approval or denial of lot splits shall be based on the following conditions:(a) **Lot Characteristics.**

- ☐ Lot dimensions and area shall either conform with UDO requirements or a Variance must be obtained from the Board of Adjustment.
- ☐ Where public water and/or public sanitary sewer is not available, appropriate tests shall be conducted by the health department or its assigns to determine the proposed lots suitability for a private sewage disposal device. Each proposed lot shall meet the minimum standards of the health department.

(b) **Easements.** Where a lot split will result in a lot having inadequate access to utility easements, dedication of easements will be required in accordance with the requirements of the Planning Commission.

(c) **Access and Streets.**

- ☐ Where a tract to be split is controlled by non-access provisions, no lot shall be approved where such provision will preclude access for said lot.
- ☐ The splitting of land shall provide each lot with access to a public street or highway, so that the convenience of the lot owner or user is assured.
- ☐ Where land to be split contains, within its boundaries, areas designated for street right-of-way on the Jenks City-County Major Street and Highway Plan, the split shall not be approved where street rights-of-way fail to conform to said plan except, upon a finding that:
 - (i) All utilities are in place and the additional right-of-way is not required for utility placement and,
 - (ii) The public has, by virtue of statutory easement suitable roadway dedication, right-of-way sufficient to allow the placement of pavement of a width necessary to meet the standards of the street plan for the particular street involved.

(D) Minor Subdivisions.

(1) **Purpose.** A Minor Subdivision is a subdivision in which any of the following conditions exist:

- (a) Subdivisions resulting in more than three (3) but less than six (6) lots and the entire property to be subdivided is ten (10) acres or less,
- (b) Subdivision solely for the creation of public right of way or other public tracts,
- (c) Consolidation (such as a lot combination or lot tie) of two (2) or more lots on a filed final plat into fewer lots,
- (d) Lot line or boundary adjustments to a filed final plat, or
- (e) Correction of errors or omissions on a filed final plat, such as legal description errors, typographical and mapping errors, lot identification errors, and surveyor corrections.

(2) **Minor Subdivision Review Criteria.**

- (a) **Comprehensive Plan Alignment.** The Minor Subdivision is consistent with the goals, objectives, and policies set forth in the Comprehensive Plan and other adopted plans and policy documents of the City.
- (b) **UDO Compliance.** The Minor Subdivision is consistent with the provisions of the UDO and the governing district.
- (c) **Lot Characteristics.**

- ☐ Lot dimensions and area shall either conform with the requirements of this UDO or a Variance of such requirements must be obtained from the Board of Adjustment.
- ☐ Where public water and/or public sanitary sewer is not available, appropriate tests shall be conducted by the health department or its assigns to determine the proposed lots suitability for a private sewage disposal device. Each proposed lot shall meet the minimum standards of the health department.

(3) **Easements.** Where a Minor Subdivision will result in a lot having inadequate access to utility easements, dedication of easements will be required in accordance with the requirements of the City Planner and the Planning Commission.

(4) **Access and Streets.**

- (a) Where a tract to be split is controlled by non-access provisions, no lot shall be approved where such provision will preclude access for said lot.
- (b) The splitting of land shall provide each lot with access to a public street or highway, so that the convenience of the lot owner or user is assured.
- (c) Where land to be split contains, within its boundaries, areas designated for street right-of-way on the Jenks City-County Major Street and Highway Plan, the split shall not be approved where street rights-of-way fail to conform to said plan except, upon a finding that:
 - ☐ All utilities are in place and the additional right-of-way is not required for utility placement and,
 - ☐ The public has, by virtue of statutory easement suitable roadway dedication, right-of-way sufficient to allow the placement of pavement of a width necessary to meet the standards of the street plan for the particular street involved.

(5) **Action by the Planning Commission.** The Planning Commission shall evaluate the proposed Minor Subdivision, and after consideration of the City Planner report shall approve, approve with modifications, or deny the Minor Subdivision based on the applicable review criteria and in accordance with applicable state law.

(E) Major Subdivisions.

- (1) **Purpose.** A Major Subdivision is a subdivision which does not meet the criteria for a Minor Subdivision as detailed in Section 16-8-4(C)(1).
- (2) **Major Subdivision Review Criteria.**
 - (a) **Comprehensive Plan Alignment.** The Major Subdivision is consistent with the goals, objectives, and policies set forth in the Comprehensive Plan and other adopted plans and policy documents of the City.
 - (b) **UDO Compliance.** The Major Subdivision is consistent with the provisions of the UDO and the governing district.
- (3) **Platting Requirement.** 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 of record in the office of the County Clerk where the property is situated.
- (4) **Preplatting Conference.** The purpose of the preplatting conference is two-fold, as described in this subsection.
 - (a) The conference provides the City the opportunity to describe the community's vision to the applicant.
 - (b) The conference gives the applicant an opportunity to discuss their development plans, explain how the plans will further the community's vision, and obtain input and direction from staff. The Planning Commission and City Council may be involved early in the process. The ultimate goal of this process is to help the applicant develop a plan that fosters the community's vision, while minimizing the cost to the applicant.
 - (c) **Preplatting Conference.** The mandatory discussion is for following:
 - ☐ Lot dimensions and area conform with UDO requirements and Comprehensive Plan,
 - ☐ General topography of the tract,
 - ☐ Existing adjoining developments,
 - ☐ Existing streams, floodplains, and storm drainage (if any),
 - ☐ Existing public and private utilities and easements,
 - ☐ Proposed land use (i.e. residential, commercial, parks, schools, drainage detention facilities).
 - ☐ Proposed layout of streets, lots and blocks,
 - ☐ Proposed subdivision name,
 - ☐ Name, address and telephone of tract landowner and subdivider,
 - ☐ Any other pertinent information, including a statement or a layout describing or depicting how proposed utilities are to be handled.

- (5) **Preliminary Plat.** The purpose of the preliminary plat application is to provide the City with an overall plan for the proposed development.
- (a) **Preliminary Plat Review Requirements.** The preliminary plat shall show or be accompanied by the following:
- ☐ The name and address of the owner or owners of the land to be subdivided, the name and address of the subdivider if other than the owner and the name and address of the land surveyor,
 - ☐ The date of preparation of the plat, north arrow, and scale (written and graphic presentation),
 - ☐ Key or location map showing location of subdivisions within the mile section,
 - ☐ An accurate legal description of the property,
 - ☐ The location and dimensions of all boundary lines of the proposed subdivision to the nearest one-hundredth foot,
 - ☐ The names of all adjacent subdivisions and the names, locations and widths of all existing and proposed streets, easements, drainage ways and other public ways, adjacent to the property,
 - ☐ The locations and widths of easements of all oil, gas and petroleum products pipelines and of existing utilities on or adjacent to the property,
 - ☐ The location and description of all existing structures, water bodies and watercourses,
 - ☐ The areas subject to flooding based upon the regulatory floor,
 - ☐ The names, locations and widths of all proposed streets, confirm types of streets and compliance with Section 16-8-6
 - ☐ The location and dimension of all proposed streets, drainage ways, pedestrian ways, bike paths, parks, playgrounds, public ways, or other public or private reservations,
 - ☐ All proposed lots progressively numbered and building setback lines,
 - ☐ Blocks progressively numbered,
 - ☐ A topographic map of the subdivided area with contour lines having two (2) feet contour intervals based on United States Coastal and Geodetic Survey datum,
 - ☐ Any other information as may be deemed by the Planning Commission as reasonably necessary for the full and proper consideration of the proposed subdivision,
 - ☐ Conforms to Subdivision Regulations for design and layout,
 - ☐ Connects with current and anticipated future abutting development(s),
 - ☐ Lot dimensions and shapes facilitate private use and infrastructure placement,
 - ☐ Takes advantage of existing environmental features of the property,
 - ☐ **Underground Mines.** The subdivider shall locate mines under a proposed subdivision and designate the location of the same on the subdivision plat. The location of the mines shall be based upon information and/or techniques which have been approved in advance by the City Engineer which are reasonably calculated to accurately locate mines and their depths.

- (i) The City Engineer may recommend that the City Council prohibit the erection of structures over the mine locations if the mines cannot be collapsed and the material compacted to City Engineer specifications or if, because of the shallow depth of the mine or its size, the mine would have the potential for cave-in. Appropriate building setbacks may be required upon the lots. The City Engineer may require other conditions to be met by the subdivider, based upon the location of the mines and any subsurface investigation reports, which would assist in preventing cave-ins under areas upon which structures may be erected.
- (ii) The City Engineer may require that any streets or utility easements which may be dedicated to the City of Jenks or the public, either not be located over mines, or the mines collapsed and compacted to City Engineer Specifications, or additional bonding requirements imposed upon the subdivider to repair or reroute streets or utility easements in the event of cave-ins under the same.
- (iii) All mine entrances shall be sealed and closed to the specifications of the City Engineer.

(b) Additional Engineering Review Items:

- ☐ Are all lots serviced with public street access?
- ☐ Are off-site access requirements and/or Limits of Access (LA/LNA) shown for driveways and streets onto an arterial street?
- ☐ Is there conformity to the Major Street and Highway Plan, including street names and connection to existing and/or future street.
- ☐ Are all lots serviced with water and are adequate easements dedicated for water?
- ☐ Are all lots serviced with sanitary sewer and are adequate easements dedicated for sanitary sewer?
- ☐ Is the detention area identified as a separate area within the plat? It may consist of one or more platted lots, a separate block, or it may be identified as a reserve area.
- ☐ Does the plat provide an accessway at least twenty (20) feet wide to the required detention area? Access may be provided by frontage on a dedicated public street to the detention area.
- ☐ If the detention facility is approved by the City to serve areas outside the subdivision in which it is located, have the additional areas been specifically identified in the dedication?
- ☐ Does the ownership and maintenance responsibility for detention facility remain with the private sector if the facility is an integral usable part of the development? In all other cases, the detention facility will be dedicated to the public and the public will be responsible for the maintenance thereof. In the event the detention facility, as a result of drainageway improvements, becomes unnecessary, the facility by action of the City of Jenks shall revert to the person firm or corporation making such dedication or his heirs, successor or assignees.

(c) Recommendation by the Planning Commission. The Planning Commission shall evaluate the proposed Major Subdivision preliminary plat, and after consideration of the City Planner report, make a recommendation to the City Council to approve, approve with modifications, or deny the Major Subdivision preliminary plat based on the applicable review criteria. The Planning Commission shall transmit a report containing its recommendation to approve, approve with modifications, or deny the Major Subdivision preliminary plat to the City Council.

(d) Action by City Council. The City Council shall evaluate the proposed Major Subdivision preliminary plat, and after consideration of the Planning Commission's recommendation, the City Planner report, and the applicable review criteria, may approve, approve with modifications, or deny the Major Subdivision preliminary plat in accordance with applicable state law.

- (6) **Final Plat.** The purpose of the final plat application is to complete the Major Subdivision of land consistent with the approved Preliminary Plat.

(a) **Final Plat Review Requirements.** The final plat shall contain the following:

- ☐ The plat title which shall include the name of the subdivision, "An addition to the City of Jenks, Tulsa County, Oklahoma," the section, township, and range in which the addition is located, and an accurate legal description of the property.
- ☐ The location and description of all section corners and permanent survey monuments in or near the tract, to at least one of which the subdivision shall be referenced.
- ☐ The date of preparation of the plat, the scale which shall be written and graphically presented and north arrow.
- ☐ The name and address of the owner(s) of land to be platted, the name and address of the subdivider if other than the owner and the name and address of the land surveyor.
- ☐ The key or location map showing in a small scale including: the subdivision location, other subdivisions in the area, and major streets in the area.
- ☐ The size in acres and total number of lots in the subdivision.
- ☐ The names and boundaries of abutting subdivisions or boundaries of abutting properties if not platted.
- ☐ Required dimensions shall be in feet and decimals thereof and in degrees and minutes, as follows:
 - (i) The radii, arcs, points of tangency, points of intersection and central angles for curvilinear streets and radii for all property returns,
 - (ii) The boundary lines of the land being subdivided fully dimensioned,
 - (iii) The boundary lines and widths of all proposed streets and alley fully dimensioned,
 - (iv) Lines of all proposed lots fully dimensioned, except where a lot line meets a street line at a right angle, the angle or bearing value may be omitted,
 - (v) The boundary lines of any property which is offered for dedication to public use fully dimensioned by lengths and bearings with the area marked as to its intended public use,
 - (vi) The locations of easements for public utilities and building setback lines with dimensions and widths and clearly identified,
 - (vii) Easements, if already of record, shall be shown as above with dimensions to locate it with respect to the subdivision,
- ☐ **Blocks.** Blocks progressively numbered and all lots within such blocks progressively numbered,
 - (i) The location of the base line and base line monuments,
 - (ii) Any other information as may be deemed by the City Council as reasonably necessary for the full and proper consideration of the proposed subdivision,
 - (iii) Conforms to Subdivision Regulations for design and lay-out,
 - (iv) Minimizes likely development cost for Owner's development goals,

- (v) Connects with current and anticipated future abutting development(s),
- (vi) Lot dimensions and shapes facilitate private use and infrastructure placement,
- (vii) Takes advantage of existing environmental features of the property.

☐ **Additional Engineering Checklist Items:** See Section (5)(b)

(b) Record Plat Document Review Requirements.

- ☐ Marginal lines, standard certificates and approval forms may be printed or legibly stamped on the plat with permanent opaque black ink.
- ☐ The following certifications shall be shown on the record plat:
 - (i) The owner's(s') certificate and dedication of all public ways, parks, public facilities and easements.
 - (ii) The certificate for release of mortgage for land dedicated to the public.
 - (iii) Reference to any separate instruments which directly affect the land being subdivided, including restrictive covenants filed in the office of the County Clerk.
 - (iv) The certificate of the City Council approving the plat and accepting dedications of public ways, public lands and easements.
 - (v) The certificate by as bonded abstractor, attorney, or title insurance company of the last grantees of record owning the entire interest in the property being subdivided plus holders of mortgages and liens filed of record.
 - (vi) The certificate of notice of the platting of the property to the holders of mortgages and liens against the property.
 - (vii) The certificate by the County Treasurer that all land taxes have been paid on the property.

(c) **Review by City Council.** After the determination of completeness by the City Planner the Major Subdivision final plat application shall be reviewed by City Council to ensure the application conforms to the approved preliminary plat, addresses all conditions of approval required by the City Council as part of the preliminary plat approval, and meets all applicable review criteria. Based upon their review, City Council shall approve or deny the final plat.

(d) **Correction of Deficiencies and Abandonment.** If denied, the City Council shall report the deficiencies to the applicant. The applicant shall have six (6) months from the date of notification of the deficiencies to correct the deficiencies; otherwise, the Major Subdivision final plat will be considered abandoned without further notice from the City.

- (7) **Time Limit.** The required improvements shall be completed within two (2) years from the approval of the record plat by the City Council unless extended by the City Council for cause.
- (8) **Vacated Plats.** The vacation of a plat by District Court action or by written instrument as provided by Title 11, § 42-101 et seq. of the Oklahoma statutes, shall remove the obligation to construct required improvements.
- (9) **Platting Waiver.** The 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 the previous platting or could not be achieved by a plat or replat.

16-8-5. Infrastructure Acceptance Requirements

(A) **Construction or Installation.** Following the approval of the construction plans by the City Engineer, the subdivider shall complete in a manner satisfactory with the City Engineer all required improvements and said improvements shall be free and clear of all liens, claims and encumbrances. No building construction shall be permitted on any lot to or on which improvements have not been completed in accordance with the provisions of these regulations and no municipal utility service will be furnished to such lot. A maximum of fifteen (15) percent of associated building permits may be issued prior to the completion and acceptance of required improvements, as approved by designated City staff if the subdivider shall guarantee to complete all improvements required by these regulations and other ordinances in a manner satisfactory to the City Engineer. To secure this surety, the subdivider shall provide, subject to the approval of the designated City staff, one of the following guarantees:

- (1) **Commercial Surety Performance and Payment Bond.** The subdivider shall be required to obtain a security bond from a surety bonding company authorized to do business in the state of Oklahoma. The bond shall be filed with the City Clerk and shall be payable to the City of Jenks. The amount of the bond shall be a one hundred (100) percent surety and sufficient to cover one and one-half (1.5) times the entire cost, as estimated by the subdivider and approved by the City Engineer, of installing all specified improvements. The duration of the bond shall be until such time as the improvements are accepted by the City in accordance with Section 16-8-12(C).
- (2) **Cash Escrow Account.** The subdivider shall deposit cash, or other instrument readily convertible into cash at face value, either with the City, or in escrow with a bank. The use of any instrument other than cash, and, in the case of an escrow account, the bank with which the funds are to be deposited, shall be subject to the approval of the City Council. The amount of the deposit shall be at least equal to one and one-half (1.5) time cost, as estimated by the subdivider and approved by the City Engineer, of installing all required improvements. The subdivider shall also file with the City Clerk an agreement between the financial bank and himself guaranteeing the following:
 - (a) That the funds of said escrow account shall be held in trust until released by the City Council when the obligation is complete, and may not be used or pledged by the subdivider as security in any other matter during that period; and,
 - (b) That in the case of a failure, as determined by the City Council, on the part of the subdivider to complete said improvements, then the bank shall immediately make the funds in said account available to the City for use in the completion of those improvements.
- (3) In those cases where improvement guarantees have been made under this section, the amount of the guarantee may be reduced in proportion to improvements completed and accepted by the City in compliance with Section 16-8-12(C). In no case, however, shall the guarantee be reduced to less than fifteen (15) percent of the original guaranteed amount.

(B) **Inspection and Certification.**

- (1) The City Engineer, or other knowledgeable official of the City of Jenks, shall inspect the construction of the required improvements for defects. Upon completion of the improvements, the City Engineer shall enter into the official record of the City of Jenks, a statement either certifying that the improvements have been completed in accordance with the City of Jenks Design Criteria and Technical Specifications or that the improvements are defective, listing the defects.
- (2) Upon completion of the improvements, the subdivider and his engineer shall enter into the official record of the City of Jenks "as built construction plans" and a statement stipulating the following:
 - (a) That all required improvements are complete.
 - (b) That these improvements are in compliance with these regulations and the City of Jenks Design Criteria and Technical Specifications.
 - (c) That the subdivider knows of no defects in the improvements.

- (d) That these improvements are free and clear of any encumbrance or lien (except development loans).
- (3) The City Council may, at its discretion, accept any portion of the required improvements, provided that all statements specified above have been received for that portion of the improvements and that "as built plans" have been submitted.
- (4) City Council shall declare whatever security has been pledged as a guarantee to be forfeited if any portion of the required improvements shall fail to be accepted for dedication as outlined above within the allocated time period (two [2] years from the date of record plat approve), either for reasons of incompleteness or for reason of substandard construction. Where the Council is not already in possession of said guarantee, it shall immediately take the actions necessary to obtain it. Upon receipt of these securities, the Council shall use them, or the proceeds from their sale, to finance the completion of subject improvements or the rebuilding of such improvements to the proper specifications. Any unused portion of these securities shall be returned to the subdivider, bonding company, or crediting institution, as is appropriate.
- (C) **Maintenance Bond.** Regardless of the guarantee chosen by the subdivider to secure the contract, prior to acceptance of required improvements by the City Council, the subdivider shall be required to obtain a maintenance bond from a surety bonding company authorized to do business in the state of Oklahoma. The bond shall be filed with the City Clerk and shall be payable to the City. The amount of the bond shall be equal to fifty (50) percent of the entire cost of materials for all water lines, sewer lines, paving, grading and drainage improvements. The duration of the maintenance bond shall be one (1) year from the date of acceptance of said improvements by City Council.

16-8-6. Maintenance and Supervision

- (A) Where a subdivision contains sewers, sewage treatment facilities, water supply systems, parks and grounds held in common, or other physical facilities necessary or desirable for the welfare of the area, or that are of common use or benefit which are not or cannot be satisfactorily maintained by an existing public agency, provision shall be made for a Property Owner Association (POA) or other mechanism which is acceptable to the City for the proper and continuous operation, maintenance, and supervision of such facilities. Maintenance shall include perimeter screening, mowing and landscaping along arterial streets. Membership dues in the POA shall be set which are appropriate to the maintenance requirements. It shall be mandatory that all property owners in the subdivision become members of the POA. A copy of the agreements providing for the proper and continuous operation, maintenance and supervision of such facilities shall be presented to the Planning Commission at the time of final platting and shall be filed of record with the plat of the land thereof.

16-8-7. Circulation and Connectivity

(A) Major Street and Highway Plan.

(1) Conformity.

- (a) The street layout in any development shall conform to the arrangement, width, and location of public streets indicated on the INCOG Major Street and Highway plan. Whenever a tract of land included within a proposed subdivision includes any part of the arterial or collector systems as designated on the INCOG Major Street and Highway plan, the subdivider shall be required to dedicate and plat the arterial or collector right-of-way. The City Engineer shall determine the necessary improvements to arterial or collector rights-of-way to protect public health, safety, and welfare.
- (b) Developments that embrace only one (1) side of an existing or planned arterial or collector right-of-way will only be required to dedicate and plat additional right-of-way for that portion of street with which the development has frontage. The City Engineer shall determine the necessary improvements to arterial or collector rights-of-way to protect public health, safety, and welfare.

(2) Street Stubs.

- (a) In new developments, the subdivider is required to terminate streets as stubs at the outer perimeter boundaries of the development based on the criteria below. If the street in question meets at least two (2) of the criteria, then the street must be built to an appropriate collector street standard:
 - (I) The street intersects directly with any street designated as an arterial street and provides access to an area with an overall density of ten (10) dwelling units per acre or provides access to more than one hundred fifty (150) dwelling units.
 - (II) The street by its general configuration, in relationship to the existing development of the area, serves any collector function.
 - (III) The street extends into an undeveloped area in such a manner as to serve any future collector function.
 - (IV) The street serves as the primary access to a significant nonresidential, institutional, or recreational land as well as an access to a residential area of twenty (20) or more acres.
- (b) Street stubs shall be clearly demarcated and identified for future street extension by street signage.
- (c) All stub streets shall conform to the City's adopted version of the International Fire Code.

(3) **Street Standard.** In new developments, new streets not identified on the INCOG Major Street and Highway Plan must be built to an appropriate collector street standard if they meet any of the following criteria:

- (a) The street intersects directly with an arterial street and provides access to an area with an overall density of ten (10) dwelling units per acre or provides access to more than one hundred fifty (150) dwelling units.
- (b) The street by its general configuration, in relationship to the existing development of the area, in effect serves a collector function.
- (c) The street extends into an undeveloped area in such a manner as to serve a future collector function.
- (d) The street serves as the primary access to a significant nonresidential, institutional, or recreational land, as well as an access to a residential area of twenty (20) or more acres.

(B) **Right-of-Way Widths.** The minimum right-of-way widths of proposed streets shall be as detailed in Table 16-8-5(B).

Table 16-8-5(B): Minimum Right-of-Way Widths	
Type of Street	Minimum Right-of-Way Widths
<i>Freeway or Expressway</i>	As required by the ODOT
<i>Primary Arterial</i>	120 feet
<i>Secondary Arterial</i>	100 feet
<i>Commercial (CBD) Collector</i>	80 feet
<i>Minor Industrial Street</i>	70 feet
<i>Residential Collector</i>	60 feet
<i>Minor Residential Street</i>	50 feet
<i>Minor Street Cul-de-sac Radius</i>	50 feet

(C) **Paving Widths.** The minimum paving widths from curb face shall be as detailed in Table 16-8-5(C).

Table 16-8-5(C): Minimum Paving Widths	
Type of Street	Minimum Paving Width
<i>Freeway or Expressway</i>	As required by the ODOT
<i>Primary Arterial</i>	6 12-foot lanes (72 feet)
<i>Secondary Arterial</i>	4 12-foot lanes (48 feet)
<i>Commercial (CBD) Collector</i>	2 12-foot lanes (24 feet) + parking if any
<i>Minor Industrial Street</i>	40 feet
<i>Residential Collector</i>	36 feet
<i>Minor Residential Street</i>	26 feet
<i>Service Street</i>	32 feet

(D) Private Street Entrance Requirements.

- (1) All private street entrances shall be on arterial or collector streets only.
- (2) All private street entrances (at the gate) shall have entrance and exit lanes, with lanes being at least fourteen (14) feet wide.
- (3) The call box shall be a minimum of three (3) car lengths (sixty [60] feet) from the ultimate curb of the adjacent arterial street.
- (4) All private street exits on arterial streets shall have two (2) lanes for outbound traffic and one (1) lane for inbound traffic.
- (5) Pedestrian access shall be provided near the main entrance and be shown on the site plan.
- (6) If private street entrances have a structure (or cover) over the driving lane, the vertical clearance shall be at least fourteen (14) feet.
- (7) Gates for gated communities shall be shown in the site plan and set back as follows.
 - (a) Forty (40) feet from the edge of the paving to the keypad.
 - (b) Forty (40) feet from the keypad to the gate.
- (8) Private streets intersecting with any public street shall have a turn-around before the gate entrance that provides thirty-eight (38) foot minimum from the entrance face of curb on the control panel island to the face of curb on the outside of the exit lane. The turn-around shall provide space between control panel-island and gate or gate-island for at least a full size passenger vehicle to make the turn-around in one fluid motion.
- (9) Access to all emergency and service delivery vehicles shall be guaranteed at all entrances by the homeowners association. These vehicles include, but are not limited to, the following agencies: Police, Fire, Ambulance, Street/Stormwater, Utilities and General Services, refuse pickup, mail delivery, municipal and county inspections (code) departments, other municipal and government agencies, utility companies (electric, gas, telephone, cable TV, water, sewer), etc. The Subdivider and the homeowners association shall provide insurance indemnification for any loss to any government vehicles.
- (10) All current security codes, passwords/numbers and devices necessary to allow instant access shall comply with the requirements set out by the City of Jenks public safety officials.

(E) Traffic Impact Analysis (TIA).

- (1) **Purpose.**
 - (a) TIAs are used to evaluate whether the scale of subdivision is appropriate for a particular site and what improvements may be necessary, on and off the site, to provide safe and efficient access and traffic flow. TIA is an essential part of the subdivision review process to assist subdividers and the City in making land use decisions involving subdivisions.
 - (b) As a specialized study that evaluates the effects of a subdivision's traffic on the surrounding transportation infrastructure, the TIA helps identify where the subdivision may have a significant impact on safety, traffic, and transportation operations, and provides a means for the subdivider and City to mitigate these impacts.
- (2) **Threshold.** A subdivider is required to provide a TIA and is responsible for all associated costs in the following instances:
 - (a) If the nature of the proposed subdivision is such that the number of trips it can be expected to generate equals or exceeds one hundred fifty (150) new peak hour trips, or

- (b) When the City Engineer determines:
 - (I) That traffic generated by the proposed subdivision will substantially impact an intersection or a roadway segment already identified as operating at a failing level of service (LOS),
 - (II) That traffic generated by the proposed subdivision may create a hazard to public safety, or
 - (III) That traffic generated by the proposed subdivision will substantially change the off-site transportation system or connections to it.

(F) **Vehicular Connectivity.**

(1) **General Street Layout.**

- (a) In general, streets should be designed and located so that they relate to the topography, preserve natural features such as streams and tree growth, and provide adequate public safety and convenience for motorists, cyclists, and pedestrians alike.
- (b) The proposed street layout shall also be coordinated with the existing street system of the surrounding area. Where a through street or a series of streets establishes a connection between two (2) public streets, such street shall be a public street.

(2) **Continuation of Adjoining Street Systems.** Vehicular connections from adjacent property (street stub-outs) must be utilized unless the City Planner or City Engineer deems the connection impractical due to topographic conditions, environmental constraints, property shape or property accessibility.

(3) **Border Streets.**

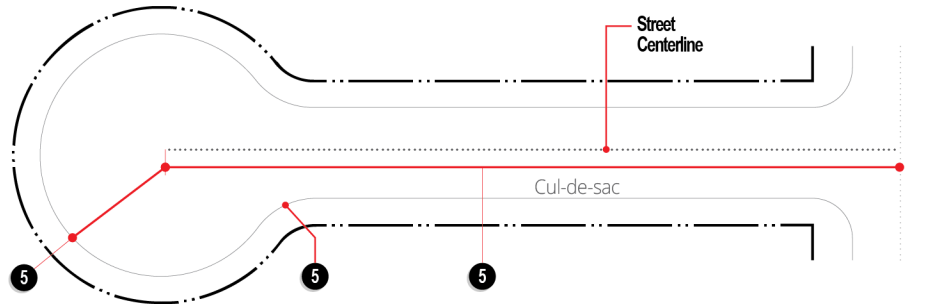
- (a) Where a plat borders or contains a railroad right-of-way, drainage way, open space area or limited access highway right-of-way, the City Council may require a service or access street parallel to and on each side of such right-of-way or areas.
- (b) Whenever a plat borders or contains an existing or proposed arterial street, the City Council may require service streets, deep lots or other treatment as may be necessary for adequate protection of residential properties and to separate through and local traffic.

(4) **Through Traffic.**

- (a) Minor streets shall be planned so as to discourage their use by non-local traffic.
- (b) Residential collector streets shall be planned so as to discourage their use by non-residential traffic.

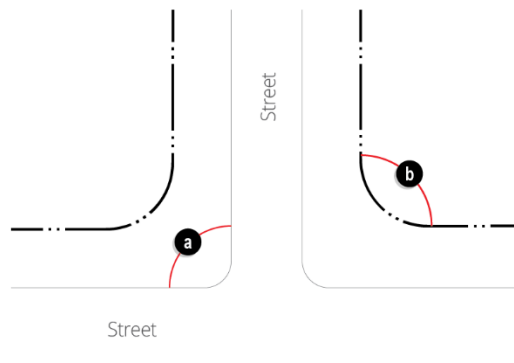
- (5) **Cul-de-sacs.** Cul-de-sacs shall not exceed five hundred (500) feet in length, measured from the entrance to the center of the turn-around, shall have a turn-around radius at the property line of not less than fifty (50) feet and shall have a curb radius of not less than forty (40) feet.

Figure 8.1: Cul-de-sacs



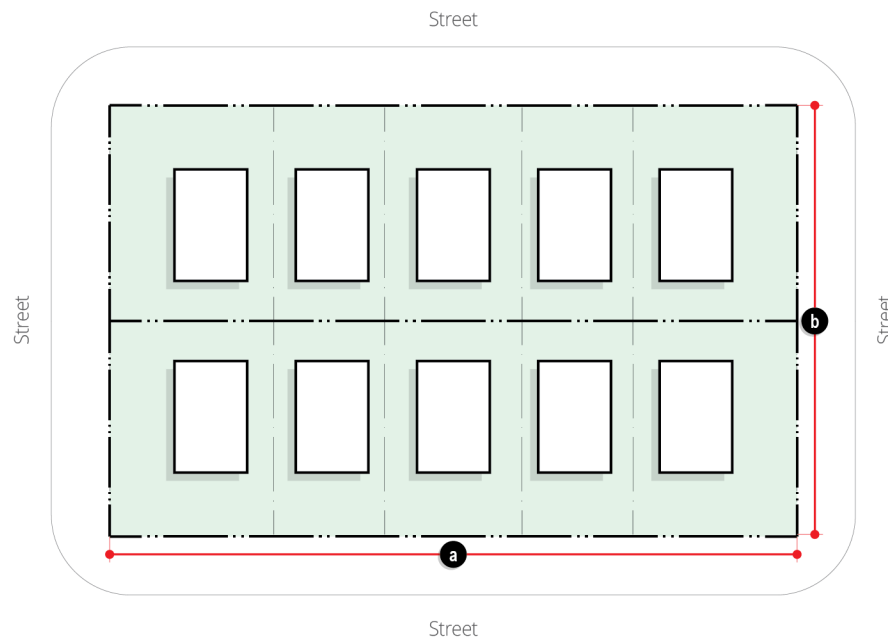
- (6) **Base Line.** The subdivider shall form a base line from which future surveys are to be made. The point or points where the base line may be found shall be distinguished on the plat or map.
- (7) **Intersections.**
- (a) Streets shall be designed to intersect at right angles.
 - (b) Property lines at minor street intersections shall be rounded with a minimum radius of twenty-five (25) feet. Property lines at street intersections involving major streets and highways shall be rounded with a minimum radius of thirty (30) feet.

Figure 8.2: Intersections



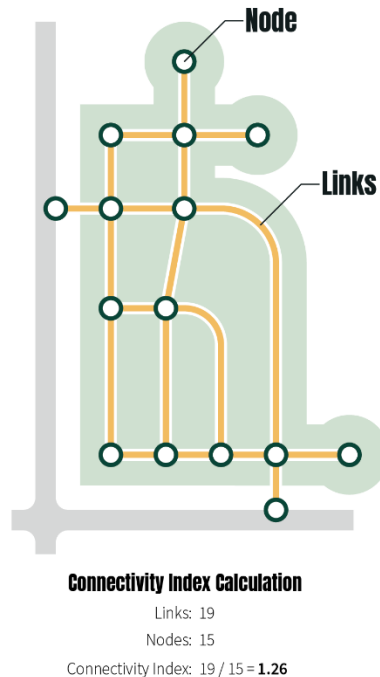
- (8) **Half Streets.** The dedication of half streets shall not be permitted.
- (9) **Dead End Streets.** Dead end streets shall not be permitted except where same will be eventually extended in adjacent unplatted areas. Such temporary dead-end streets shall terminate with a turn-around.
- (10) **Blocks.**
- (a) **Length.**
- (I) Blocks in residential subdivisions shall not exceed eight hundred (800) feet in length.
- (II) Blocks in nonresidential subdivisions shall not exceed one thousand three hundred twenty (1,320) feet in length.
- (b) **Width.** Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depth, except on the boundaries of a proposed subdivision, or where required to separate and discourage through traffic between residential subdivisions and nonresidential subdivisions.

Figure 8.3: Blocks



- (11) **Connectivity Index.** A connectivity index shall be used to determine the adequacy of street layout design. A connectivity index is calculated as the ratio of the number of street links (road sections between intersections) in the subdivision street layout divided by the number of street nodes (intersections and cul-de-sac heads). Streets within a subdivision shall have a minimum connectivity index measurement of one and two-tenths (1.2).

Figure 8.4: Connectivity Index Calculation



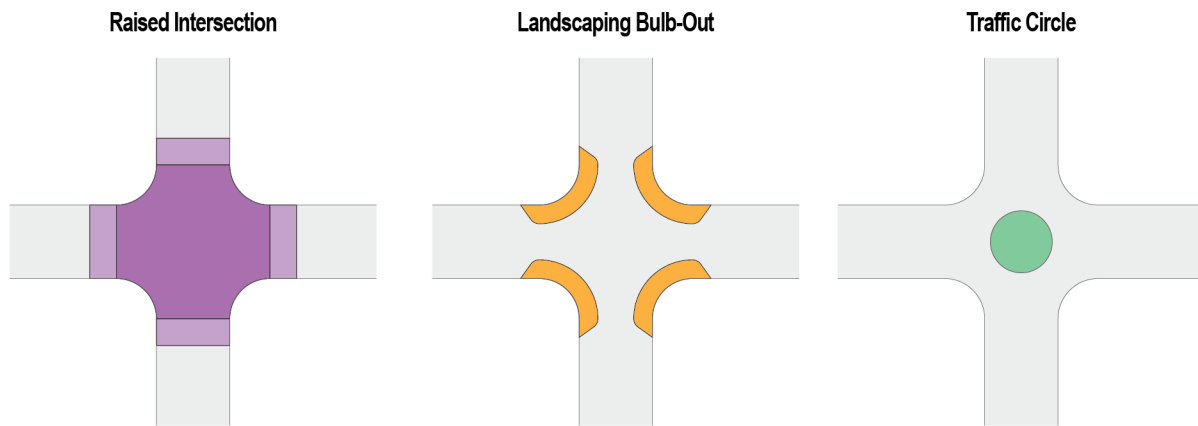
(G) Light Pole Layout.

- (1) Light poles shall be located within the dedicated right-of-way.
- (2) Each intersection shall have a light on one of the corners.
- (3) Mid-block light poles shall be located near the mid-point locations on blocks six hundred (600) to eight hundred (800) feet in length. For blocks nine hundred (900) feet or longer, light poles shall be located at a minimum distance of every three hundred (300) feet.
- (4) Cul-de-sac shall have a light pole if the street length is at least three hundred (300) feet.
- (5) A light pole layout plan for the subdivision shall comply with the above spacing requirements and be provided to the City Engineer for approval at least one (1) week in advance of a meeting with the Technical Advisory Committee, in which the plat will be reviewed.
- (6) Upon approval by the City Engineer, the City Engineer will submit the light pole layout plan to the appropriate electrical utility provider.

16-8-8. Street Design Standards

- (A) **Traffic Calming Devices.** The use of traffic calming devices such as raised intersections, landscaping bulb-outs, and traffic circles are encouraged as alternatives to conventional traffic control measures.

Figure 8.5: Traffic Calming Devices



- (B) **Street Markers and Traffic Control Signs.** All street markers and traffic control signs posted in accordance with the Manual of Uniform Traffic Control Devices shall be installed by the subdivider prior to the issuance of any certificates of occupancy for any building on that street.
- (C) **Sidewalk.**
- (a) A sidewalk with a minimum width of five (5) feet shall be required on both sides of all streets.
 - (b) If the parkway is utilized as a rain garden, the sidewalk shall be a minimum of three (3) inches higher than the height of the curb.
- (D) **Street Verge.** A street verge with a minimum width of five (5) feet shall be located between the back of curb and the sidewalk along both sides of all streets. Street verges shall be planted with turf grass or utilized as a rain garden.
- (E) **Landscape Strip.** A landscape strip with a minimum width of five (5) feet shall be located between the sidewalk and the property line along both sides of all streets. Landscape strips shall be planted with either street trees or utilized as a rain garden as detailed below.
- (1) **Street Trees.**
 - (a) A minimum of one (1) canopy tree shall be planted every forty (40) feet.
 - (b) Where overhead utility line conflicts are present, a minimum of one (1) understory tree shall be planted every twenty (20) feet.
 - (c) The spacing of street trees shall take into consideration local conditions and clear vision triangles.
 - (2) **Rain Garden.** Requirements for street trees may be waived if the landscape strip is designed as a rain garden as approved by the City Engineer.
- (F) **Utility Location.** Utilities shall be located in the street verge along both sides of all streets.

(G) On-Street Parking.

- (1) On-street parking shall be parallel.
- (2) On-street parking spaces shall have the following minimum dimensions:
 - (a) Width: Eight (8) feet.
 - (b) Length: Twenty-three (23) feet.
- (3) On-street parking spaces shall be delineated with striping with a minimum width of four (4) inches.
- (4) The surfacing material of on-street parking spaces shall be textured to visually delineate parking spaces from drive aisles.

(H) Medians.

- (1) Medians shall be improved with a mountable curb with a minimum height of nine (9) inches and a gutter with a minimum width of nine (9) inches.
- (2) Medians shall taper to a minimum of four (4) feet at intersections.
- (3) The minimum width of medians shall be as established per street type in Table 16-8-6(I).

Table 16-8-6(I): Minimum Median Width	
Type of Street	Minimum Median Width
<i>Freeway or Expressway</i>	As required by the ODOT
<i>Primary Arterial</i>	16 feet
<i>Secondary Arterial</i>	16 feet
<i>Commercial (CBD) Collector</i>	10 feet
<i>Minor Industrial Street</i>	10 feet
<i>Residential Collector</i>	8 feet
<i>Minor Residential Street</i>	n/a

(I) Median Landscaping.

- (1) Medians that are equal to or less than ten (10) feet wide shall be planted with a minimum of fifteen (15) shrubs or native grasses every fifty (50) linear feet.
- (2) Medians that are greater than ten (10) feet wide shall be planted with a minimum of one (1) canopy tree and fifteen (15) shrubs or native grasses every fifty (50) linear feet.

(J) Bicycle Facilities.

- (1) Bicycle lanes, with a minimum width of four (4) feet.
- (2) Shared bicycle and vehicle lanes and bike lanes shall be delineated in accordance with NACTO standards.

- (K) **Required Street Design Elements.** Required street design elements shall be as established per street type in Table 16-8-6 (L). A “•” indicates a required element. If options are provided for a street type, the City Engineer shall determine which option is required.

Table 16-8-8(K) Required Street Design Elements							
Type of Street	Required Street Design Element						
	Sidewalk	Street Verge	Landscape Strip	On-Street Parking	Median	Bicycle Lane	Shared Bicycle & Vehicle Lane
Freeway or Expressway	As required by the ODOT						
Primary Arterial	•	•	•		•	•	
Secondary Arterial	•	•	•		•	•	
Commercial (CBD) Collector Option 1	•	•	•	•			•
Commercial (CBD) Collector Option 2	•	•	•		•	•	
Minor Industrial Street Option 1	•	•	•	•			•
Minor Industrial Street Option 2	•	•	•		•	•	
Residential Collector Option 1	•	•	•	•			•
Residential Collector Option 2	•	•	•		•	•	
Minor Residential Street	•	•	•				

Figure 8.6: Primary Arterial Design Standards

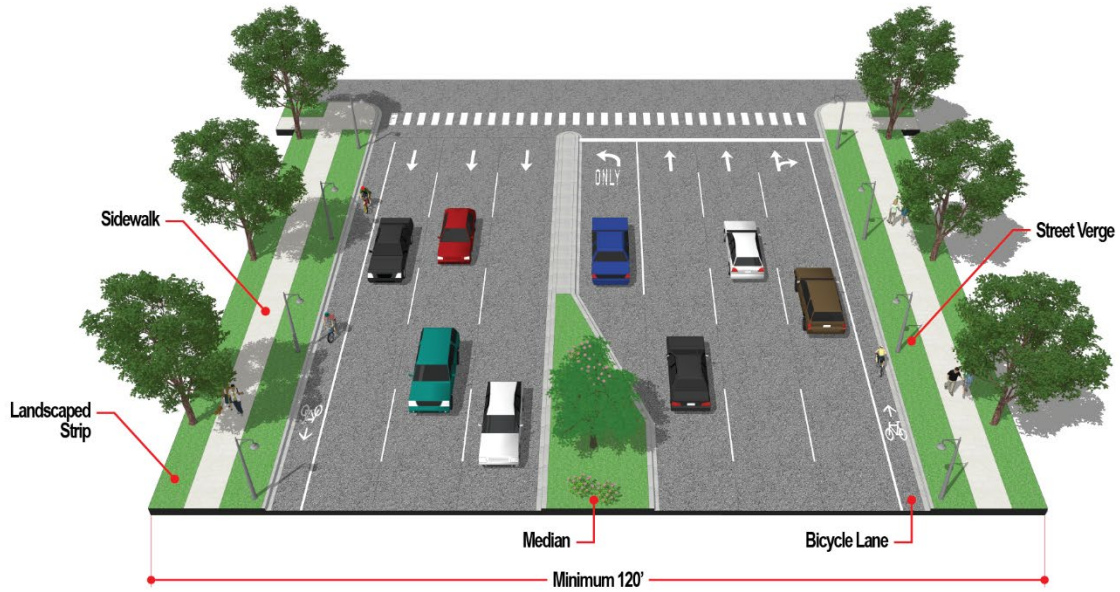


Figure 8.7: Secondary Arterial Design Standards

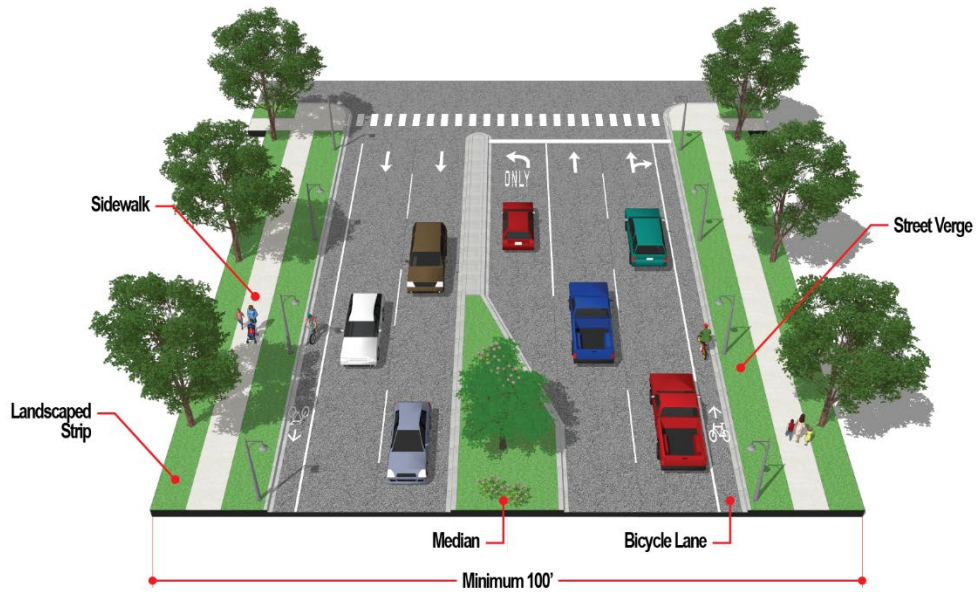


Figure 8.8: Commercial (CBD) Collector Option 1 Design Standards

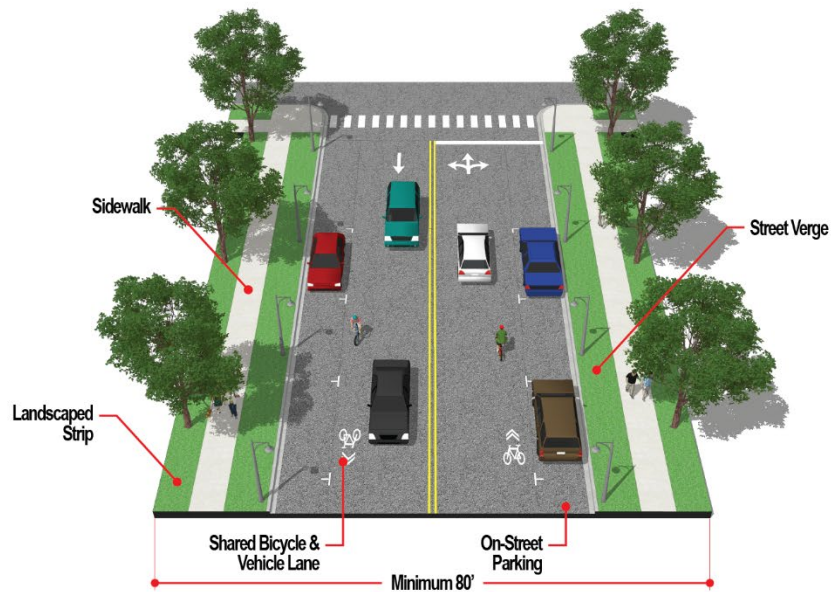


Figure 8.9: Commercial (CBD) Collector Option 2 Design Standards

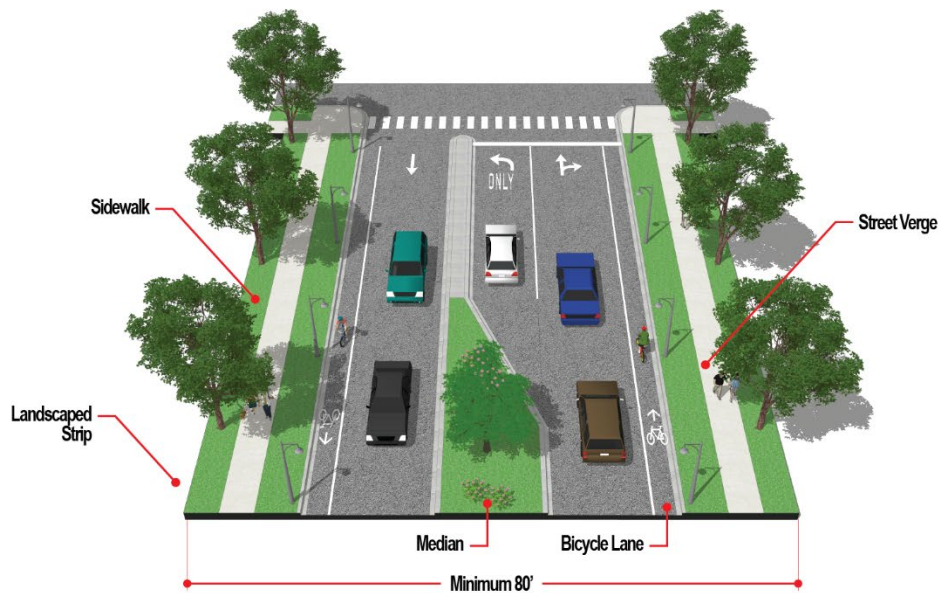


Figure 8.10: Minor Industrial Street Option 1 Design Standards

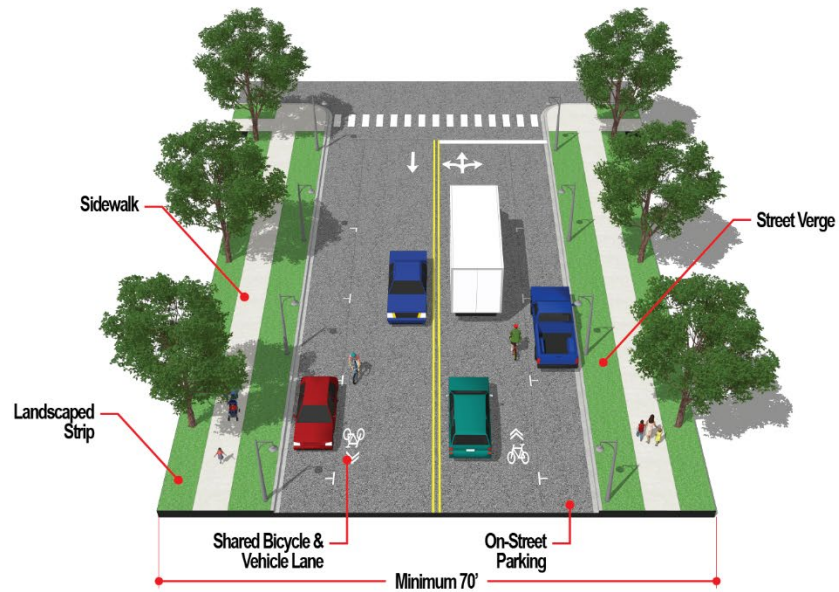


Figure 8.11: Minor Industrial Street Option 2 Design Standards

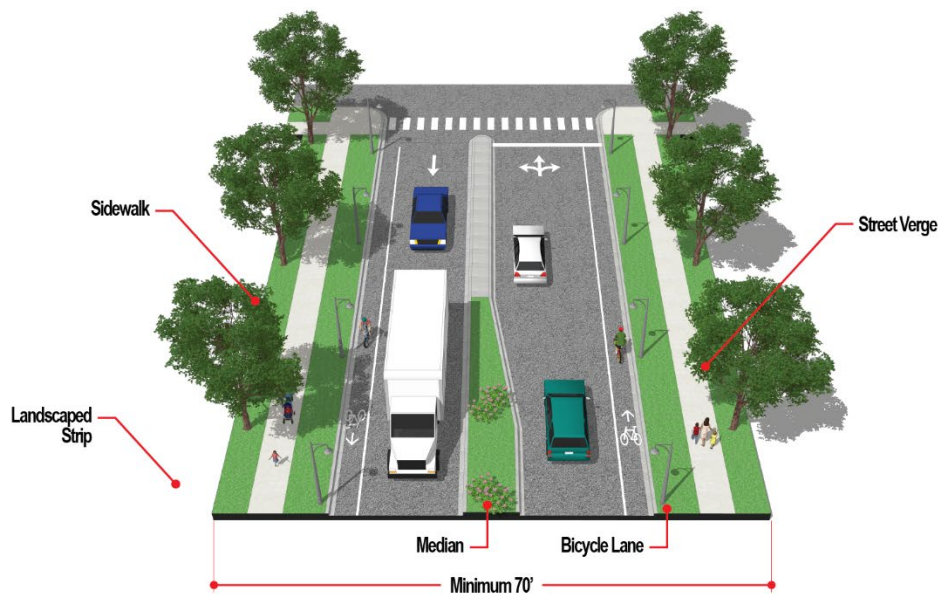


Figure 8.12: Residential Collector Option 1 Design Standards

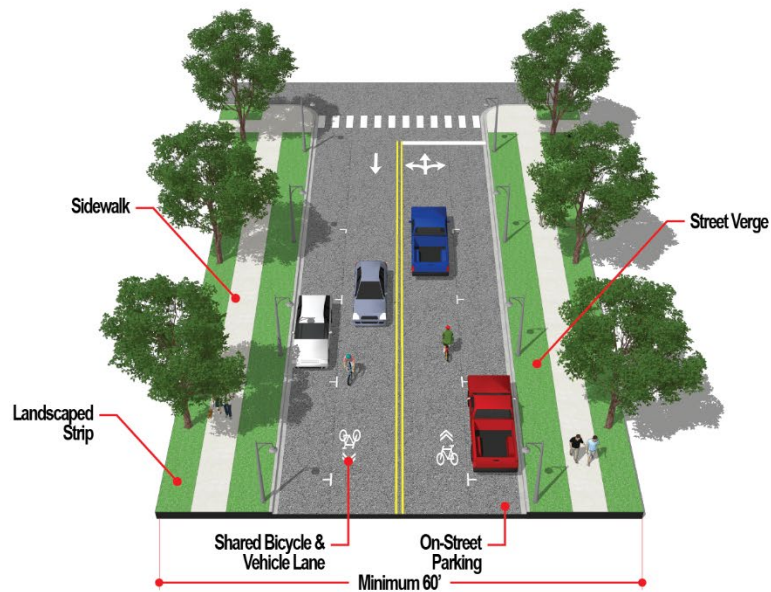


Figure 8.13: Residential Collector Option 2 Design Standards

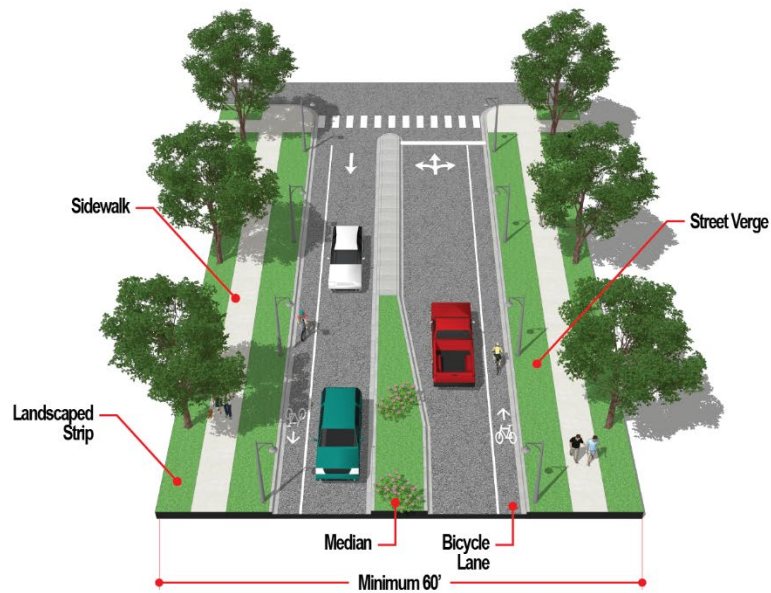
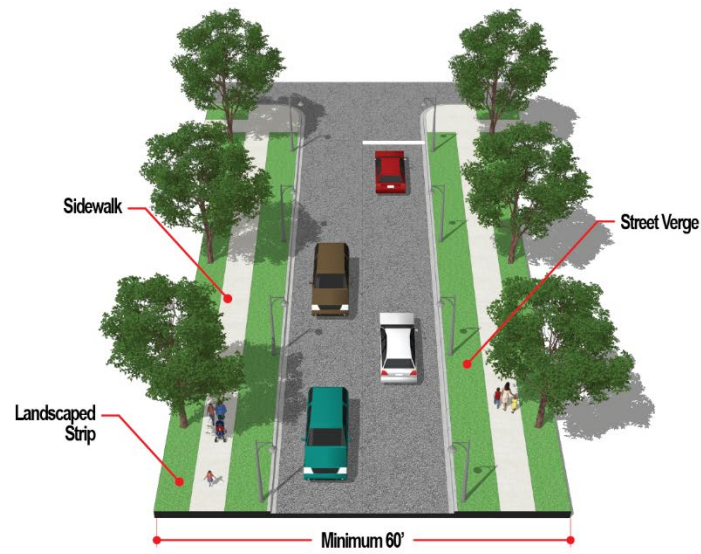


Figure 8.14: Minor Residential Street Design Standards



(L) **Alleys.**

- (1) **Commercial and Industrial.** Alleys may be required by City Council in commercial and industrial zoned properties to provide service access, off-street loading and unloading, parking and access for police and firefighting services. Alleys serving commercial and industrial zoned properties shall not be less than thirty (30) feet in width of right-of-way.
- (2) **Residential.** Alleys are encouraged in residentially zoned properties and when provided shall be not less than twenty (20) feet in width of right-of-way.
- (3) **Alignment.** Horizontal changes in alignment shall be gradual and at intersection corners shall have a radius of twenty (20) feet to permit safe vehicular turning movements.
- (4) **Dead End.** Dead end alleys shall be avoided where possible, but where unavoidable, as determined by the City Engineer and City of Jenks Public Safety, shall be provided with an adequate vehicle turn-around at the terminus as deemed appropriate by the City Engineer and City of Jenks Public Safety.
- (5) **Obstructions.** No obstructions shall be permitted in areas reserved for alleys.

(M) **Access.**

- (1) Each lot, tract, or parcel shall be provided with access to a public street, approved private street, or highway.
- (2) Non-access provisions controlling ingress and egress to streets may be required by City Council to assure traffic safety and to relieve congestion at intersections.
- (3) The minimum distance between access points are as specified in Table 16-8-6(N) unless otherwise approved by the City Engineer.

Table 16-8-6(N): Access Separation Requirements	
Type of Street	Minimum Distance Between Access Points
<i>Freeway or Expressway</i>	As limited by ODOT
<i>Primary Arterial</i>	600 feet
<i>Secondary Arterial</i>	300 feet
<i>Commercial (CBD) Collector</i>	No access limits
<i>Minor Industrial Street</i>	No access limits
<i>Residential Collector</i>	No access limits
<i>Minor Residential Street</i>	No access limits

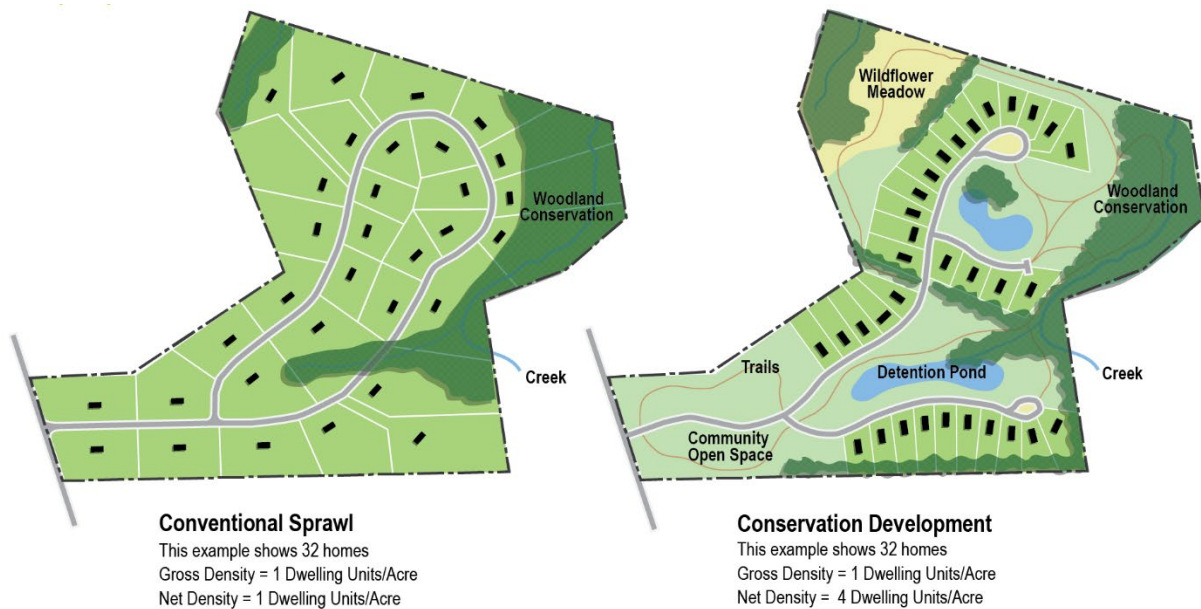
16-8-9. Cluster Development

Cluster development is allowed in residential subdivisions in the RS1, RS2, RS3, and RD districts to encourage and accommodate, in a unified project, creative and imaginative approaches to development that preserve sensitive natural areas.

- (A) **Resources to be Conserved.** To qualify for cluster development any land located in a special flood hazard area, as determined by the Federal Emergency Management Agency, shall be placed in a conservation easement.
- (B) **Maximum Density per Acre.** The gross density of a cluster development shall not exceed the maximum dwelling units per acre detailed in Table 16-8-7(B).

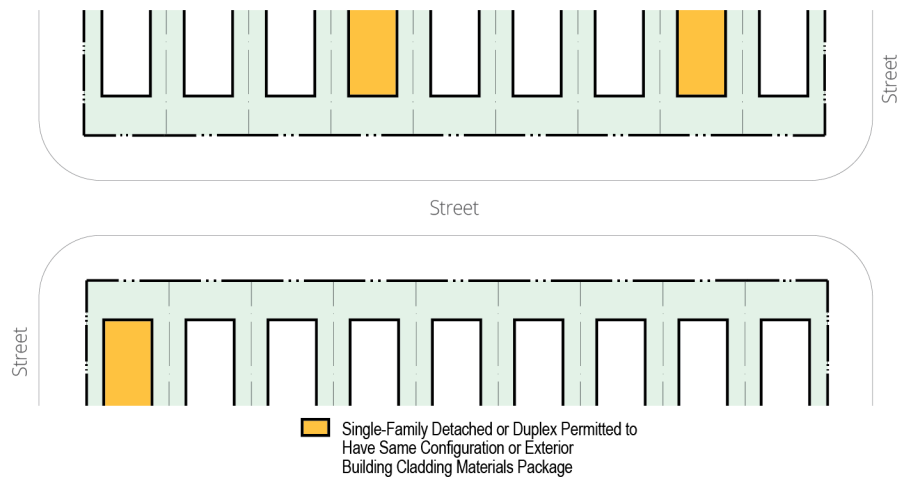
Table 16-8-7(B): Maximum Density per Acre	
District	Maximum Density
RS1	4.5 dwelling units/acre
RS2	5.5 dwelling units/acre
RS3	9 dwelling units/acre
RD	12 dwelling units/acre

- (C) **Maximum Dimensional Standards Reduction.** The dimensional standards established in Table 16-3-1(A) may be reduced by thirty (30) percent or by the cumulative total land area to be placed in a conservation easement, whichever is less.
- (D) **Density Bonus.** The maximum gross density per acre, per district may be exceeded by a maximum of thirty (30) percent if a minimum of one (1) of the following sensitive natural areas are placed in a conservation easement. The maximum allowed density bonus shall be as determined by the City Council and shall be directly tied to the amount of land area placed in a conservation easement.
- (1) Wetlands,
 - (2) Native landscapes,
 - (3) Mature tree stands,
 - (4) Prime farmland,
 - (5) Critical habitat, and/or
 - (6) Other as approved by the City Planner.

Figure 8.15: Cluster Development

16-8-10. Anti-Monotony Standards

No single family detached house or duplex in a residential subdivision in the RS1, RS2, RS3, or RD districts shall have the same configuration or exterior building cladding materials package, excluding roof materials, as any other single family detached house or duplex within three (3) houses on either of the subject property or on any of the five (5) single family detached houses or duplexes directly across the street from the subject property. These standards shall not supersede private covenants.

Figure 8.16: Anti-Monotony Standards

16-8-11. Parkland Provision

Residential subdivisions with a dwelling unit density greater than one (1) unit per acre shall be required to provide, improve, and privately maintain parkland or pay a fee in lieu to the City of Jenks in accordance with the standards established in this Section.

(A) **Private Parkland Provision.**

- (1) Five and one-half (5.5) acres of parkland shall be provided per every one thousand (1,000) persons projected to occupy the fully developed subdivision. To determine the number of persons projected to occupy the fully developed subdivision the subdivider shall submit a projected persons study based on occupancy data of similar housing types in subdivisions in communities approved by the City Planner.
- (2) Parkland shall be located outside of special flood hazard areas, wetlands, and areas of steep slope, and shall not be used for on site stormwater management or other utility functions. Parkland may be located within reserve areas as approved by the City Planner and City Engineer.
- (3) All areas to be reserved for private parkland shall be indicated on the preliminary plat in order that it may be determined that the requirements of this Subsection have been met.

(B) **Private Parkland Improvement.** Private parkland shall be graded, seeded, and improved with curb, gutter, sidewalks, and recreational equipment. The subdivider shall be required to spend a minimum of \$2,251 per acre on private parkland improvements.

(C) **Private Parkland Maintenance.** A homeowner's association or similar legal entity shall be established and responsible for the maintenance of the private parkland in perpetuity.

(D) **Fee in Lieu.** The City Council may require a subdivider to pay a fee in lieu of providing and improving parkland. The fee for the provision of parkland shall be calculated by multiplying the fair market value of land in the City of Jenks at the time of preliminary plat approval with the number of acres of required parkland dedication detailed in Subsection (A) above. The fee for the improvement of parkland shall be the per acre cost detailed in Subsection (B) above.

16-8-12. Easements

(A) **Types of Easements.**

(1) **Utility Easements.**

- (a) On individual lots, where alleys are not provided, City Council may require easements of a minimum width of eleven (11) feet along each rear lot line and of a minimum width of ten (10) feet along each side lot line as recommended by the Technical Advisory Committee for public and private utilities.
- (b) Easements of a minimum width of seventeen and one half (17.5) feet shall be required along the perimeter of a subdivision for public and private utilities.

(2) **Drainage Easements.** City Council may require drainage easements as recommended by the City Engineer. All drainage easements for facilities shall be of such dimensions so as to allow equipment access for construction and maintenance of the facility.

(3) **Fence Easement.** City Council may require easements of ten (10) feet along the perimeter of the fence, inclusive of any utility easement. The purpose shall be for the repair of subdivision perimeter fencing.

(4) **Sign Easement.** City Council may require an easement of an adequate size to accommodate the placement of a subdivision entry sign and any appurtenant components and to allow for the repair and maintenance of such features.

(5) **Landscape Easement.** City Council may require easements to accommodate landscape features. The width of the required easement shall depend on the transition zone type required depending on the adjacent land use as specified in Section 16-6-3(F)(3).

- (6) **Cross Access Easement.** City Council may require easements of an adequate width to accommodate vehicular cross access maneuvering lanes as specified in Section 16-6-1(D)(2).
- (7) **Conservation Easement.** City Council may require easements of an adequate size to accommodate natural resources to be conserved in cluster developments as specified in Section 16-8-7.
- (8) **Parkland Easement.** City Council may require easements of an adequate size to accommodate the parkland required per number of subdivision residents as specified in Section 16-8-9(A).
- (B) **Easement Closure.** City Council may by ordinance close to the public use any public way or easement whenever deemed necessary or expedient.
 - (1) **Procedure.**
 - (a) The City of Jenks shall give written notice of any proposed closing of a public way or easement to any holder of a franchise or others determined by the governing body to have a special right or privilege granted by ordinance or legislative enactment to use the public way or easement at least thirty (30) days prior to the passage of any ordinance providing for closing of a public way or easement.
 - (b) The City of Jenks shall retain the right to reopen the public way or easement without expense to the City. The public way or easement may be reopened under the following circumstances:
 - (I) Whenever City Council deems it necessary, or
 - (II) An application of the property owners owning more than one-half in area of the property abutting the public way or easement previously closed is filed with the governing body.
 - (c) Closing of the public way or easement shall not affect the right to maintain, repair, reconstruct, operate, or remove utility, public service corporation, or transmission company facilities of service therein, nor shall a closing affect private ways existing by operation of law unless released in writing executed by the owners thereof.
 - (2) **Easement Vacation.** Applicants should notify City in their application whether they intend to seek judicial vacation of the easement or public way. City Council may consent to an easement or public way vacation if there is no present or future reason to reopen or use the public way or easement as a public way or easement.
 - (a) Upon approval of the closure, the owner of any real estate to which any public way or easement, or any part thereof, has heretofore reverted or may hereafter revert by closing may commence an action to vacate the easement or public way in Tulsa County District Court pursuant to state statute.

16-8-13. Floodplain Areas and Flood Damage Prevention

- (A) **Floodplain Areas.** Areas identified by the Federal Emergency Management Agency as floodplains shall not be subdivided into lots, tracts, or parcels unless:
- (1) Improvements are made to the City Engineer's and Building Inspector's requirements to render such land safe for residential or other use.
 - (2) The intended use of the land is permitted by City ordinance or permitted by an approved Special Exception or Variance as outlined by this UDO.
- (B) **Flood Damage Prevention.** All subdivisions shall be designed to minimize flood losses and shall conform to the Flood Damage Prevention regulations contained in Section 16-6-8 of this UDO.
- (C) **Low Impact Development.** Some of the existing natural site features typically protected through the use of Low Impact Development (LID) techniques are wetlands, floodplains, forested areas, hillsides, riparian corridors and existing soils. There are a variety of LID design alternatives that allow professionals in the land development field the flexibility to implement LID stormwater design elements. The various LID practices can be used alone or in series to maximize benefits to the site. In most cases, some type of structural drainage systems will also be required to be implemented in conjunction with LID element.
- (1) **Objectives.** The objectives of this section are.
 - (a) To establish criteria by which an LID strategy can be measured and implemented through use of the criteria in the LID chapter of the Design Criteria Manual.
 - (b) To strive to maintain and restore natural rainwater absorption and infiltration processes,
 - (c) To strive to maintain pre-development hydrologic conditions,
 - (d) To filter pollutants from stormwater runoff thereby improving water quality and positively impacting the region's ponds, rivers, lakes, streams and groundwater,
 - (e) To reduce stormwater runoff intensity and velocity,
 - (f) To preserve riparian banks and beds, and reduce sedimentation that impairs water quality,
 - (g) To promote the widespread use of LID practices integrated with conventional stormwater engineering,
 - (h) To protect the safety and welfare of citizens, property owners, and businesses by minimizing the negative impacts of stormwater discharge from land development.
 - (2) **LID Principles.**
 - (a) Define and locate critical resource areas during the project planning stage, such as; wetlands, riparian zones and soils with infiltration capacities.
 - (b) Minimize impervious surfaces such as streets, driveways and parking areas.
 - (c) Minimize direct connection of impervious areas which convey runoff directly to wetlands or water courses.
 - (d) Attenuate stormwater flow through a diverse system of collection and infiltration.

(3) **Applicability.**

- (a) **Development Approval.** The Design Criteria Manual provides guidelines and criteria for implementing LID design principles for a development and contains maintenance requirements for LID elements. The standards and guidelines in the Design Criteria Manual shall apply in all cases where a subdivider chooses to utilize LID to obtain Administrative, Planning Commission or City Council approval for their project.
- (b) **Engineering Approval.** The City Engineer, or their designee, will administer this chapter and shall be responsible for final approval of all LID systems and structures. With the approval of the City Engineer, LID systems and structures may be implemented.

(4) **LID Site Design Strategies.**

- (a) **Definition.** For the purposes of this chapter Low Impact Development (LID) is a stormwater management strategy concerned with maintaining, restoring or replicating the natural hydrologic functions of a site, where possible, by employing a variety and combination of natural and built features that reduce the volume and velocity of stormwater runoff, filter out its pollutants, and facilitate the infiltration of water into the ground.
- (b) **Site Design Strategies.** Generally, site design strategies will address the arrangement of buildings, roads, parking areas, and other features, and the conveyance of stormwater runoff across the site. LID site design strategies are intended to complement the natural and built environment while minimizing the generation of runoff. Site design strategies should address some or all of the following considerations:
 - (I) Necessary grading and land disturbance should be designed to encourage sheet flow and lengthen stormwater flow paths.
 - (II) Natural drainage divides should be maintained to keep flow paths dispersed.
 - (III) Areas of impervious surfaces should be separated and stormwater should be conveyed across vegetated areas. This assists runoff filtration and encourages infiltration.
 - (IV) Distribute small-scale LID strategies across the development site in order to maximize benefits.
 - (V) To the maximum extent possible, treat pollutant loads where they are generated.
 - (VI) Preserve naturally vegetated areas and soil types that slow runoff, filter pollutants and facilitate infiltration.
 - (VII) LID systems and structures should be integrated into the natural and built landscape with attention to flow paths, infiltration areas and the use of appropriate native plant materials.
- (c) **Site Design Elements.** In addition to water quality impacts, LID site design elements when successfully implemented, perform three (3) necessary functions; filtration and infiltration, capture and re-use and reductions in impervious surfaces.

(5) **Maintenance of LID Systems and Structures.**

- (a) **Removal and Modification of LID Systems and Structures.** LID systems and structures may only be modified or removed with the approval of the City Engineer, who shall determine the LID system or structure does not function as a part of the stormwater management system. The applicant may be required to provide supporting data and calculations that justify the removal of the LID systems or structures.
- (b) **Exemptions from Maintenance Agreements and Inspections.** LID systems and structures that are not designed as part of a development and are instead utilized on a site by site basis (i.e., use of a rain barrel at a single family home, or individual rain gardens or filter strips on a site) shall not be required to submit a formal maintenance and inspection agreement, unless the function of the LID system or structure is found to be essential to accommodating the stormwater needs of the property or surrounding properties by the City Engineer.

16-8-14. Infrastructure Acceptance Requirements

(A) **Special Improvements.** The subdivider shall install or make the following improvements to subdivided land:

- (1) **Underground Mines.** The subdivider shall locate mines under a proposed subdivision and designate the location of the same on the subdivision plat. The location of the mines shall be based upon information and/or techniques which have been approved in advance by the City Engineer which are reasonably calculated to accurately locate mines and their depths.
 - (a) The City Engineer may recommend that the City Council prohibit the erection of structures over the mine locations if the mines cannot be collapsed and the material compacted to City Engineer specifications or if, because of the shallow depth of the mine or its size, the mine would have the potential for cave-in. Appropriate building setbacks may be required upon the lots. The City Engineer may require other conditions to be met by the subdivider, based upon the location of the mines and any subsurface investigation reports, which would assist in preventing cave-ins under areas upon which structures may be erected.
 - (b) The City Engineer may require that any streets or utility easements which may be dedicated to the City of Jenks or the public, either not be located over mines, or the mines collapsed and compacted to City Engineer Specifications, or additional bonding requirements imposed upon the subdivider to repair or reroute streets or utility easements in the event of cave-ins under the same.
 - (c) All mine entrances shall be sealed and closed to the specifications of the City Engineer.

(B) **Construction or Installation.** Following the approval of the construction plans by the City Engineer, the subdivider shall complete in a manner satisfactory with the City Engineer all required improvements and said improvements shall be free and clear of all liens, claims and encumbrances. No building construction shall be permitted on any lot to or on which improvements have not been completed in accordance with the provisions of these regulations and no municipal utility service will be furnished to such lot. In lieu of requiring the completion of all subdivision improvements before issuance of any building permits, the City Council, at its discretion, may accept surety from the subdivider whereby the subdivider shall guarantee to complete all improvements required by these regulations and other ordinances in a manner satisfactory to the City Engineer. To secure this surety, the subdivider shall provide, subject to the approval of the City Council, one of the following guarantees:

- (1) **Commercial Surety Performance and Payment Bond.** The subdivider shall be required to obtain a security bond from a surety bonding company authorized to do business in the state of Oklahoma. The bond shall be filed with the City Clerk and shall be payable to the City of Jenks. The amount of the Bond shall be a one hundred percent (100%) surety and sufficient to cover one and one-half (1.5) times the entire cost, as estimated by the subdivider and approved by the City Engineer, of installing all specified improvements. The duration of the bond shall be until such time as the improvements are accepted by the City in accordance with Section 16-8-12(C).
- (2) **Cash Escrow Account.** The subdivider shall deposit cash, or other instrument readily convertible into cash at face value, either with the City, or in escrow with a bank. The use of any instrument other than cash, and, in the case of an escrow account, the bank with which the funds are to be deposited, shall be subject to the approval of the City Council. The amount of the deposit shall be at least equal to one and one-half (1.5) time cost, as estimated by the subdivider and approved by the City Engineer, of installing all required improvements. The subdivider shall also file with the City Clerk an agreement between the financial bank and himself guaranteeing the following:
 - (a) That the funds of said escrow account shall be held in trust until released by the City Council when the obligation is complete, and may not be used or pledged by the subdivider as security in any other matter during that period; and,
 - (b) That in the case of a failure, as determined by the City Council, on the part of the subdivider to complete said improvements, then the bank shall immediately make the funds in said account available to the City for use in the completion of those improvements.

- (3) In those cases where improvement guarantees have been made under this section, the amount of the guarantee may be reduced in proportion to improvements completed and accepted by the City in compliance with Section 16-8-12(C). In no case, however, shall the guarantee be reduced to less than fifteen (15) percent of the original guaranteed amount.

(C) **Inspection and Certification.**

- (1) The City Engineer, or other knowledgeable official of the City of Jenks, shall inspect for defects the construction of the required improvements. Upon completion of the improvements, the City Engineer shall file with the City Council a statement either certifying that the improvements have been completed in accordance with the City of Jenks Design Criteria and Technical Specifications or that the improvements are defective, listing the defects.
- (2) Upon completion of the improvements, the subdivider and his engineer shall file with the City Council "as built construction plans" and a statement stipulating the following:
 - (a) That all required improvements are complete.
 - (b) That these improvements are in compliance with these regulations and the City of Jenks Design Criteria and Technical Specifications.
 - (c) That the subdivider knows of no defects in the improvements.
 - (d) That these improvements are free and clear of any encumbrance or lien (except development loans).
- (3) The City Council may, at its discretion, accept any portion of the required improvements, provided that all statements and agreements specified above have been received for that portion of the improvements and that "as built plans" have been submitted.
- (4) If any portion of the required improvements shall fail to be accepted for dedication as outlined above within the allocated time period (two (2) years from date of record plat approve), either for reasons of incompleteness or for reason of substandard construction, then the City Council shall take the following action: The Council shall declare whatever security has been pledged as a guarantee to be forfeited. Where the Council is not already in possession of said guarantee, it shall immediately take the actions necessary to obtain it. Upon receipt of these securities, the Council shall use them, or the proceeds from their sale, to finance the completion of subject improvements or the rebuilding of such improvements to the proper specifications. Any unused portion of these securities shall be returned to the subdivider, bonding company, or crediting institution, as is appropriate.

- (D) **Maintenance Bond.** Regardless of the guarantee chosen by the subdivider to secure the contract, prior to acceptance of required improvements by the City Council, the subdivider shall be required to obtain a maintenance bond from a surety bonding company authorized to do business in the state of Oklahoma. The bond shall be filed with the City Clerk and shall be payable to the City. The amount of the bond shall be equal to fifty (50) percent of the entire cost of materials for all water lines, sewer lines, paving, grading and drainage improvements. The duration of the maintenance bond shall be one (1) year from the date of acceptance of said improvements by City Council.

- (E) **Time Limit.** The required improvements shall be completed within two (2) years from the approval of the record plat by the City Council unless extended by the City Council for cause.

Article 9. Administrative Procedures

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16-9-1. General Application Provisions

- (A) **Authority to File Applications.** An application for Administrative Review and Action or Board/Commission Review and Action under this UDO must be filed by the record owner, purchaser under contract from the record owner with signature from that owner, or the duly authorized agent of the record owner.
- (B) **Application Fees.** Every application must be accompanied by a fee in such amount as established in the City of Jenks Master Fee Schedule. All costs associated with application review shall be the responsibility of the applicant.
- (C) **Application Requirements.** Applications for Administrative Review and Action or Board/Commission Review and Action shall include the information as is reasonably required by the City Planner.
- (D) **Incomplete Applications.** Applications that do not include the information required by the City Planner or that are not accompanied by required fees, will not be processed. No further processing of the application will occur until the deficiencies are corrected. Applications will be processed when determined to be complete.

16-9-2. Administrative Authorities

(A) City Planner.

- (1) The provisions of this chapter shall be administered and enforced by the City Planner or an authorized representative, who shall have the right to enter upon any premises for the purpose of making inspection of buildings or premises necessary to carry out his duties hereunder.
- (2) The Planning Commission shall supervise the official zoning map, and the City Planner shall keep the same up-to-date with all changes and amendments.

(B) Planning Commission.

- (1) **Creation and Membership.** A City Planning Commission is hereby created for this city. It shall consist of seven (7) appointive members, all of whom shall be electors of the city. The seven appointive members shall be nominated by the mayor and appointed by the council and serve for terms of three (3) years, the terms to end at 7:30 p.m. on the first Monday in May. 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 cause.
- (2) **Organization, Meetings, Officers and Employees.** The City Planning Commission shall elect a chairman, a vice-chairman, and a secretary, who shall serve until 7:30 p.m. on the first Monday of the next May after their appointment. The secretary need not be a member of the commission. The commission shall determine the time and place of its regular meetings; and the chairman, the mayor, or any three members may call special meetings of the commission. The commission may employ engineers, attorneys, clerks, and other help deemed necessary, subject to the approval of the council. Their salaries and compensation shall be fixed by the council, and shall be paid out of the city treasury as other salaries and compensation are paid. The necessary legal expenses shall be paid out of the city treasury as other legal expenses of the city government are paid.
- (3) **Powers and Duties.** The City Planning Commission shall have all the powers and duties prescribed for it by 11 O.S., § 45-101-104 and all other powers and duties now or hereafter prescribed by any other provision of state law.
- (4) **City Planning Commission to Have Power of a Zoning Commission.**
 - (a) The City Planning Commission heretofore created by this Code is hereby appointed the zoning commission of the city; and the city planning commission shall have the powers of a zoning commission as provided by state law. Whether exercising the powers of a planning commission or the powers of a zoning commission, it shall be legally one board, known as the City Planning Commission.
 - (b) Exercising the powers of a zoning commission, the City Planning Commission shall recommend the boundaries of the various zones and appropriate zoning regulations to be enforced therein.

(C) Board of Adjustment.

- (1) **Creation and Authority.** There is hereby created a Board of Adjustment consisting of five (5) members, each to be appointed for a term of three (3) years and removable for cause by the appointing authority, upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.
- (2) **Procedure.** The Board of Adjustment shall elect one (1) of its members as chairman, who shall serve for the duration of his term. The board shall appoint a secretary who may be an officer of the municipality. The board shall adopt rules in accordance with the provisions of this article. Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses by subpoena. The board shall keep the minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, 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 board and shall be a public record. All meetings of the board shall be open to the public.

(3) Appeal to District Court.

- (a) An appeal from any action, decision, ruling, judgment, or order of the Board of Adjustment may be taken by any person or persons, jointly or severally, or any taxpayer, or any officer, department, board or bureau of the city to the District Court by filing notice of appeal with the City Clerk and with the Board of Adjustment within sixty (60) days from the filing of the decision of the board, which notice shall specify the grounds of such appeal. Upon filing of the notice of appeal as herein provided, the said board shall transmit forthwith to the court clerk of the county the original or certified copy of all the papers constituting the record in the case, together with the order, decision or ruling of the board.
- (b) An appeal to the District Court from the Board of Adjustment stays all proceedings in furtherance of the action appealed from, unless the chairman of the Board of Adjustment, from which the appeal is taken, certified to the court clerk, after the notice of appeal shall have been filed, that by reason of the facts stated in the certificate a stay in his opinion would cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the District Court upon application or notice to the administrative officer in charge of the enforcement of the terms and provisions of the article, and upon notice to the chairman of the Board of Adjustment from which the appeal is taken, and, upon due cause being shown, the court may reverse or affirm, wholly or partly, or modify the decision brought up for review.

16-9-3. Administrative Review and Action

(A) **City Planner Authority.** The City Planner shall have the authority to receive applications and make determinations for the following administrative procedures:

- (1) Zoning Clearance Permit
- (2) Site Plan Review,
- (3) Conditional Use Permit,
- (4) Administrative Exception,
- (5) Sign Permit, and
- (6) Temporary Use Permit.

(B) Zoning Clearance Permit.

- (1) 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 City Planner or other designee of the City Manager.
- (2) An application for a Zoning Clearance Permit shall be accompanied by a legal description of the lot and plans, drawn to scale, showing the actual shape and dimension of the lot; the location, size and height of any buildings or structures to be erected or altered; the existing and intended use of each 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 UDO.
- (3) The City Planner shall act upon each application for a Zoning Clearance Permit after it is filed in compliance with the provisions herein. The City Planner shall return one copy of the plans and issue a Zoning Clearance Permit or notify the applicant, in writing, of said official's refusal to issue a permit setting forth the reasons therefore.
- (4) No Zoning Clearance Permit shall be issued until appropriate fees have been paid. Fees shall be in the amount set forth in the Master Fee Schedule.

(C) Site Plan Review.

- (1) **Purpose.** Site Plan Review is required prior to the review and issuance of an application for a building permit to certify compliance with all applicable provisions of this UDO. Site Plan Review shall be required for any development, other than single-family and two-family development, which meets one of the following criteria:
 - (a) New development, including the construction or placement of any new building(s) or expansion of any existing building, or
 - (b) Any development subject to off-street parking and loading requirements.
- (2) **Site Plan Submittal.**
 - (a) The site plan, including all information required by the City Planner, shall be submitted to the City Planner.
 - (b) Upon receipt of the application, the City Planner shall review the application to determine that all required information has been submitted and notify the applicant of completeness or deficiencies.
 - (c) Failure to cure the deficiencies within six (6) months from notification of such deficiencies shall be deemed abandonment of the application without further notice from the City.
- (3) **City Planner Action.**
 - (a) Upon determination of completeness, the application shall be reviewed by the City Planner to ensure the application conforms to the requirements of this UDO. Based upon their review, the City Planner shall approve or deny the Site Plan.
 - (b) If denied, the City Planner shall report the deficiencies to the applicant. The applicant shall have six (6) months from the date of notification of the deficiencies to correct the deficiencies; otherwise, the Site Plan will be considered abandoned without further notice from the City.
- (4) **Concurrent Applications.** A Conditional Use Permit, Specific Use Permit, or Variance application may be processed concurrently with the site plan.
- (5) **Expiration and Lapse of Approval.** The applicant shall have twelve (12) months from the date of a site plan approval to secure a building permit to carry out the proposed improvements. If a building permit has not been obtained within twelve (12) months of the date of approval, the approval shall expire. An extension of the time requirements may be requested in writing and granted by the City Planner for good cause shown by the applicant, provided a written request is filed with the City at least four (4) weeks prior to the respective deadline.

(D) Conditional Use Permit.

- (1) **Purpose.**
 - (a) In order to provide flexibility and to help diversify uses within a district, specified uses are permitted in certain districts subject to the granting of a Conditional Use Permit. Because of their unusual or special characteristics, Conditional Uses require review and evaluation so that they may be located properly with respect to their effects on surrounding properties. The review process set forth in this Section is intended to assure compatibility and harmonious development between Conditional Uses, surrounding properties, and the City at large.

- (b) Conditional Uses are permitted within the district where designated when they comply with specific conditions and limitations as set forth in this UDO to ensure that the location and operation of the Conditional Uses will be in accordance with the specific use criteria. The scope and elements of any Conditional Use may be limited or qualified by the conditions applicable to the specific property. A listed Conditional Use that cannot meet the specific conditions and limitations set forth in this UDO shall not be allowed under a Conditional Use permit.
- (2) **Pre-Application Conference.** The applicant for a Conditional Use permit is advised to meet with the City Planner prior to submitting an application to discuss the submittal requirements, review criteria, and review process.
- (3) **Conditional Use Permit Review Criteria.**
 - (a) **General Criteria.** The Conditional Use permit shall be approved upon a finding by the City Planner that the following general criteria have been met, to the extent they may be applicable:
 - (I) The proposed use will conform with or further the goals, objectives and strategies of the City's Comprehensive Plan,
 - (II) The site, building(s), and use meet all criteria specified for the use and all applicable regulations and development standards as specified in this UDO and for the district in which the use is located; however, nonconforming sites and/or buildings must be brought into conformance if required to do so pursuant to Article 10: Nonconformities, of this UDO,
 - (III) The proposed use will not substantially alter the basic character of the district in which it is located, or jeopardize the development or redevelopment potential of property within the district,
 - (IV) The proposed use will not have a significant adverse impact on the adjacent uses or properties, or result in hazardous conditions for pedestrians or vehicles within or in close proximity to the site,
 - (V) The proposed use will be adequately served with public utilities, services, and facilities and not impose an undue burden above and beyond those of the Permitted Uses of the district in which it is located, and
 - (VI) Potential negative impacts of the Conditional Use on the surrounding properties have been or may be mitigated through specific setbacks, architecture, screen walls, landscaping, site arrangement or other methods required in the permit as conditions and/or limitations of permit approval. The applicant shall satisfactorily address each of the following impacts:
 - (i) Traffic,
 - (ii) Activity levels,
 - (iii) Light,
 - (iv) Noise,
 - (v) Odor,
 - (vi) Building type, style and scale,
 - (vii) Hours of operation,
 - (viii) Dust, and
 - (ix) Stormwater management, drainage, and erosion control.
 - (VII) **Use-Specific Criteria.** In addition to the general criteria for review of a Conditional Use Permit listed above, certain uses, due to their unique characteristics, must also comply with the special provisions specific to those uses contained in Article 5. Use Specific Standards of this UDO.

(4) Conditional Use Permit Application Submittal.

- (a) The Conditional Use Permit application, including all information required by the City Planner, shall be submitted to the City Planner.
- (b) Upon receipt of the application, the City Planner shall review the application to determine that all required information has been submitted and notify the application of completeness or deficiencies.
- (c) Failure to cure the deficiencies within six (6) months from notification of such deficiencies shall be deemed abandonment of the application without further notice from the City.

(5) City Planner Action.

- (a) Upon the determination of completeness, the application shall be reviewed by the City Planner to ensure the application conforms to the criteria in Subsection 3 above. Based upon their review, the City Planner shall approve or deny the Conditional Use Permit application.
 - (b) If denied, the City Planner shall report the deficiencies to the applicant. The applicant shall have six (6) months from the date of notification of the deficiencies to correct the deficiencies; otherwise, the Conditional Use Permit application will be considered abandoned without further notice from the City.
- (6) Permit Transferability.** A Conditional Use Permit may be transferred to any other person to operate the same use on the same property and/or within the same building according to the same terms of the permit. A Conditional Use Permit may not be transferred to any other property or other building. The transfer of a Conditional Use Permit shall be in writing to the new owner or operator of the use, using a form provided or approved by the City Planner. Such transfer shall not be complete until a counterpart of the transfer document has been filed with the City Planner.
- (7) Termination.** A Conditional Use Permit shall automatically terminate without any further action by the City under the following circumstances:
- (a) The use for which the permit was granted has not been established at the approved location within a period of one (1) year from the date the permit was issued, or
 - (b) The use for which the permit was issued has been discontinued for a period of one (1) year or longer.

(E) Administrative Exception.

- (1) Purpose.** An Administrative Exception is an administrative process through which certain minor deviations from the requirements of this UDO may be approved by the City Planner. Administrative Exceptions are intended to allow a limited amount of flexibility in the siting and height of certain buildings and/or structures. The City Planner shall have the authority to grant or deny applications for Administrative Exceptions for such circumstances as this UDO allows subject to the requirements of this Section.

(2) Administrative Exceptions Considered.

- (a) An Administrative Exception to certain requirements of this UDO may be granted for the following exceptions:
 - (I) A maximum ten (10) percent reduction of the interior side and/or rear setback standard for a new principal or accessory building/structure, or an addition to an existing principal or accessory building/structure in any district,
 - (II) A maximum ten (10) percent increase of the height standard for a new principal or accessory building/structure in any district, and/or
 - (III) Other circumstances as detailed in this UDO.

- (b) Allow individual driveways for two or more adjoining residential parcels that take access from a collector or arterial street as defined by INCOG.
 - (c) An Administrative Exception shall not be granted for the approval of any use not otherwise allowed as a permitted, conditional, or specific use within the subject district.
 - (d) No Administrative Exception shall be considered where the standard setback is five (5) feet or less.
 - (e) In the case of a requested addition to a structure, no exception shall be considered where the existing structure does not meet the minimum standard setback.
- (3) **Administrative Exception Review Criteria.** The Administrative Exception shall be approved if the City Planner finds that the proposed exception:
- (a) Is consistent with the Comprehensive Plan,
 - (b) Is consistent with the purpose of the underlying district,
 - (c) Is consistent with adopted building and fire codes,
 - (d) Will not result in incompatible development,
 - (e) Will not result in adverse impacts unless adequately mitigated, and
 - (f) Is of a technical nature and is required to achieve at least one of the following:
 - (I) Compensate for an unusual condition,
 - (II) Eliminate a minor inadvertent failure to comply with this UDO, or
 - (III) To protect a sensitive resource or natural feature.
- (4) **Administrative Exception For Driveways Criteria.** For the approval of individual driveways for two or more adjoining residential parcels that take access from a collector or arterial street, the City planner shall find the exception:
- (I) Will generate substantially improved pedestrian and/or vehicular circulation on the subject properties.
 - (II) Will not substantially impede traffic flow or safety on the subject collector or arterial street.
- (5) **Pre-Application Conference.** The applicant for an Administrative Exception is required to meet with the City Planner prior to submitting an application to discuss the submittal requirements, review criteria, and review process.
- (6) **Administrative Exception Application Submittal.**
- (a) The Administrative Exception application, including all information required by the City Planner, shall be submitted to the City Planner.
 - (b) Upon receipt of the application, the City Planner shall review the application to determine that all required information has been submitted and notify the application of completeness or deficiencies.
 - (c) Failure to cure the deficiencies within six (6) months from notification of such deficiencies shall be deemed abandonment of the application without further notice from the City.
- (7) **City Planner Action.** Upon the determination of completeness, the application shall be reviewed by the City Planner to ensure the application conforms to the criteria in Subsection 3 above. Based upon their review, the City Planner shall approve or deny the Administrative Exception application in writing.

- (8) **Advancement To Variance.** The City Planner may advance any Administrative Exception application to a Variance in instances that, in the opinion of the City Planner, require public input and review by the Board of Adjustment to approve or deny. Any Administrative Exception advanced to a Variance by the City Planner shall follow the procedure in Section 16-9-9.
- (9) **Expiration.** If a building permit is not issued or a site plan is not approved within six (6) months of the approval of the Administrative Exception, the Administrative Exception shall be null and void.

(F) **Sign Permit.**

- (1) **Purpose.** A Sign Permit shall be required prior to the display, copy change, construction, erection, or alteration of a sign, and its structural components, on any property. All signs must comply with Article 7. Sign Standards, and the applicable sections of the building code as adopted by the City. All electrical installations associated with the erection and installation of a sign must be done in accordance with the adopted Building and Electrical Codes.
- (2) **Exemptions.** Signs exempt from a permit are listed in Section 16-7-4 of this UDO.
- (3) **Sign Permit Review Criteria.** To approve the issuance of a Sign Permit, the City Planner shall make an affirmative finding that all applicable provisions of this UDO, the Building Code, and all other City ordinances are met.
- (4) **Sign Permit Application Submittal.**
 - (a) The Sign Permit application, including all information required by the City Planner, shall be submitted to the City Planner.
 - (b) Upon receipt of the application, the City Planner shall review the application to determine that all required information has been submitted and notify the application of completeness or deficiencies.
 - (c) Failure to cure the deficiencies within six (6) months from notification of such deficiencies shall be deemed abandonment of the application without further notice from the City.
- (5) **City Planner Action.** Upon determination of completeness, the application shall be reviewed by the City Planner to ensure the application conforms to the criteria in Subsection 4 above. Based upon their review, the City Planner shall approve or deny the Sign Permit application in writing.
- (6) **Expiration and Lapse of Approval.** A Sign Permit shall become null and void, if work authorized under the permit has not been completed within six (6) months of the date of issuance.

(G) Temporary Use Permit.

- (1) **Purpose.** A Temporary Use Permit shall be required prior to the commencement of a Temporary Use identified in Table 16-3-4(B), Table 16-3-4(C), and/or Table 16-4-2(K).
- (2) **Temporary Use Permit Review Criteria.** To approve the issuance of Temporary Use Permit, the City Planner shall make an affirmative finding that the following criteria are met:
 - (a) **Land Use Compatibility.** The Temporary Use must be compatible with the purpose and intent of this UDO and the district in which it will be located. The Temporary Use shall not impair the normal, safe, and effective operation of a permanent use on the same site. The Temporary Use shall not endanger or be materially detrimental to the public health, safety, or welfare, or injurious to property or improvements in the immediate vicinity of the Temporary Use, given the nature of the activity, its location on the site, and its relationship to parking and access points.
 - (b) **Compliance with Other Regulations.** A building permit, life safety inspection, or temporary certificate of occupancy may be required before any structure used in conjunction with the Temporary Use is approved, constructed, or modified. All structures and the site as a whole shall meet all applicable building code, UDO, and fire code standards and shall be promptly removed upon the cessation of the use or event. Upon cessation of the use or event, the site shall be returned to its previous condition (including the removal of all trash, debris, signage, attention attracting devices, or other evidence of the special event or use).
 - (c) **Hours of Operation and Duration.** The duration and hours of operation of the Temporary Use shall be consistent with the intent of the event or use, and compatible with the surrounding land uses. The duration and hours of operation shall be established by the City Planner at the time of approval of the Temporary Use Permit.
 - (d) **Traffic Circulation.** The Temporary Use, as determined by the City Engineer, shall not cause undue traffic congestion or accident potential given anticipated attendance and the design of adjacent streets, intersections, and traffic controls.
 - (e) **Off-Street Parking.** Adequate off-street parking shall be provided for the Temporary Use, as determined by the City Planner, and it shall not create a parking shortage for any of the other existing uses on the site.
 - (f) **Public Conveniences and Litter Control.** Adequate on-site restroom facilities and on-site solid waste containers may be required. The applicant shall provide a written guarantee that all litter generated by the event or use shall be removed at no expense to the City.
 - (g) **Appearance and Nuisances.** The Temporary Use shall be compatible in intensity, appearance, and operation with surrounding land uses in the area, and shall not impair the usefulness, enjoyment, or value of adjacent property due to the generation of excessive noise, dust, smoke, glare, spillover lighting, or other forms of environmental or visual pollution.
 - (h) **Signs and Attention-Getting Devices.** The City Planner shall review all signage in conjunction with the issuance of the permit, although a Sign Permit is not required. The City Planner may approve the Temporary Use of attention-getting devices. The number and types of signs and attention-getting devices allowed shall be evaluated on the following criteria:
 - (I) Type and size of the proposed event or use,
 - (II) Safety considerations (sight distance setbacks, sidewalks in area, etc.),
 - (III) Lighting considerations (disturbance of nearby residents or adverse effects to traffic on adjacent streets),
 - (IV) Aesthetic concerns (appearance, illumination, number, and size of signs and attention-getting devices proposed).

- (i) **Other Conditions.** The City Planner may establish any additional conditions deemed necessary to ensure land use compatibility and to minimize potential adverse impacts on nearby uses, including, but not limited to, time and frequency of operation, temporary arrangements for parking and traffic circulation, requirements for screening/buffering, and guarantees for site restoration and cleanup following the Temporary Use. Conditions may include, but shall not be limited to:
 - (I) Modifications or restrictions to the hours of operation, duration of the event, size of the activity or other operational characteristics.
 - (II) If the permit applicant requests the City to provide extraordinary services or equipment or if the City Planner otherwise determines that extraordinary services (e.g., traffic control or security personnel) or equipment should be provided to protect the public health or safety, the applicant shall be required to pay to the City a fee sufficient to reimburse the City for the costs of these services if not provided by the applicant. This requirement shall not apply if the event or use has been anticipated in the budget process and sufficient funds have been included in the budget to cover the costs incurred.
- (3) **Temporary Use Permit Application Submittal.**
 - (a) The Temporary Use Permit application, including all information required by the City Planner, shall be submitted to the City Planner.
 - (b) Upon receipt of the application, the City Planner shall review the application to determine that all required information has been submitted and notify the application of completeness or deficiencies.
 - (c) Failure to cure the deficiencies within six (6) months from notification of such deficiencies shall be deemed abandonment of the application without further notice from the City.
- (4) **City Planner Action.** Upon determination of completeness, the application shall be reviewed by the City Planner to ensure the application conforms to the criteria in Subsection 2 above. Based upon their review, the City Planner shall approve or deny the Temporary Use Permit application in writing.

16-9-4. Board/Commission General Review and Action Procedures

- (A) **Summary of Board/Commission Review and Approval Procedures.** Table 16-9-3(A) summarizes the Board/Commission Review and Approval procedures and identifies the appropriate boards or commissions that serve as recommending or decision-making bodies.

Table 16-9-4(A): Summary of Board/Commission Review and Approval Procedures				
Petition Review Procedure		Planning Commission	City Council	Board of Adjustment
1	Special Excpetion Use Permit			D*
2	Specific Use Permit	R*	D	
3	Lot Split	D		
4	Minor Subdivision	D		
5	Major Subdivision	R	D	
6	Planned Unit Developments	R*	D	
7	Variance			D*
8	Floodplain Variance		D*	
9	Comprehensive Plan Future Land Use Map Amendment	R*	D	
10	Text Amendment	R*	D	
11	Map Amendment	R*	D	
12	Appeal of Administrative Determinations			D
13	Interpretation			D
Key:				
R = Recommendation				
D = Decision Making Body				
* = Public Notice Required				

(B) **Notice Requirements.**

- (1) **Cost of Notice.** All costs associated with published and written notice, as required by this UDO, shall be the responsibility of the applicant.
- (2) **Notice Content.**
 - (a) **Zoning Map Amendments.** Notices for Map Amendments shall require the following content:
 - (I) The date, time, and place of the scheduled public hearing,
 - (II) A legal description of the property involved in the application and the street address or the approximate location of the property,
 - (III) The present zoning district of the property involved,
 - (IV) A description of the nature, scope, and purpose of the application,
 - (V) A map of the area to be affected, indicating street names or numbers, streams, or other significant landmarks in the area,
 - (VI) The location and source of additional information on the application, and
 - (VII) Other information as deemed necessary by the City Planner.

(VIII) If the Map Amendment requested permits the use of treatment facilities, multiple family facilities, transitional living facilities, halfway houses and any housing or facility that may be used for medical or nonmedical detoxification as these terms are defined pursuant to Section 3-403 of Title 43A of the Oklahoma Statutes, the entity proposing the change in district regulation, restriction, or boundary 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 and shall be responsible for all costs incurred in mailing this notice.

(b) **Other Notices.** All other notices required under this UDO shall require the following content:

- (I) The date, time, and place of the scheduled public hearing,
- (II) A legal description of the property involved in the application and the street address or the approximate location of the property,
- (III) The present zoning district of the property involved,
- (IV) A description of the nature, scope, and purpose of the application,
- (V) The location and source of additional information on the application, and
- (VI) Other information as deemed necessary by the City Planner.

(3) **Notice Methods.**

- (a) **Published Notice.** When published notice is required, as detailed in Table 16-9-3(B)(4), the City Planner shall ensure that notice is published on the City's website and in a newspaper of general circulation in the City at least twenty (20) days before the date of the scheduled public hearing.
- (b) **Written Notice.** When written notice is required, as detailed in Table 16-9-3(B)(4), the City Planner shall provide notice by first class mail to all owners of record of the subject property and all owners of record within three hundred (300) feet of the boundaries of the subject property. The notice shall be deposited in the U.S. mail by the City Planner at least twenty (20) days before the scheduled public hearing. Ownership information shall be obtained from the records of the Tulsa County Assessor.
- (c) **Posted Notice.** When posted notice is required, as detailed in Table 16-9-3(B)(4), the City Planner shall post a sign on the subject property along the fronting street. If the subject property fronts two (2) or more streets, signs shall be posted along each frontage. The notice shall be posted by the City Planner at least twenty (20) days before the scheduled public hearing.

- (4) **Notice Methods by Board/Commission Review Procedure.** Table 16-9-3(B)(4) shows the required method for each type of required notice. City initiated map amendments shall require written and published notice only.

Table 16-9-3(B)(4): Notice Methods by Board/Commission Review and Action Procedure				
Petition Review Procedure		Published Notice	Written Notice	Posted Notice
1	Special Exception	•	•	•
2	Specific Use Permit	•	•	•
3	Planned Unit Development	•	•	•
4	Variance	•	•	•
5	Comprehensive Plan Future Land Use Map Amendment			•
6	Text Amendment	•		
7	Map Amendment	•	•	•
<i>Key:</i>				
• = Required Notice Method				

- (5) **Notice Issues.** Minor technical deviations from specified notice requirements shall not be deemed to impair notice where there is actual notice. When required written notices have been properly addressed and deposited in the mail, failure of a party to receive such notice shall not invalidate any subsequent action. In all cases, however, the requirements for the timing of the notice and for specifying the time, date, and place of a hearing and the general location of the subject property shall be strictly construed. If questions arise at the hearing regarding the adequacy of notice, the body hearing the matter shall make a finding regarding whether there was compliance with the notice requirements of this Article.

(C) General Application Requirements.**(1) Pre-Application Conference.**

- (a) A prospective applicant, prior to submitting an application, shall meet for a pre-application conference with the City Planner. The purpose of the conference is to help the applicant understand the Comprehensive Plan, UDO, standards by which the application will be evaluated, and the application requirements. The City Planner may waive the pre-application conference requirement for any application when the City Planner deems the pre-application conference not necessary.
- (b) After reviewing the review and approval process, the applicant may request a waiver of any application requirement which in the applicant's judgment should not apply to the proposed application. Such request shall be made in writing prior to the submission of the formal application documents.
- (c) All requests for waiver shall be reviewed by the City Planner. A final determination regarding the waiver shall be given to the prospective applicant following the decision.

(2) Application Submittal.

- (a) Applications shall be submitted to the City Planner.
- (b) Upon receipt of the application, the City Planner shall review the application to determine that all required information has been submitted and notify the applicant of completeness or deficiencies.
- (c) Failure to cure the deficiencies within six (6) months from notification of such deficiencies shall be deemed abandonment of the application without further notice from the City.

(3) City Planner Report.

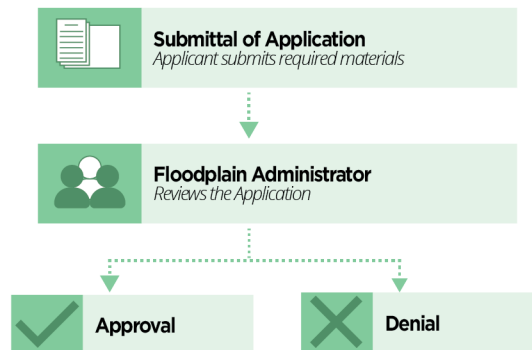
- (a) Upon the determination of completeness, the application shall be reviewed by the City Planner pursuant to the criteria set forth in this Article per application type.
- (b) The City Planner shall prepare and issue a report to the applicant identifying issues of concern to be addressed as well as a recommendation for approval, approval with conditions, or denial.
- (c) The City Planner shall forward their report to the applicant.

(4) Revised Application.

- (a) The applicant shall revise the application as necessary based on the issues of concern identified by the City Planner in their report.
- (b) The revised application shall be accompanied by a letter explaining how all of the issues of concern have been addressed and detailing any other changes that have been made to the application.
- (c) The applicant shall submit the revised application to the City Planner who shall review the revised application for the purpose of ensuring that all required information has been provided and that all issues of concern have been addressed. Once it is determined that all required information has been submitted and all issues of concern addressed, the application shall be referred to the next step in the process. If the City Planner determines that the required information and/or issues of concern have not been addressed, the City Planner shall notify the applicant of such deficiencies.
- (d) Failure to cure the deficiencies within six (6) months from notification of such deficiencies shall be deemed abandonment of the application without further notice from the City.

16-9-5. Floodplain Development Permit

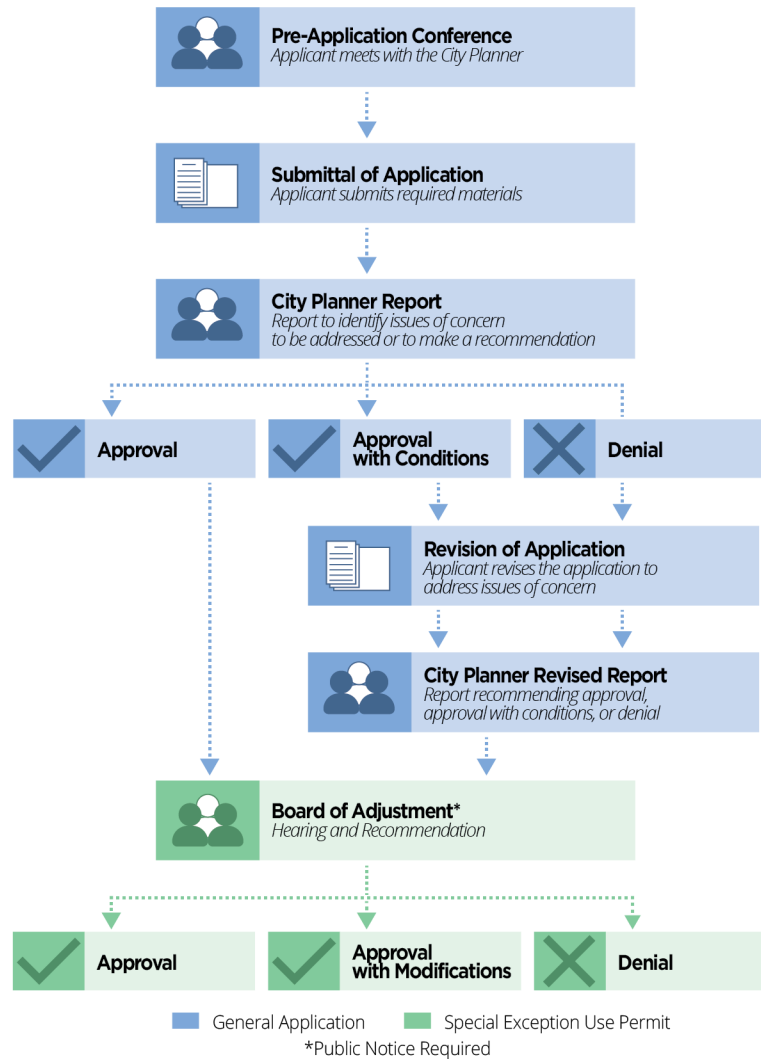
- (A) **Authority.** The City Engineer is hereby designated as the Floodplain Administrator. An application for a Floodplain Development Permit shall be presented to the Floodplain Administrator on forms furnished by the City. The Floodplain Administrator shall be responsible for approving or denying a Floodplain Development Permit application.
- (B) **Application Requirements.** The following information is required for any Floodplain Development Permit application:
- (1) A plan drawn to scale showing the location, dimensions, elevation, and location in relation to special flood hazard areas of:
 - (a) Proposed landscape alterations.
 - (b) Existing and proposed structures including manufactured homes.
 - (2) Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures,
 - (3) Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed;
 - (4) A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of Section 16-6-8(M)(2),
 - (5) Elevation certificate with all applicable information completed as required,
 - (6) Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development.
- (C) **Development Permit Review Criteria.** Approval or denial of a Floodplain Development Permit by the Floodplain Administrator shall be based on the following factors:
- (1) The risk of danger to life and property due to flooding or erosion damage,
 - (2) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner,
 - (3) The danger that materials may be swept onto other lands to the injury of others,
 - (4) The compatibility of the proposed use with existing and anticipated development,
 - (5) The safety of access to the property in times of flood for ordinary and emergency vehicles,
 - (6) The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems,
 - (7) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site,
 - (8) The necessity to the facility of a waterfront location, where applicable,
 - (9) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use, and
 - (10) The relationship of the proposed use to the comprehensive plan.

Figure 9.1: Floodplain Development Permit Process.

16-9-6. Special Exception

- (A) **Purpose.** 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 permits for Special Exception uses as designated in Sections 16-3-4 and 16-4-2.
- (B) **Special Exception Criteria.** The Board of Adjustment, upon application and after notice and public hearing may grant a Special Exception only upon finding that the application:
- (1) Will be in harmony with the spirit of the UDO and the governing zoning district.
 - (2) Will not be injurious to the neighborhood or otherwise detrimental to public welfare.
- (C) **Hearing and Recommendation by the Board of Adjustment.** The Board of Adjustment shall hold the public hearing and, upon the concurring vote of three (3) members, may grant the Special Exception. 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.
- (D) **Time Limitation on Special Exceptions.** A Special Exception which has been granted but not been utilized within two (2) years from the date of the order granting same shall 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.

Figure 9.2: Special Exception Process



16-9-7. Specific Use Permit

(A) Purpose.

- (1) Certain uses specified in Sections 16-3-4 and 16-4-2 are designated as Specific Uses because of the size of the land they require, their specialized nature, or because they may more intensely dominate the area in which they are located or generate effects on the general public that are broader in scope than other uses permitted in the district. 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.
- (2) The designation of a Specific Use Permit does not constitute an authorization or an assurance that such use will be permitted. Rather, each Specific Use Permit application shall be evaluated to determine its probable effect on the adjacent property and community welfare and may be approved or denied as the findings indicate appropriate.

(B) Specific Use Review Criteria.

- (1) No Specific Use permit shall be issued unless the City Council finds that the application:
 - (a) Is consistent with the City's Comprehensive Plan and other adopted policy documents.
 - (b) Complies with all requirements imposed by this Article including any applicable use-specific requirements in Article 5. Use-Specific Standards.
 - (c) Is consistent with the purposes of this UDO and the governing District, and
 - (d) Is compatible with surrounding land uses and the area where it will be located.
- (2) In considering an application for a Specific Use permit, the City Council shall consider and may impose modifications or conditions it deems necessary.
- (3) No Specific Use permit shall be issued unless the use-specific standards as applicable, established in Article 5. Use-Specific Standards of this UDO have also been complied with in addition to the findings required in paragraph (1) of this Subsection.

(C) Hearing and Recommendation by the Planning Commission.

The Planning Commission shall hold a public hearing on the proposed Specific Use permit, and, at the close of the public hearing and after consideration of the City planner report and public comment, make a recommendation to the City Council to approve, approve with modifications, or deny the Specific Use permit based on the applicable review criteria. The Planning Commission shall transmit a report containing its recommendation to approve, approve with modifications, or deny the Specific Use permit to the City Council.

(D) Action by City Council.

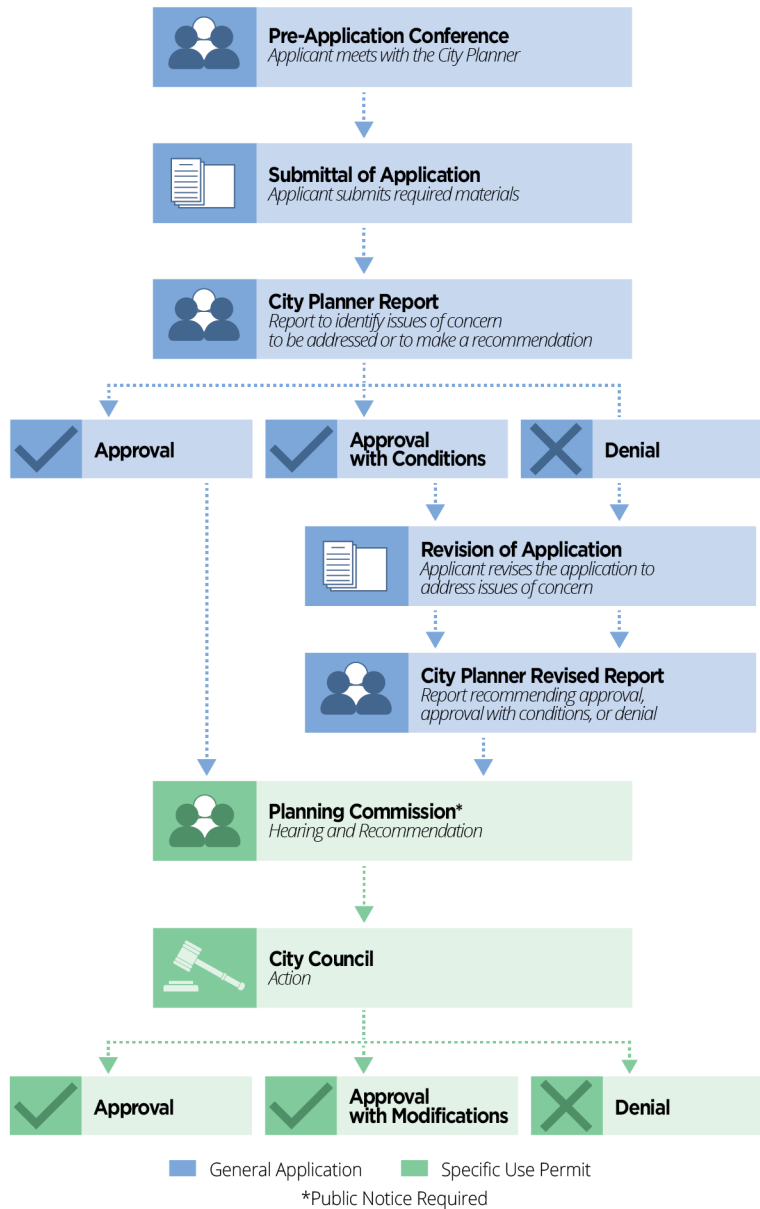
The City Council shall consider the Planning Commission's recommendation, the City planner report, and the applicable review criteria and shall approve, approve with modifications, or deny the Specific Use permit.

(E) No Oil or Gas Related Wells Drilled After Granting of Specific Use Permit.

- (1) 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 City Council unless the previous Specific Use permit was oil or gas well related.
- (2) Drilling operations for oil and gas require additional permits as specified under Chapter 5, Article 7, sections 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.

- (F) **Time Limits for Interpretation.** If for any reason the approved specific use ceases operation for a period of two (2) 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 (2) years of approval. This voiding of approval shall not apply if orderly progress toward completion of construction is taking place.
- (G) **Amendments to Approved Specific Use Permits.**
- (1) **Determination of Level of Change.** Upon receiving a Specific Use permit amendment application, the City Planner shall determine whether the amendment is a minor amendment or a major amendment based on the criteria detailed in Section 16-9-7(G)(2) and Section 16-9-7(G)(3) below.
 - (2) **Major Amendment.** A major amendment is any proposed change to an approved Specific Use Permit that results in one or more of the following:
 - (a) Increase in the intensity of the site's use,
 - (b) Additional noise, glare, odor, or other impacts that are detectable from off-site
 - (c) Affects the subject property in a manner that inhibits its continued use or reuse, or
 - (d) Results in a change inconsistent with any standards or conditions imposed by the City Council in approving the Specific Use Permit, as determined by the City Planner
 - (3) **Minor Amendment.** A minor amendment is any proposed change to an approved Specific Use Permit that is consistent with the standards and conditions upon which the Specific Use Permit was approved, which does not alter the concept or intent of the Specific Use Permit, and is not considered a major amendment as detailed in Section 16-9-7(G)(2)
 - (4) **Approval Process.** A major amendment to an approved Specific Use permit shall follow the procedure for a Specific Use permit approval set in section 16-9-7(C) and (D). A minor amendment to an approved Specific Use permit may be approved by the Planning Commission.

Figure 9.3: Specific Use Permit Process



16-9-8. Planned Unit Development

(A) **Purpose.** In order to establish an alternate zoning procedure under which land can be developed or redeveloped with innovation, imagination, and creative architectural design when sufficiently justified under the provisions of this UDO, the Planned Unit Development process is established. The objective of the Planned Unit Development process is to encourage a higher level of design and amenity than is possible to achieve under otherwise applicable UDO regulations. The end result can be a product which fulfills the objectives of the Comprehensive Plan and planning policies of the City while departing from the strict application of the regulations as detailed in this UDO. The Planned Unit Development process is intended to permit and encourage such flexibility and to accomplish the following purposes:

- (1) To stimulate creative approaches to the commercial, residential, and mixed-use development of land,
- (2) To provide more efficient use of land,
- (3) To preserve natural features and provide open space areas and recreation areas in excess of that required under conventional zoning regulations,
- (4) To develop new approaches to the living environment through variety in type, design, and layout of buildings, transportation systems, and public facilities,
- (5) To unify building and structures through design,
- (6) To promote long-term planning pursuant to the City of Jenks' Comprehensive Plan, which will allow harmonious and compatible land uses or combinations of uses with surrounding areas.

(B) **General Provisions.**

- (1) Any residential development greater than twenty (20) acres shall be approved as a Planned Unit Development.
- (2) Developments including only single-family detached residential uses, may not be approved as a Planned Unit Development.
- (3) Each Planned Unit Development should be presented and judged on its own merits. It shall not be sufficient to base justification for approval of a Planned Unit Development solely upon an already existing Planned Unit Development.
- (4) The burden of providing evidence and persuasion that any planned unit development is necessary and desirable shall rest with the applicant.
- (5) The planned unit development application shall specify the rules by which the parcel or parcels shall be developed and the site plan that specifies the development proposed.

(C) **Site Development Allowances and Modification Standards.**

(1) **Site Development Allowances.**

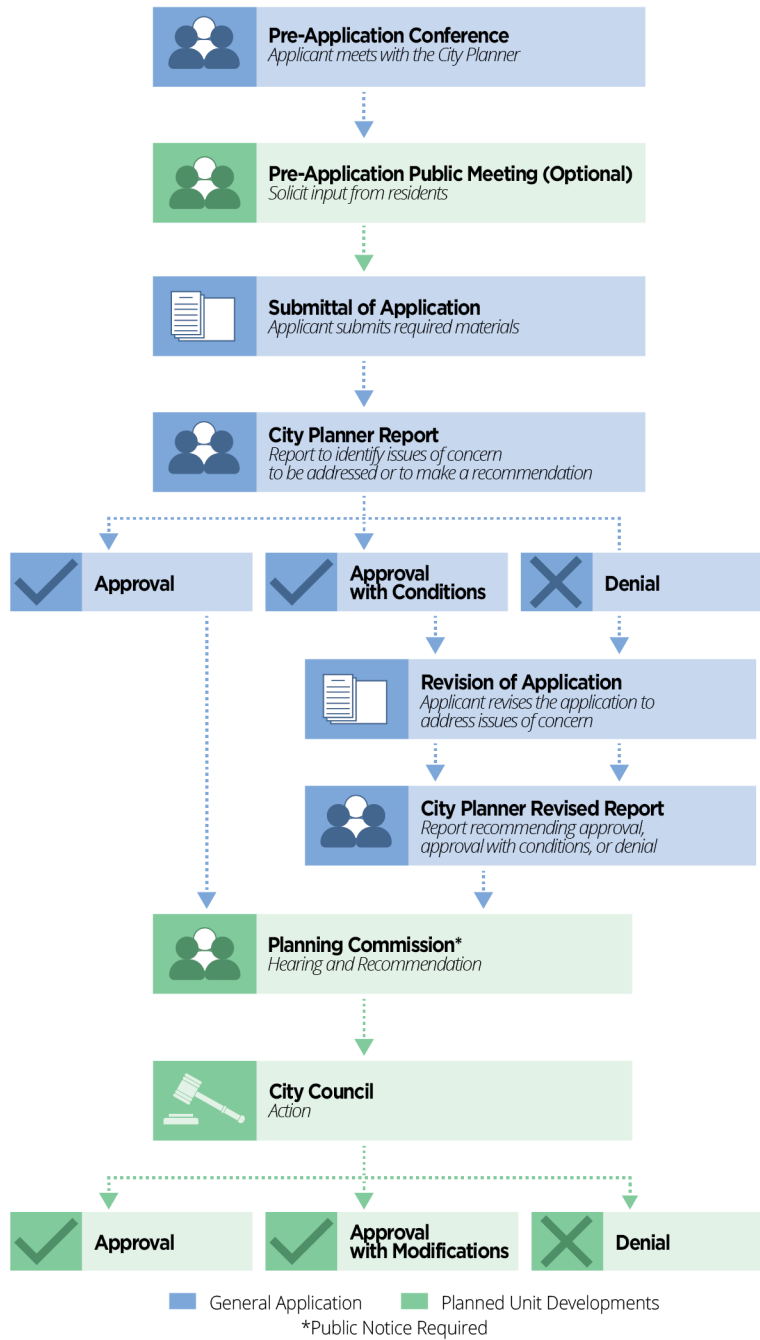
- (a) Site development allowances are deviations from the standards of the underlying zoning district set forth outside of this Article.
- (b) Notwithstanding any limitations on variations which can be approved as contained elsewhere in this UDO, site development allowances may be approved provided the applicant specifically identifies each site development allowance on the approved site plan and demonstrates how each site development allowance would be compatible with surrounding development; is necessary for proper development of the site; and is aligned with a minimum of one (1) of the modification standards detailed in Section 16-9-7(C)(2) below.

- (2) **Modification Standards.** In addition to the Standards for Review established in Section 16-9-7(D), the following modification standards shall be utilized in the consideration of site development allowances. These standards shall not be regarded as inflexible but shall be used as a framework by the City to evaluate the quality of amenities, benefits to the community, and design and desirability of the proposal.
- (a) **Public Gathering Space.** The Planned Unit Development includes public gathering space, the amount of which is proportional to the size of buildings or number of dwelling units. The public gathering space is activated through the use of moveable tables and chairs, a fountain or other water feature, a sculpture or other public art feature, benches, seat walls, raised landscape planters, pedestrian scale, and celebratory lighting such as string or Tivoli lights, and/or other features. The public gathering space is integrated into the overall design of the Planned Unit Development and has a direct functional or visual relationship to the main building(s) and is not of an isolated or leftover character.
 - (b) **Sustainable Design.** The Planned Unit Development is designed with consideration given to various methods of site design and building location, architectural design of individual buildings, and landscaping design capable of reducing energy consumption and improving onsite stormwater management.
 - (c) **Landscape Conservation and Visual Enhancement.** The Planned Unit Development preserves and enhances existing landscape, trees, and natural features such as rivers, streams, ponds, groves, and landforms.
 - (d) **Mix of Uses.** The Planned Unit Development is comprised of a mix of nonresidential uses and a mix of housing types.
 - (e) **Affordability.** The Planned Unit Development includes residential dwellings that are deed restricted for households that make less than or equal to eighty (80) percent of the area median income.
 - (f) **Universal Design.** the Planned Unit Development includes buildings designed with accessible features such as level access from the street and/or zero entry thresholds.
 - (g) **High Quality Building Materials.** The Planned Unit Development utilizes time and weather tested building materials that are of a higher quality than what is otherwise required by this UDO, including but not limited to masonry or wood.
- (D) **Standards for Review.** Approval of development through the use of the Planned Unit Development process will be considered by the City only in direct response to the accrual of tangible benefits from the Planned Unit Development to the City or the neighborhood in which it would be located. These benefits shall be in the form of exceptional amenities; outstanding environmental, landscape, architectural, and/or site design; or the conservation of special man-made or natural features of the site. Modifications to the conventional zoning and subdivision regulations shall be considered a privilege except when encouraged by the modification standards in Section 16-9-7(C)(2). No application for a Planned Unit Development shall be approved unless the City Council finds that the application meets all of the following standards:
- (1) **Comprehensive Plan Alignment.** The Planned Unit Development is consistent with the goals, objectives, and policies set forth in the Comprehensive Plan and other adopted plans and policy documents of the City.
 - (2) **Placemaking.** The Planned Unit Development has a distinctive identity and brand that is utilized in the signs, streetscape, architecture, public gathering spaces, open spaces.
 - (3) **Integrated Design with Identifiable Centers and Edges.** The Planned Unit Development shall be laid out and developed as a unit in accordance with an integrated overall design, in which the various land uses included function as a cohesive whole and support one another. The design shall provide identifiable centers, which form focus areas of activity in the development, and edges, which define the outer borders of the development, through the harmonious grouping of buildings, uses, facilities, public gathering spaces, and open space.

- (4) **Public Welfare.** The Planned Unit Development is designed, located, and proposed to be operated and maintained so that it will not impair an adequate supply of light and air to adjacent property and will not substantially increase the danger of fire or otherwise endanger the public health, safety, and welfare.
 - (5) **Compatibility with Adjacent Land Uses.** The Planned Unit Development includes uses which are generally compatible and consistent with the uses of adjacent parcels. If the uses are not generally compatible, all adverse impacts have been mitigated through screening, landscaping, public open space, and other buffering features that protect uses within the development and surrounding properties.
 - (6) **Impact on Public Facilities and Resources.** The Planned Unit Development is designed so that adequate utilities, road access, drainage, and other necessary facilities will be provided to serve it. The planned unit development shall include such impact fees as may be reasonably determined by the City Council or the City Engineer. These required impact fees shall be calculated in reasonable proportion to impact of the planned development on public facilities and infrastructure.
 - (7) **Archaeological, Historical or Cultural Impact.** The Planned Unit Development does not substantially adversely impact an archaeological, historical, or cultural resource, included on the local, state, or federal register, located on or off the parcel(s) proposed for development.
 - (8) **Drives, Parking and Circulation.** The Planned Unit Development has or makes adequate provision to provide necessary parking. Principal vehicular access is from dedicated public streets, and access points shall be designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular or pedestrian traffic. With respect to vehicular and pedestrian circulation (including walkways, interior drives, and parking), special attention has been given to the location and number of access points to public streets, the width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, adequate provision for service by emergency vehicles, and arrangement of parking areas that are safe, convenient, and do not detract from the design of proposed buildings and structures and the neighboring properties. Access points are limited through the use of cross access connections.
- (E) **Pre-Application Public Meeting.** The applicant, after conducting the required pre-application conference, as detailed in Section 16-9-3(C)(1), and prior to application submittal, as detailed in Section 16-9-3(C)(2), is encouraged to conduct a public meeting to discuss the proposed Planned Unit Development and its impact on adjoining properties and area residents. If held, the applicant is encouraged to submit a written summary of comments made at the meeting with the application.
- (F) **Hearing and Recommendation by the Planning Commission.** The Planning Commission shall hold a public hearing on the proposed Planned Unit Development, and, at the close of the public hearing and after consideration of the City planner report and public comment, make a recommendation to the City Council to approve, approve with modifications, or deny the Planned Unit Development based on the applicable review criteria. The City Planner, on behalf of the Planning Commission, shall transmit a report containing its recommendation to approve, approve with modifications, or deny the amendment to the City Council.
- (G) **Action by the City Council.** The City Council shall hear the proposed Planned Unit Development, and, at the close of the meeting and after consideration of the recommendation of the Planning Commission, City Planner Report, and public comment either:
- (1) Approve the application,
 - (2) Approve the application with modifications,
 - (3) Deny the application,
 - (4) Refer the application back to the Planning Commission for further review, or

- (5) Postpone further consideration pending the submittal of additional information, including any application requirement previously waived.
- (H) **Zoning Map Amendment.** Upon approval of the Planned Unit Development by the City Council, the zoning map shall be amended to reflect the PUD Overlay.
- (I) **Additional Application Requirements.** A Planned Unit Development application shall satisfy the application requirements and review criteria for other review procedures established in this ordinance, as applicable to the application, including those for Site Plan Review in Section 16-9-3(C), Conditional Use Permits in Section 16-9-3(D), Specific Use Permits in 16-9-6, and Sign Permits in Section 16-9-3(F).
- (J) **Amendments to Approved Planned Unit Development.**
 - (1) **Determination of Level of Change.** Upon receiving a Planned Development Amendment application, the City Planner shall determine whether the amendment is a major amendment, or a minor amendment based on the criteria detailed in Section 16-9-8(I)(2) and Section 16-9-8(I)(3) below.
 - (2) **Major Amendment.** A major amendment is any proposed change to an approved major or minor planned development that results in one or more of the following changes:
 - (a) Increase density,
 - (b) Increase the height of buildings,
 - (c) Reduce open space by more than five (5) percent,
 - (d) Modify the proportion of housing types,
 - (e) Change parking areas in a manner that is inconsistent with this UDO,
 - (f) Increase the approved gross floor area by more than five hundred (500) square feet,
 - (g) Alter alignment of roads, utilities, or drainage, or
 - (h) Result in any other change inconsistent with any standard or condition imposed by the City Council in approving the Planned Unit Development and/or the approved site plan, as determined by the City Planner.
 - (3) **Minor Amendment.** A minor amendment is any proposed change to an approved Planned Unit Development that is consistent with the standards and conditions upon which the Planned Unit Development was approved, which does not alter the concept or intent of the Planned Unit Development and is not considered a major amendment as detailed in Section 16-9-7(I)(2).
 - (4) **Approval Processes.** A major amendment to an approved Planned Unit Development shall follow the procedure set in Section 16-9-7(E)(F), and (G). A minor amendment to an approved Planned Unit Development may be approved by the Planning Commission.
- (K) **Expiration.** For any Planned Unit Development in which there has been no Building Permit issued nor any portion of the property platted after five (5) years since approval by the City Council, the Planned Unit Development shall be considered null and void and shall be brought back before the Planning Commission and the City Council for consideration prior to any development on the property. The underlining zoning of the PUD shall not expire, only the PUD overlay shall expire.
 - (1) **Conformance with Current Regulations.** Expired Planned Unit Developments are required to meet the most recently adopted regulations, ordinances, and development standards.

Figure 9.4: Planned Unit Development Process

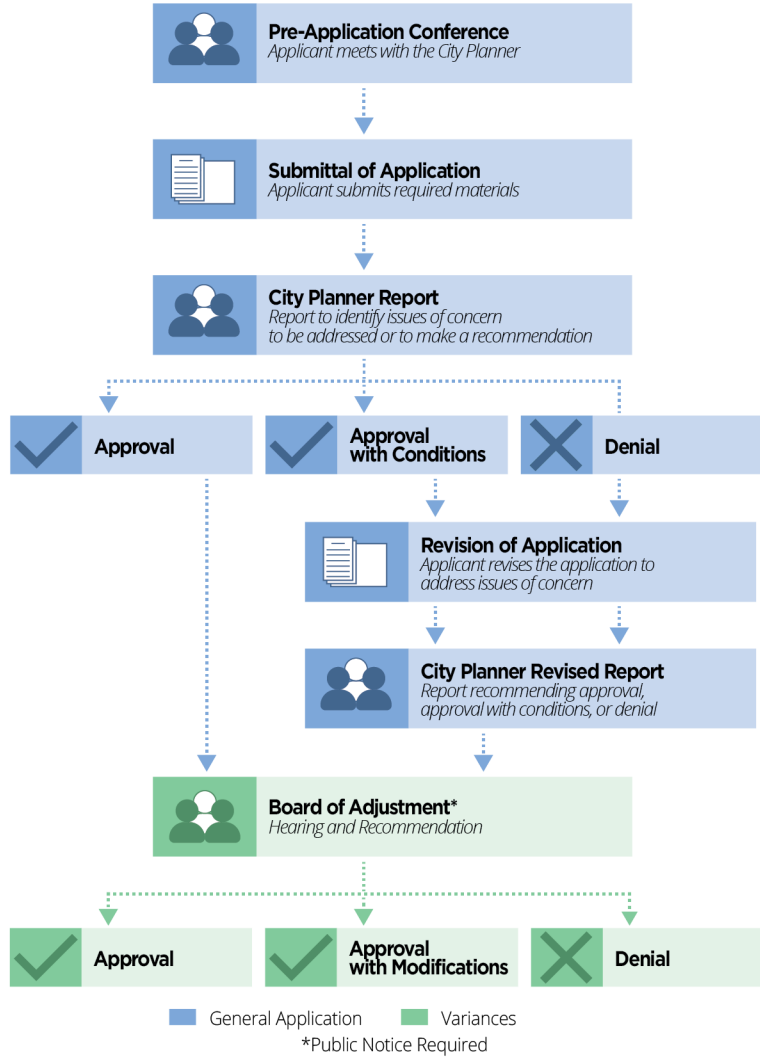


16-9-9. Variances

- (A) **Purpose.** 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 limited relief from the requirements of this zoning code as will not cause substantial detriment to the public good or impair the spirit, purposes and intent of this zoning 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 UDO will result in unnecessary hardship. The Board shall not vary any jurisdictional requirement, such as notice.
- (B) **Variance Review Criteria.** In determining whether a Variance should be granted, the Board of Adjustment must consider whether the practical difficulty or unnecessary hardship claimed by the applicant was created by the applicant and take into account the nature of the hardship. No Variance shall be granted unless the Board of Adjustment makes all of the following findings:
- (1) The application of the ordinance to the particular piece of property would create an unnecessary hardship;
 - (2) Such conditions are peculiar to the particular piece of property involved;
 - (3) Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of the ordinance or the comprehensive plan; and
 - (4) The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship.
- (C) **Sign Variance Review Criteria.** Application for Variance from the requirements of Article 7. Sign Standards of this UDO may be considered providing the determination for granting such Variance is based upon certain specific criteria. No Variance from the requirements or limitations set forth in Article 7. Sign Standards shall be granted unless the Board of Adjustment makes the following findings:
- (1) That there exists practical difficulties and unnecessary hardships which were not self-created by the applicant. Mere monetary hardship claimed by the applicant will not be sufficient grounds to support the granting of a Variance.
 - (2) That the strict application of the provisions of Article 7. Sign Standards would result in undue hardship or practical difficulty inconsistent with the objectives of this UDO.
 - (3) That there are unusual circumstances or conditions applicable to the subject parcel that do not exist throughout the district in which the parcel is located.
 - (4) That the Variance, if granted, will not substantially or permanently impair the appropriate use or development of adjacent property.
 - (5) That no Variance may be granted which will authorize the construction or maintenance of a sign which would endanger the safety of the public in contravention of applicable construction standards or vision clearance setbacks established in this UDO.
 - (6) That in any instance where a Variance may be granted, such Variance shall in all cases be granted only to the extent necessary to afford reasonable relief of hardship and any increase to the height of a sign shall be granted only where no other relief can be found. Notwithstanding the foregoing, no Variance shall be granted which results in a deviation of more than ten (10) percent from any standard set forth in Article 7. Sign Standards.
- (D) **Board of Adjustment Action.** The Board of Adjustment shall hold the public hearing and, upon the concurring vote of three (3) members, may grant a Variance application after finding that the criteria of subsections (B) or (C), as applicable, are satisfied or deny the same upon finding that the criteria of subsections (B) or (C), as applicable, are not satisfied. In granting a Variance, the Board may impose such reasonable conditions and safeguards and may require such evidence and guarantee or bond as it may deem necessary to enforce compliance with the conditions attached.

- (E) **Time Limitation on Variances.** A Variance which has not been utilized within one (1) 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.

Figure 9.5: Variance Process

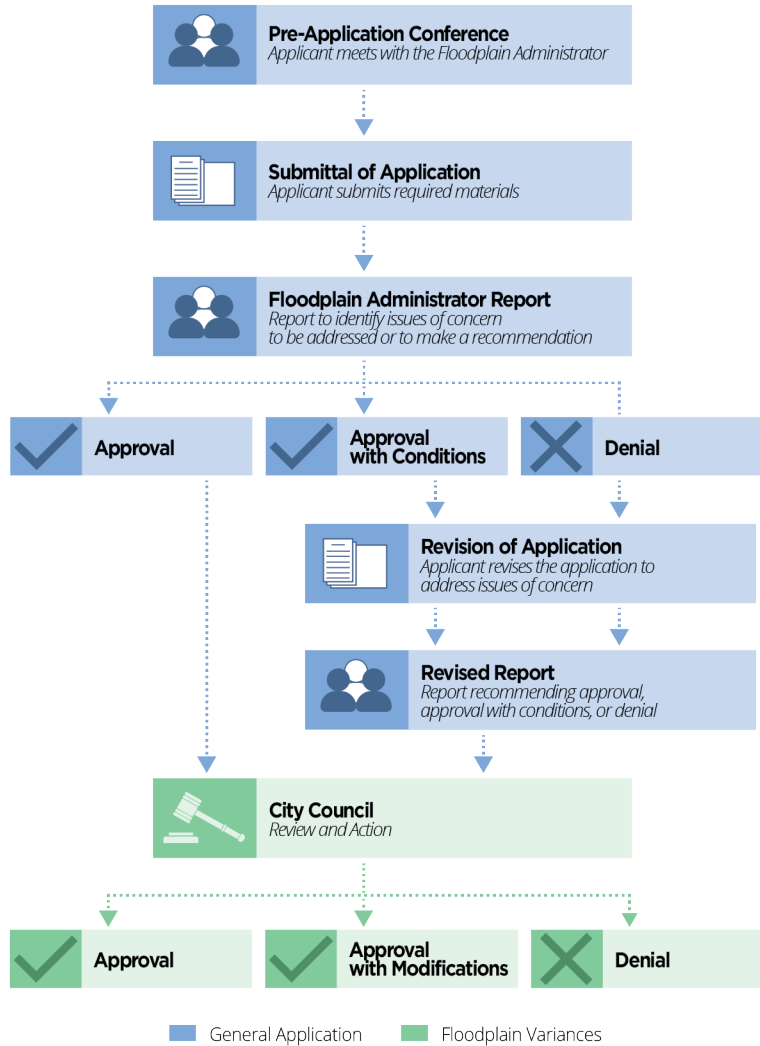


16-9-10. Floodplain Variances

- (A) **Authority and Purpose.** The City Council shall act as the Appeal Board and shall hear and render judgment on requests for variances from the requirements of Section 16-6-8. 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 floodplain regulation and permits.
- (B) **Procedure.**
- (1) An appeal shall be in writing in care of the City Clerk and filed within thirty (30) days of the decision or determination appealed from.
 - (2) Any person or persons aggrieved by the decision of the Appeal Board may appeal such decision in a court of competent jurisdiction.
 - (3) The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report Variances to the Federal Emergency Management Agency (FEMA) upon request.
- (C) **Variances For New Construction.** Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half (1/2) acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in Sections 16-6-8, 16-9-10, and 16-9-16 have been fully considered.
- (D) **Exception For National Register of Historic Places.** 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 article.
- (E) **Variances For Historic Structures.** 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 an historic structure and the Variance is the minimum necessary to preserve the historic character and design of the structure.
- (F) **Conditional Approval.** Upon consideration of the factors noted above and the intent of this article, the Appeal Board may attach such conditions to the granting of Variances as it deems necessary to further the purpose and objectives of this article and Section 16-6-8(C).
- (G) **Variances Within Floodways Prohibited.** 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.
- (H) **Criteria.** The Appeal Board shall grant a flood damage prevention Variance only upon finding that the following criteria are satisfied:
- (1) A determination that failure to grant the Variance would result in exceptional hardship to the applicant, and
 - (2) 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) Variances shall only be issued upon a determination that the Variance is the minimum necessary, considering the flood hazard, to afford relief.
 - (4) 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.
 - (5) Monetary hardship, including financial loss, shall not be considered an exceptional hardship and shall not be considered sufficient grounds for granting a Variance.

- (l) 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.

Figure 9.6: Floodplain Variance Process



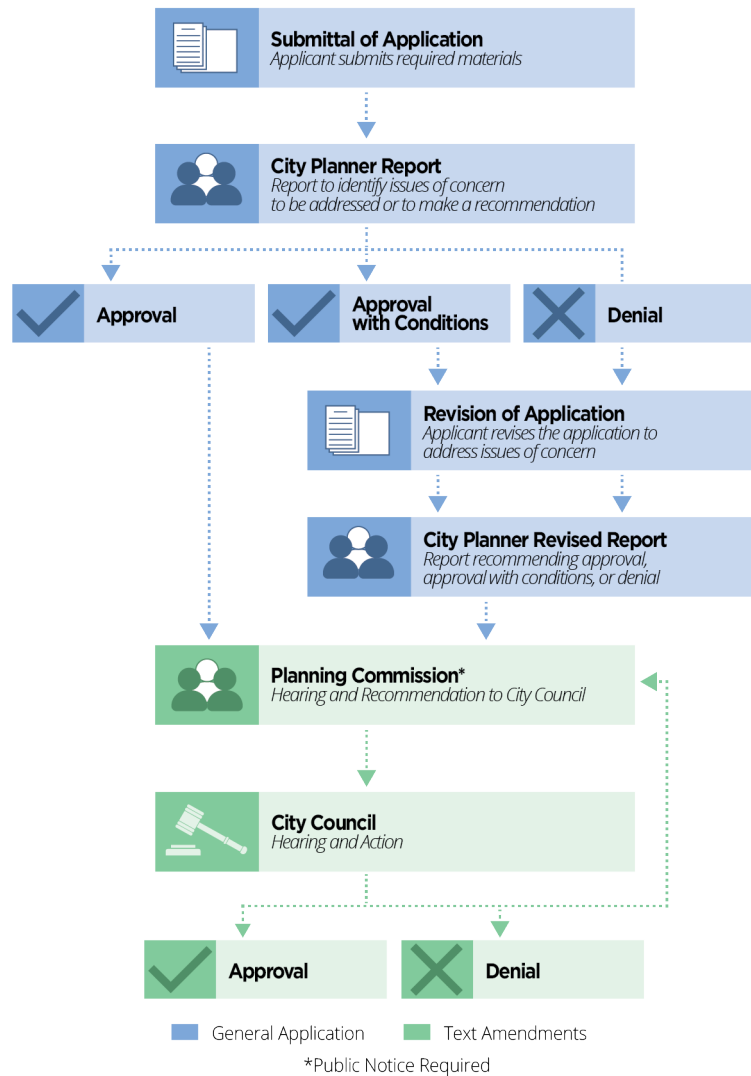
16-9-11. Comprehensive Plan Future Land Use Map Amendments

Comprehensive Plan Future Land Use Map amendments shall follow the process established in the Comprehensive Plan.

16-9-12. Text Amendments

- (A) **Initiation of Text Amendments.** Amendments to the text of this UDO may be initiated by the City Council, by the Planning Commission, City Staff, or a property owner or an authorized agent.
- (B) **Text Amendment Review Criteria.**
 - (1) The amendment is consistent with the purpose of this UDO and the City's Comprehensive Plan.
 - (2) The amendment will not adversely affect the public health, safety, or general welfare.
- (C) **Hearing and Recommendation by the Planning Commission.** The Planning Commission shall hold a public hearing on the proposed Text Amendment, and, at the close of the public hearing and after consideration of public comment and the City planner report, make a recommendation to the City Council to approve, approve with modifications, or deny the amendment based on the applicable review criteria. The Planning Commission shall transmit a report containing its recommendation to approve, approve with modifications, or deny the amendment to the City Council.
- (D) **Action by the City Council.** The City Council shall consider the Planning Commission's recommendation, City planner report, and the applicable review criteria and may grant or deny the Text Amendment. The City Council may also refer the Text Amendment application back to the Planning Commission for further consideration.

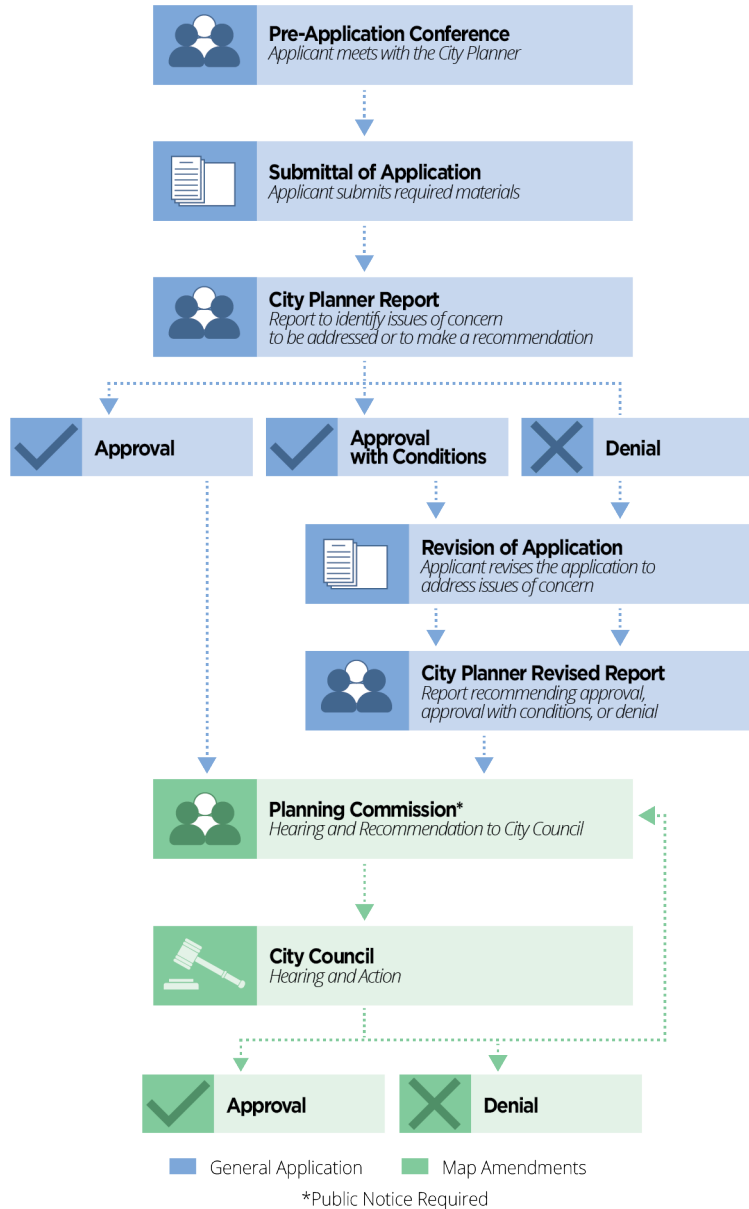
Figure 9.7: Text Amendment Process



16-9-13. Map Amendments

- (A) **Initiation of Map Amendments.** Amendments to the City's Zoning Map may be initiated by the City Council, by the Planning Commission, City Staff, or the property owner or an authorized agent.
- (B) **Exceptions for General Revisions.** General and broad revisions to the Zoning Map shall be treated as Text Amendment pursuant to Section 16-9-12.
- (C) **Map Amendment Review Criteria.** For the purpose of establishing and maintaining sound, stable and desirable development within the city, the rezoning of land is to be encouraged only in certain circumstances and when consistent with the Comprehensive Plan. Map Amendments should only be approved if at least one of criteria 1-4 and both criteria 6 and 7 have been satisfied:
1. The proposed rezoning is consistent with the Comprehensive Plan and the purposes of this UDO,
 2. There have been significant changes in the area to warrant a zoning change,
 3. The rezoning is consistent with the purpose statement of the proposed zoning district,
 4. There was an error in establishing the current zoning,
 5. The rezoning is related to the annexation of an existing subdivision,
 6. The proposed rezoning will not result in an individual parcel zoned for one district that is not shared by any adjacent parcels, and
 7. The proposed parcel(s) to be rezoned shall meet the minimum frontage and area requirements of the requested zoning district as specified in Section 16-3-1.
- (D) **Hearing and Recommendation by the Planning Commission.** The Planning Commission shall hold a public hearing on the proposed Map Amendment, and, at the close of the public hearing and after consideration of public comment and the City planner report, make a recommendation to the City Council to approve, approve with modifications, or deny the amendment based on the applicable review criteria. The City Planner, on behalf of the Planning Commission shall transmit a report containing its recommendation to approve, approve with modifications, or deny the amendment to the City Council.
- (E) **Hearing and Action by City Council.** 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, approve the application subject to modification, or deny the application. The City Council may also refer the Map Amendment application back to the Planning Commission for further consideration.
- (1) **Protest Petition.** In case of a protest against such amendment, change, or repeal is filed a minimum of three (3) days prior to a public hearing, signed by the owners of twenty (20) percent or more of the area of the lots included in such proposed change, or by fifty (50) percent 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 of all the members of the City Council.

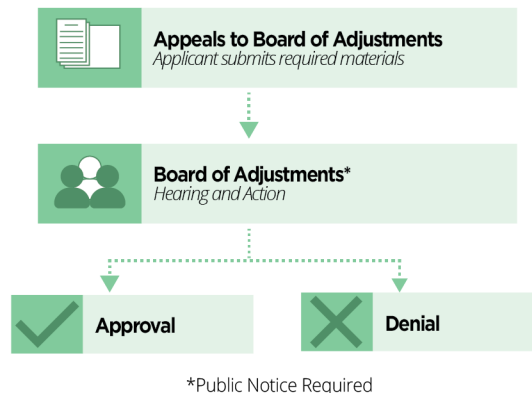
Figure 9.8: Map Amendment Process



16-9-14. Appeals of Administrative Determinations

- (A) **Initiation of Appeals of Administrative Determinations.** Any applicant who receives a denial as an outcome of an administrative procedure may, within thirty (30) days after receipt of notice of such decision, appeal such decision to the Board of Adjustment by filing an appeal application with the City Planner with an explanation as to why the decision was not warranted by this UDO. The City Planner, upon receipt of the application, shall transmit to the Secretary of the Board and the City Clerk certified copies of the application. Upon receipt, the City Planner on behalf of the Secretary shall set the matter for public hearing.
- (B) **Board of Adjustment Action.** The Board of Adjustment shall hold the public hearing and may reverse, affirm, or modify the appealed determination. A concurring vote of three (3) members of the Board shall be necessary to reverse any decision of the City Planner. All decisions of the Board shall be made no later than thirty (30) days after the conclusion of the hearing.
- (C) **Appeal Review Criteria.** An appeal of administrative decision shall be granted only if the Board of Adjustment makes one of the following findings:
- (1) The decision constituted an erroneous application or interpretation of this UDO.
 - (2) The decision constituted an abuse of the administrative official's discretion to interpret or apply this UDO.
 - (3) The decision was rendered based upon an erroneous material fact.
- (D) **Record of Action.** The Board of Adjustment's decision shall be filed and recorded with the City Clerk.

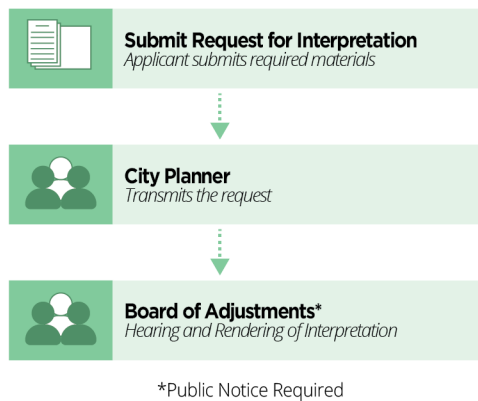
Figure 9.9: Appeal of Administrative Decisions Process



16-9-15. Interpretations

- (A) **Initiation of Interpretations.** Any applicant, the City Planner, the Planning Commission, or City Council may submit a request for interpretation of a UDO term or provision. Requests for interpretations of UDO terms or provisions shall be submitted to the City Planner and heard by the Board of Adjustment. The City Planner, upon receipt of a request, shall transmit to the Secretary of the Board and the City Clerk certified copies of all the papers constituting the notice. Upon receipt, the City Planner on behalf of the Secretary shall set the matter for public hearing.
- (B) **Board of Adjustment Action.** The Board of Adjustment shall hold a public hearing and render an interpretation of any request within thirty (30) days of the public hearing.
- (C) **Determination of District Classification.** Where a question arises as to the district classification of a particular use, the Board of Adjustment, may find and determine the classification of the use in question.
- (D) **Interpretation of Building Code.** 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 Building Inspector.
- (E) **Record of Action.** The Board of Adjustment's decision shall be filed and recorded with the City Clerk.

Figure 9.10: Interpretations Process



16-9-16. Enforcement

(A) General UDO Enforcement.

(1) Duty of the City Planner and Other Officials.

- (a) It is the duty of the City Planner or their designee to enforce this UDO. If any violation is found, they shall notify in writing the persons responsible for such violation, indicating the nature of the violation, and ordering the action necessary to correct it. They shall take such other action to ensure compliance as authorized.
- (b) All departments, officials, and employees of the City of Jenks vested with the duty or authority to issue Permits or Licenses shall comply with the provisions of this code and shall issue no Permit or Licensee for any use, purpose, excavation, construction, structure, building, or sign in conflict with the provisions in the Jenks Unified Development Ordinance or Jenks City Code.

(2) Penalties for Violations.

- (a) 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 of Variances or Special Exceptions, shall be deemed guilty of an offense may be fined in accordance with the City of Jenks Code of Ordinances in an amount not to exceed \$100 plus court costs. Each day's violation thereof shall constitute a separate offense.
- (b) Nothing herein contained shall prevent the City of Jenks, Oklahoma or its authorized officials from taking other legal action, as authorized by law, to remedy violations.

(3) Construction and Use Provided in Applications, Plans, and Permits. Permits, Variances, or Special Exceptions issued on the basis of approved plans and applications authorize only the uses, arrangement, and construction set forth in such approved plans and applications. Deviation from such approvals shall be deemed a violation of this UDO and punishable as authorized by City Code.

(B) Flood Damage Prevention Enforcement and Penalties For Noncompliance.

- (1) **Fine Imposed.** No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of Section 16-6-8 and other applicable regulations. Any person, firm, corporation, or other legal entity violating the requirements of Section 16-6-8, or any conditions made pursuant thereto, shall be guilty of an offense and, upon conviction thereof, shall be fined not more than \$100 and each day's violation thereof shall constitute a separate offense, plus applicable court costs.
- (2) **Fine Not Exclusive Remedy.** In addition to a fine, the City 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 and punishment of any person hereunder shall not relieve such person from the responsibility to correct prohibited conditions or to remove prohibited buildings, structures, obstructions, or improvements, nor prevent the enforcement, corrections, or removal thereof.
- (3) **Certification.** It is hereby found and declared by the City of Jenks City Council that severe flooding has occurred in the past within its jurisdiction and will certainly occur within the future; that flooding is likely to result in infliction of serious personal injury or death, and is likely to result in substantial injury or destruction of property within its jurisdiction; in order to effectively comply with minimum standards for coverage under the National Flood Insurance Program; and in order to effectively remedy the situation described herein, it is necessary that Sections 16-6-8, 16-9-10, and 16-9-16 become effective immediately.
- (4) **Severability.** If any section, clause, sentence, or phrase of this Section is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Section.

Article 10. Nonconformities

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16-10-1. General

- (A) Within the districts established by the Jenks UDO on **March XX, 2022**, or amendments that have been adopted or may later be adopted there exist uses, structures, and lots which were lawful before this UDO was adopted or amended by which would be prohibited under the terms of this UDO or future amendment to this UDO. These uses, structures, and lots, herein referred to as "pre-existing nonconformities," may continue as regulated by this Article. A use lawfully existing prior to the effective date of this UDO, **March XX, 2022**, or amendments thereto, which do not comply with a parking, loading, screening, bulk, and area, sign, or enclosure requirement or requirements, but which is otherwise lawful, shall not constitute a nonconforming use within the meaning of Sections 16-10-2 or 16-10-3.
- (1) A pre-existing nonconforming use may be changed only insofar as it applies to the district in which it is located. Once changed to a conforming use, no building or land shall be permitted to revert to a nonconforming use.
 - (2) Nothing contained in this UDO 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 UDO, 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.
 - (3) 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 district in which it is located.
 - (4) Any use in violation of the Jenks UDO 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 UDO shall be deemed a pre-existing nonconforming use.
 - (5) Nothing in this UDO 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 UDO.

16-10-2. Pre-Existing Nonconforming Uses of Unimproved Land

- (A) When at the effective date of this UDO or amendment thereto a lawful use of land exists, which would not be permitted by the terms of this UDO 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 ten (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:
- (1) If the replacement costs of the accessory structures (other than fences) is one thousand (1,000) dollars or more, the nonconforming use shall be terminated within five (5) years from the effective date of this UDO or from the date the use became nonconforming, whichever is later.
 - (2) If the replacement costs of the accessory structures (other than fences) is one thousand (1,000) dollars or more, the nonconforming use shall be terminated on the basis of amortization of the replacement cost of the accessory structures at a rate two hundred (200) dollars per year from the effective date of this UDO or from the date the use became nonconforming, whichever is later.

Pending termination, the pre-existing nonconforming use of land may be continued provided:

- (1) 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 UDO or amendment thereof.
- (2) 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 UDO or amendment thereof.
- (3) No additional structure (other than fences) shall be erected in connection with such pre-existing nonconforming use of land.
- (4) 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.

16-10-3. Pre-Existing Nonconforming Use of Buildings or Buildings and Land in Combination

- (A) When at the effective date of this UDO 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 ten (10) percent of the lot area, and such use would not be permitted by the terms of this UDO or amendment thereto, such use shall be deemed pre-existing nonconforming and may continue subject to the following provisions:
- (1) 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.
 - (2) 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.
 - (3) 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.
 - (4) A pre-existing nonconforming use of a building or building and land in combination, if discontinued for thirty (30) consecutive days (except when governmental action impedes access to or the use of the premises), shall not thereafter be resumed.

- (5) Where nonconforming use status applies to a building and land in combination, termination of the use of the building within the meaning of subsection 4. of this section shall eliminate the pre-existing nonconforming status of the use of the land.
- (6) 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.
 - (a) 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.
- (7) 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:
 - (a) The restoration is commenced within a period of ninety (90) days and is diligently prosecuted to completion.
 - (b) 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.
 - (c) Must comply with Article 8 Flood Plain Overlay District if greater than fifty (50) percent damaged based upon value of the structure.

16-10-4. Pre-Existing Nonconforming Signs

- (A) A sign lawfully existing at the effective date of the adoption or amendment of this UDO but which would be prohibited under the terms of this UDO or amendment to this UDO, 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 UDO 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 (6) 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 (6) months from the date the sign became nonconforming.

16-10-5. Pre-Existing Nonconforming Lots

- (A) In the residential districts, on any lot which title is filed of record on or before **March XX, 2022**, or on any lot within a subdivision having received the approval of the Council of the City of Jenks, Oklahoma on or before **March XX, 2022**, 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 UDO, irrespective of its area or width, provided the other requirements of the use district are complied with.

16-10-6. Pre-Existing Structural Nonconformities

- (A) A structure, lawfully existing at the effective date of the adoption or amendment of this UDO, but which would be prohibited by the terms of this UDO 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:
- (1) 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."
 - (2) 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;
 - (a) The restoration process is commenced within a period of ninety (90) days and is diligently prosecuted to completion.
 - (b) 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.
 - (3) Should a structure as defined in subsection 2. of this section be moved for any distance whatever, it shall thereafter conform to the provisions of the district in which located.

16-10-7. 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 fifty (50) percent 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 Section 16-6-8 of this UDO 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 UDO, 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, and
 - (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.
 - (j) 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 district in which located.

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16-11-1. “A” Definitions

- (A) **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.
- (B) **Accessory Dwelling Unit:** A small, independent residential dwelling unit located on the same lot as a stand-alone principal dwelling unit. Accessory dwelling units may be located as a partitioned area within the principal dwelling, as a building attached to a principal dwelling unit, or as an accessory building detached from the principal building.
- (C) **Accessory Building:** A subordinate building attached to or detached from but located on the same lot as a principal building or use. Accessory buildings shall have a permanent foundation and include garages, storage sheds.
- (D) **Accessory Structure:** A subordinate structure attached to or detached from but located on the same lot as a principal building or use. Accessory structures shall not have permanent foundations and include decks, fences, gazebos, and typical sheds.
- (E) **Accessory Use:** A use on the same lot with, and a nature customarily incidental and subordinate to, the principal use or structure.
- (F) **Adult Use:** Any facility that provides goods or services or is otherwise oriented to the display of materials characterized as sexual or adult in nature, such as videos, movies, slides, photos, books, or magazines; or actual persons displaying and/or touching sexually specified areas. Examples include adult bookstores, adult entertainment cabarets, adult entertainment centers, adult gift shops, and adult movie theaters.
- (G) **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.
- (H) **Agriculture, Passive:** An activity in which the landowner maintains their land to collect support payments without producing agricultural commodities.
- (I) **Agriculture, Commercial Outdoor.** Shall include beef cattle ranching and farming, crop production, riding stables, sheep and goat farming, sod farming, horticulture nursery, rodeo arena, and support activities for agriculture.
- (J) **Agriculture, Commercial Indoor.** Shall include animal production, aquaculture, chicken egg production, crop production, medical marijuana production, dairy cattle and milk production, greenhouse, other animal production, other poultry production, poultry hatchery, turkey production.
- (K) **Alley:** A permanent public way providing a secondary means of access for service and emergency vehicles, and not intended for general traffic circulation.
- (L) **Alluvial Fan Flooding:** Flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.
- (M) **All-Weather Material:** A hard surface dust free material (asphalt/cement) capable, during ordinary use, of withstanding without substantial deterioration, normal weather conditions.
- (N) **Apex:** A point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

- (O) **Area of Shallow Flooding:** A designated AO, AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a one percent chance or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.
- (P) **Area of Special Flood Hazard:** the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AE, AH, AO, A199, VO, V130, VE or V.
- (Q) **Arterial:** A street designated on the Major Street Plan as a primary arterial or secondary arterial.
- (R) **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.

16-11-2. "B" Definitions

- (A) **Bar/Tavern:** A commercial establishment open to the general public which sells and serves alcoholic beverages for consumption on the premises but not produced on the premises and where prepared or packaged foods may be available for consumption on the premises.
- (B) **Base Flood:** The flood having a one (1) percent chance of being equaled or exceeded in any given year.
- (C) **Base Flood Elevation:** The elevation above mean sea level of the base flood.
- (D) **Basement:** Any area of the building having its floor subgrade (below ground level) on all sides
- (E) **Block:** A tract of land intended for urban purposes that had definite boundaries formed by being surrounded by such features or combinations of features as public streets, railroad right-of-way, parks, drainage channels or waterways.
- (F) **Board:** The Oklahoma Water Resources Board.
- (G) **Board of Adjustment:** The Board of Adjustment of the City of Jenks, Oklahoma.
- (H) **Bond:** Any type of security including cash deposit, surety bond, collateral, property, or instrument of credit in an amount and form satisfactory to the governing body as a surety for performance or maintenance.
- (I) **Brewery/Winery/Distillery, Micro:** A small establishment primarily engaged in brewing fermented malt beverages including beer, ale, malt liquors, and nonalcoholic beer (brewery), manufacturing and bottling wine on the premises (winery), or manufacturing, by distillation, intoxicating spirits on the premises (distillery).
- (J) **Brewery/Winery/Distillery, Tasting Room:** A brewery, microbrewery, winery or distillery in which customers may sample, purchase and consume wine, beer or spirits on the premises.
- (K) **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.
- (L) **Building Coverage:** The percentage of the lot area covered by the building. The building area shall include all overhanging roofs.
- (M) **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.
- (N) **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.
- (O) **Building Site:** A single parcel of land occupied or intended to be occupied by a building or structure.

16-11-3. “C” Definitions

- (A) **Carport:** A permanent roofed structure permanently open on at least two (2) sides, designed for or occupied by private passenger vehicles.
- (B) **Check Cashing / Pay Day Loan Store:** An establishment that provides to the customer an amount of money that is equal to the face value of the check, warrant, draft, money order or other commercial paper securing the same purpose, or the amount specified in the written authorization for an electronic transfer of money, less any fee charged for the transaction, whereby the check casher refrains from depositing a personal check written by a customer until a specific date. Such establishments may also engage in money transfers, payday advances and issuance of money orders. This use shall not include a state or federally chartered bank, savings association, credit union, industrial loan association, or rental-purchase company and shall not include a retail seller engaged primarily in the business of selling consumer goods, including consumables, to retail buyers that cashes checks or issues money orders for a nominal flat fee as a service to its customers incidental to the main use of the establishment.
- (C) **Child Care:** A service that provides for the care, health, safety, supervision, or guidance of a child's social, emotional, and educational growth on a regular basis.
- (D) **City Council:** The Mayor and City Council of the City of Jenks, Oklahoma.
- (E) **City Council:** The legislative body of the City of Jenks, Oklahoma.
- (F) **City Engineer or Engineer:** The engineer for the City of Jenks, Oklahoma.
- (G) **Cluster Development:** A subdivision in which the lot sizes are reduced below those normally required in the zoning district in which the development is located, in return for the provision of permanent open space or conservation of valuable natural features.
- (H) **Coffee/Tea Shop:** An informal eatery primarily offering coffee, tea, and other beverages, and where light refreshments and limited menu meals including sandwiches and baked goods but not alcoholic beverages may be sold for on- or off-premises consumption.
- (I) **Community Group Home:** A specialized residential care home serving persons with disabilities that have been determined to be eligible for services by an independent service coordination agency, and which agency has determined that joint occupancy of a residential property is medically necessary or beneficial for the person with disabilities. A community residence does not include a residence that serves persons as an alternative to incarceration for a criminal offense.
- (J) **Commercial Animal Boarding:** A facility providing short-term and/or long-term boarding for dogs, cats and other household pets. Examples of this land use include commercial kennels and dog daycares.
- (K) **Community Garden:** A site where any kind of plant, including flowers, is grown, and several individuals or households cultivate the site. The site may be divided into individual allotments, or gardeners may work together to cultivate the entire property. The land may be publicly or privately owned. The plants are grown for personal use by the gardeners or for donation.
- (L) **Comprehensive Plan:** The plan adopted by the City Council for the purpose of bringing about an orderly, coordinated physical development, as contemplated by O.S. Title 11, Section 43-103.
- (M) **Construction Related Use:** Contractors' office or trailer and equipment shed(s) when accessory to a construction project, provided that no such use will contain any sleeping or cooking accommodations and is strictly limited to a period not to exceed the duration of the active construction phase of the associated project.
- (N) **Convenience Store:** store with less than five thousand (5,000) square feet of gross floor area primarily engaged in the retail sale of a limited range of household products including, but not limited to, dry goods, canned goods, dairy and other food products, and may include the off-sale of beer or wine.

- (O) **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.
- (P) **Critical Feature:** Means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.
- (Q) **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 zoning code.

16-11-4. “D” Definitions

- (A) **Dedication:** To set apart a portion of the area of a subdivision to a specific use(s) or to the public or to a specific group.
- (B) **Density, Gross:** The numerical value obtained by dividing the total number of dwelling units in a development by the gross area of the tract of land (in acres) within a development. This includes all nonresidential land uses and private streets, as well as rights-of-way of dedicated streets.
- (C) **Development:** Any manmade change in improved and unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.
- (D) **Development Sensitive Area:** An area which during the development process may require special treatment. Included are woodlands, flood hazard areas, areas with excessive slope, those and other areas poorly suited for structures and maintenance of public infrastructure.
- (E) **Display Surface:** The surface of a sign upon, against, or through which the message is displayed or illustrated.
- (F) **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.”
- (G) **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.
- (H) **Drive Through:** An establishment that dispenses products or services to patrons who remain in vehicles.
- (I) **Dwelling:** A building or structure used in whole or in part for human habitation.
- (J) **Duplex:** A building containing two dwelling units designed for occupancy by not more than two families.
- (K) **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.

16-11-5. “E” Definitions

- (A) **Easement:** Authorization by a property owner for the use by another, and for a specific purpose, of any designated part of his property.
- (B) **Elevated Building:** a non-basement building.
 - (1) Built, in the case of a building in Zones A130, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in Zones V130, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water and

- (2) Adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones A130, AE, A, A99, AO, AH, B, C, X, and D, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In the case of Zones V130, VE, or V, the term "elevated building" also includes a building otherwise meeting the definition of "elevated building," even though the lower area is enclosed by means of breakaway walls if the breakaway walls met the standards of Section 60.3(e)(5) of the National Flood Insurance Program regulations.
- (C) **Existing Construction:** For the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. The term "existing construction" may also be referred to as "existing structures."
- (D) **Existing Manufactured Home Park or Subdivision:** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.
- (E) **Expansion to an Existing Manufactured Home Park or Subdivision:** The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

16-11-6. "F" Definitions

- (A) **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 (5) persons, but further provided that domestic servants may be housed on the premises without being designated as a family.
- (B) **Flood or Flooding:** A general and temporary condition of partial or complete inundation of normally dry land areas from:
 - (1) The overflow of inland or tidal waters.
 - (2) The unusual and rapid accumulation or runoff of surface waters from any source.
- (C) **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.
- (D) **Flood Insurance Rate Map (FIRM):** An official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
- (E) **Flood Insurance Study:** The official report provided by the Federal Emergency Management Agency. The report contains flood profiles, water surface elevation of the base flood, as well as the Flood Boundary-Floodway Map.
- (F) **Flood Protection System:** Those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.
- (G) **Floodplain:** The area adjoining the channel of a river, creek, stream or watercourse, or a lake or any other body of standing water which may from time to time be covered by floodwater.
- (H) **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.

- (I) **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.
- (J) **Floodplain Administrator:** A person accredited by the Board and designated by a floodplain board or community to administer and implement laws and regulations relating to floodplain management.
- (K) **Floodplain Management:** The operation of an overall program of corrective and preventive measures for reducing flood damage, including, but not limited to, emergency preparedness plans, flood control works and floodplain management regulations.
- (L) **Floodplain Management Regulations:** Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.
- (M) **Floodproofing:** Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents
- (M) **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.
- (N) **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 the determining compliance with the permitted floor area, of enclosed required off-street parking areas shall not be included.
- (O) **Floor Area Ratio:** The floor area of a building or buildings on a lot divided by the lot area.
- (P) **Food Truck.** A motorized vehicle or trailer, equipped to cook, prepare, serve, and/or sell food.
- (Q) **Food Truck Park.** A permanently established area designed to accommodate multiple food trucks and offering food and/or beverages for sale to the public as the main use of the property and functioning as a single business.
- (R) **Fuel Sales:** Any area of land, including structure thereon, that is used for the retail sales of gasoline or fuel oils (excluding butane or propane fuels).
- (S) **Functionally Dependent Use:** A use, which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

16-11-7. “G” Definitions

- (A) **Garage / Estate Sale:** All general sales of goods open to the public, conducted from a residential premises including, but not limited to, all sales entitled “garage,” “lawn,” “yard,” “attic,” “porch,” “room,” “backyard,” “patio,” “flea market,” “rummage,” “estate,” or “moving” sale.
- (B) **Gas Station With Mini-Mart:** An establishment that sells gasoline for motor vehicles in conjunction with a “convenience store.”
- (C) **General Entertainment, Indoor:** A commercial facility providing athletic or amusement services such as yoga, game courts, exercise equipment, locker rooms, training studios, saunas, pro shop, laser tag, miniature golf, skating rink, arcade, escape room, bowling alley, movie theater, trampoline park, or bounce houses.

- (D) **General Entertainment, Outdoor:** A commercial facility providing outdoor athletic or amusement services such as game courts, golf driving range, miniature golf, skating rink, or amphitheater.
- (E) **General Retail:** A facility in which the retail sale of products to the general public are offered, sometimes with provision of related services.
- (F) **General Services:** An establishment primarily engaged in rendering services to individuals and business establishments which services cannot be categorized into one of the other defined service use categories in this Title. The services are typically provided without the retail sale of products or which such product sales are incidental to the service-driven purposes of the establishment, such as a beauty salon, day spa, medical massage establishment, or barber shop.
- (G) **Government Uses, Indoor:** An indoor facility owned, operated, or occupied by a governmental agency to provide a governmental service to the public, such as City Hall.
- (H) **Government Uses, Outdoor:** An outdoor facility owned, operated, or occupied by a governmental agency to provide a governmental service to the public, such as a water tower or public works yard.
- (I) **Grade:** The slope of a street, drainage facility, sanitary sewer, etc., specified in percent (%) of vertical to horizontal measurements.
- (J) **Gross Floor Area:** The total enclosed floor area of all floors of a building measured from the exterior faces of exterior walls and from the center line of walls separating buildings, including basements, lobbies, common area, storage areas, stairwells, equipment room and other fully enclosed spaces of the building. Gross floor area does not include non-enclosed areas like plazas, loading docks, covered parking areas, balconies, and the like. Gross floor area may be abbreviated GFA in this UDO.

16-11-8. “H” Definitions

- (A) **Height, Building:** The vertical distance measured from the ground floor elevation to the top of the highest top plate.
- (B) **Height, Sign:** The vertical distance measured from the curb level to the highest point of the sign.
- (C) **Highest Adjacent Grade:** The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
- (D) **Historic Structure:** Any structure that is:
 - (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register,
 - (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district,
 - (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
 - (4) Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:
 - (a) By an approved state program as determined by the Secretary of the Interior, or
 - (b) Directly by the Secretary of the Interior in states without approved programs.
- (E) **Home Based Childcare:** A childcare operation operated from a from within a residential premises by resident occupants, which is customarily incidental to the principal use of the premises.

- (F) **Home Based Business:** Any occupation for financial gain or support conducted entirely within a residential premises by resident occupants, which is customarily incidental to the principal use of the premises. Home occupation shall not include the performance of a regular job function remotely from the place of the employer's physical location.
- (G) **Home Owners Association:** An incorporated, non-profit organization operating under recorded land agreements through which:
 - (1) Each lot and/or homeowner in a Planned Unit Development or other described land area is automatically a member,
 - (2) 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
 - (3) The charge, if unpaid, becomes a lien against the property.
- (H) **Hospital:** An institution providing health, medical and surgical facilities, for diagnostic, mental, and medical treatment (both surgical and nonsurgical) to inpatients with any of a wide variety of medical conditions. These establishments maintain inpatient beds, provide patients with food services and an organized staff of physicians and other medical personnel to provide patient care services. These establishments commonly provide other services, such as outpatient, diagnostic, clinical laboratory, and pharmacy services.
- (I) **Hotel:** A building or group of buildings under one ownership containing six 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.

16-11-9. "I" Definitions

RESERVE

16-11-10. "J" Definitions

RESERVE

16-11-11. "K" Definitions

- (A) **Kennel:** Any lot or premises on which five or more dogs and/or cats or combination thereof, more than six (6) months of age are kept.

16-11-12. "L" Definitions

- (A) **Land Area:** The area of a lot plus one-half (1/2) or thirty (30) feet, whichever is less, of the right-of-way of any abutting street of which the lot has access.
- (B) **Levee:** A manmade structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.
- (C) **Levee System:** A flood protection system, which consists of a levee, or levees, and associated structures, such as closure, and drainage devices, which are constructed and operated in accordance with sound engineering practices.
- (D) **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.
- (E) **Loading Berth, Off-Street:** A space of at least ten feet in width and thirty (30) feet in length and having a vertical clearance of at least fourteen (14) feet, designed and located on a lot for the temporary parking of commercial vehicles while loading or unloading merchandise or materials.

- (F) **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.
- (G) **Lot Area:** The total horizontal area included within the lot lines of a lot.
- (H) **Lot, Corner:** A lot of which at least two adjacent sides abut for their full lengths on a street.
- (I) **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.
- (J) **Lot, Double Frontage:** A lot having a frontage on two nonintersecting streets, as distinguished from a corner lot.
- (K) **Lot Frontage or Frontage:** That part of a lot abutting a street to which access is available from said lot.
- (L) **Lot, Interior:** A lot other than a corner lot.
- (M) **Lot Line:** Any boundary of a lot.
- (N) **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.
- (O) **Lot Line, Rear:** The boundary of a lot which is not distant from and most nearly parallel to the front lot line.
- (P) **Lot Line, Side:** Any boundary of a lot which is not a front lot line or a rear lot line.
- (Q) **Lot of Record:** A unit of land created as follows:
 - (1) A lot in an existing, duly recorded subdivision,
 - (2) A parcel in an existing, duly recorded land partition,
 - (3) An existing unit of land for which a survey has been duly filed which conformed to all applicable regulations at the time of filing,
 - (4) 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, and
 - (5) Lots within the Jenks Original Town Site Subdivision, wherein all lots are twenty five (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.
- (R) **Lot Split:** Any subdivision or resubdivision containing three (3) or fewer lots fronting on an existing public street, not involving any new street, and not adversely affecting the remainder of the parcel of adjoining property, and not in conflict with any provision of the comprehensive plan, zoning ordinance, building code, or other officially adopted plans, policies or regulations.
- (A) **Lot Width:** The average horizontal distance between the side lot lines.
- (B) **Lowest Floor:** The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.

16-11-13. “M” Definitions

- (A) **Major Street and Highway Plan:** The Jenks Major Street and Highway Plan, a portion of the Jenks Comprehensive Plan, 1978-2000, adopted by the Mayor and Jenks City Council by Resolution No. 27 on December 28, 1978, or as it may hereafter be amended by Resolution.
- (B) **Manufactured Home:** A structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle."
- (C) **Manufactured Home Park or Subdivision:** A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
- (D) **Manufacturing, Artisan:** Small-scale businesses that produce artisan goods or specialty foods, primarily for direct sales to consumers, such as artisan leather, glass, wood, paper, ceramic, textile and yarn products, specialty foods and baked goods. This land use includes the design, processing, fabrication, assembly, treatment and packaging of products, as well as the incidental storage, sales and distribution of such products. Artisan manufacturing shall not include combustible processes.
- (E) **Manufacturing, Heavy:** The manufacturing of finished products or parts, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution of such products which have the potential to generate noise, dust, glare, or vibration outside the building in which it is contained and may include combustible processes.
- (F) **Manufacturing, Light:** The manufacturing of finished products or parts, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution of such products, provided all manufacturing activities are contained entirely within a building and noise, odor, smoke, heat, glare, and vibration resulting from the manufacturing activity are confined entirely within the building. Light manufacturing shall not include combustible processes.
- (G) **Mean Sea Level:** For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.
- (H) **Medical/Dental Office:** A facility for the examination and treatment of ill and afflicted human outpatients; provided, however, that patients not limited to dental and doctors' offices.
- (I) **Medical Marijuana Processing Facility, Heavy:** A facility used to prepare marijuana or related byproducts for consumption for medical use including drying, cleaning, curing, packaging, or the extraction of active ingredients, and that involves combustible products or processes.
- (J) **Medical Marijuana Processing Facility, Light:** A facility used to prepare marijuana or related byproducts for consumption for medical use including drying, cleaning, curing, packaging, or the extraction of active ingredients, and that does not involve combustible products or processes.
- (K) **Metal Unit:** Any building with frames and/or exterior cladding comprised primarily of steel or another metal.
- (L) **Mobile Unit:** A structure transportable in one or more sections suitable for year-round single-family occupancy.
- (M) **Monuments:** Permanent markers properly located as required in these regulations for the location and identification on the site of reference points in the subdivision, such as but not limited to corners of the subdivision, corners of the blocks, radius points for street curvature, etc.
- (N) **Multitenant Shopping Center:** A group of multiple commercial establishments planned, constructed, and managed as a single site.

16-11-14. “N” Definitions

- (A) **NACTO Standards:** Any standard or design guideline related to the design of transportation facilities published by the National Association of City Transportation Officials.
- (B) **NA:** Not Applicable.
- (C) **Nameplate:** A sign, attached flush against a building, identifying the name of the building or the name of the occupant thereof.
- (D) **NEC:** Not Elsewhere Classified.
- (E) **New Construction:** For the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.
- (F) **New Manufactured Home Park or Subdivision:** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.
- (G) **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.

16-11-15. “O” Definitions

- (A) **Offsite Improvements:** Any utility, structure, or modification of topography located outside the property to be subdivided.
- (B) **One Hundred Year-Frequency Flood:** A flood having an average frequency of occurrence once in one hundred (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.
- (C) **Outdoor Activity/Operation:** The subordinate use of a zoning lot for sustained and continuous outdoor use customarily incidental to the primary use of the zoning lot.
- (D) **Outdoor Dining:** Use of an adjacent, outside area by a food or beverage establishment with a liquor license for on-premises consumption, for the same eating and drinking activities that occur within the establishment including, without limitation, the service and consumption of alcoholic beverages.
- (E) **Outdoor Display of Merchandise:** The display and/or sale of merchandise or equipment outside of an enclosed building by the occupant of the primary building of the lot.
- (F) **Outdoor Storage:** Storage of materials, supplies, goods or manufactured products, equipment, machinery, vehicles, pallets, or other items outside of an enclosed building.
- (G) **Outline Lighting:** An arrangement of incandescent lamps or electric discharge tubing that outlines or calls attention to certain features of a building or sign including but not limited to its shape.

16-11-16. "P" Definitions

- (A) **Park:** Means a place, other than grounds of a private dwelling that is provided by the public or members of a community for recreation.
- (B) **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 ten (10) feet in width by twenty-two (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.
- (C) **Pawn Shop:** An establishment primarily engaged in the business of lending money on the deposit or pledge of any article or jewelry, or purchasing any article or jewelry with an expressed or implied agreement or understanding to sell it back at a subsequent time at a stipulated price,
- (D) **Personal Storage:** A building containing small, partitioned storage spaces, which are separately and individually rented or leased to businesses or private individuals for the storage of goods or merchandise, but excluding commercial warehousing. Climate controlled or refrigerated facilities may be included.
- (E) **Place of Worship:** A building, together with its accessory buildings and uses, where persons regularly assemble for religious purposes and related social events. The buildings and uses are maintained and managed by a religious body organized to support religious activities and purposes. While a private home may host a religious activity, such as a prayer group or Bible study, it shall not be covered by this definition unless the home is maintained and managed by a religious body.
- (F) **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.
- (G) **Planning Commission:** The City of Jenks, Oklahoma Planning Commission.
- (H) **Plans, Construction:** The maps or drawings prepared by a registered professional engineer accompanying a subdivision plat and showing the specific location and design of improvements to be installed in the subdivision in accordance with the requirements of the City Engineer and the Planning Commission as a condition of the approval of the plat.
- (I) **Plan, Development:** Drawings of proposed construction and subdivision of land submitted by the subdivider or developer to the City of Jenks.
- (J) **Plat, Preliminary:** The preliminary drawing or drawings, described in these regulations, indicating the proposed manner or layout of the subdivision to be submitted to the Planning Commission for approval.
- (K) **Plat, Final:** Drawing(s) described in these regulations based on a preliminary plat with revision, if any, to be submitted to the Planning Commission and City Council for approval or approval with revisions
- (L) **Plat, Record:** A map of land subdivision prepared in a form suitable for filing of record with necessary affidavits, dedications and acceptances, covenants, if any, and with complete bearings, angles, and dimensions of all lines defining blocks, lots, rights-of-way, easements, public areas, and other dimensions of land as required in these regulations.
- (M) **Portable Outdoor Storage Device:** Any item designed and used as follows: a container which is delivered to a property, which is filled with household items or other non-trash materials, and which the container and its contents are subsequently transported to another location.
- (N) **Porte Cochère:** A structure attached to a residence erected over a driveway and open on two or more sides.
- (O) **Private Club:** Reference is hereby made to that section of the Code of the City of Jenks, Oklahoma defining "private club."
- (P) **Professional Office:** All exclusively indoor land uses whose primary functions are the handling of information or administrative services. Such land uses do not typically provide services directly to customers on a walk-in or on-appointment basis.

- (Q) **Professional Office, Above Ground Floor:** A professional office as defined in this ordinance located within an upper-floor of a building.

16-11-17. “Q” Definitions

RESERVE

16-11-18. “R” Definitions

- (A) **Recreational Vehicle:** A vehicle which is:
- (1) Built on a single chassis;
 - (2) Four hundred (400) square feet or less when measured at the largest horizontal projections;
 - (3) Designed to be self-propelled or permanently towable by a light duty truck; and
 - (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
- (B) **Re-Entry Facility:** A facility operated by the city, the state, the federal government or a private party under contract with the city, the state or the federal government and used for rehabilitation and overnight accommodation of individuals, including staff, who are (a) under the jurisdiction of a court, but not under confinement, or (b) individuals recently released from the jurisdiction of a court. Re-entry facilities are operated for the purpose of providing treatment or rehabilitation intended to assist such individuals with their re-entry into the community
- (C) **Registered Engineer:** An engineer properly registered and licensed in the State of Oklahoma.
- (D) **Registered Land Surveyor:** A land surveyor properly registered and licensed in the State of Oklahoma.
- (E) **Restaurant, Delivery/Carry Out Only:** An establishment which by design of physical facilities or by service or packaging procedures permits or encourages the purchase of prepared, ready-to-eat foods intended to be consumed off the premises.
- (F) **Restaurant, Fast Casual:** An establishment whose principal business is the sale of rapidly prepared food directly to the customer in a ready-to-consume state for consumption either within the restaurant building or off premises. The establishment may include a drive-up or drive-through service facility or offer curbside service.
- (G) **Restaurant, Sit Down:** An establishment whose food is available to the general public primarily for consumption within a structure on the premises, where at least fifty (50) percent of the gross floor area of the establishment is devoted to patron seating.
- (H) **Restrictive Covenants:** Plat restrictions binding lot owners filed with the record plat.
- (I) **Residential Treatment Center:** A community-based residential facility that provides diagnostic or therapeutic services, counseling, or treatment and long-term room and board in a highly structured environment for persons receiving active treatment for alcoholism, drug abuse or behavioral disorders.
- (J) **Resubdivision:** Subdivision of land previously subdivided.
- (K) **Right-of-Way:** A parcel of land (usually a strip) occupied or intended to be occupied by a street, crosswalk, railroad, road, electric facility, or for other special use. The use of the term right-of-way for land platting purposes in connection with these regulations shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots and parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Right-of-way intended for any use involving maintenance by a public agency shall be dedicated to public use by the subdivider on which such right-of-way is established. The width of rights-of-way shall be measured as the shortest distance between the abutting property lines.

16-11-19. “S” Definitions

- (A) **School, Elementary and Middle:** A public, private, or parochial educational institution, including instructional and recreational uses, with or without other incidental facilities for students, teachers, and employees, providing educational or instructional services to children in preschool through eighth (8th) grade.
- (B) **School, High:** A public, private, or parochial educational institution, including instructional and recreational uses, with or without other incidental facilities for students, teachers and employees, providing educational or instructional services to students in grades nine through twelve (9 – 12).
- (C) **Seasonal Sales:** Christmas tree, pumpkins and similar, temporary (typically recurring on an annual basis) sales for a period not to exceed thirty (30) days.
- (D) **Senior Housing, Dependent:** Housing/accommodations, other than a single-family dwelling, and services designed and staffed to provide housing and services along the continuum of an elderly person's needs, such as assistance for bathing, dressing, medication, meal preparation, or other functions. In addition to housing, this type of facility may also provide convenience services, such as meals, housekeeping, transportation, and community facilities, such as central dining rooms and activity rooms.
- (E) **Senior Housing, Independent:** Housing/accommodations, other than a single-family dwelling, specifically designed for the needs of elderly persons. In addition to housing, this type of facility may provide convenience services, such as meals, housekeeping and transportation, and community facilities, such as central dining rooms and activity rooms.
- (F) **Service Station:** Buildings and premises for the supply and dispensing at retail of motor fuels, lubricants, batteries, tires, and motor vehicle accessories, and where in addition, the following services may be rendered and sales made:
 - (1) Sales and servicing of spark plugs, batteries, and other motor vehicle related items,
 - (2) Tire servicing, rotation, and repair,
 - (3) Replacement of mufflers and tail pipes, water hoses, fan belts, brake fluid, light bulbs, fuses, floor mats, windshield wipers and wiper blades, grease retainers, wheel bearings, mirrors and the like,
 - (4) Greasing, lubrication, and radiator flushing,
 - (5) Oil changes,
 - (6) Minor servicing and repair of carburetors, fuel pumps, oil pumps, water pumps and lines and minor motor adjustments not involving removal of the head or crank case or racing the motor,
 - (7) Emergency wiring repairs, and
 - (8) Adjusting and repairing brakes.

Painting, welding, or other body work involving noise, glare, fumes, smoke, or other characteristics to an extent greater than normally found in service stations shall not be permitted.
- (G) **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.
- (H) **Setback (Line) or Building Line:** A line or lines designating the area outside of which buildings may not be erected.
- (I) **Sign, Animated:** A digitally displayed sign in which figures are manipulated to appear as moving images.
- (J) **Sign, Blade:** A sign that projects perpendicular from a building more than twelve (12) inches from the building's supporting wall.

- (K) **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.
- (L) **Sign, Construction:** A temporary sign erected during the period of construction advertising the construction of improvements on the property.
- (M) **Sign, Electronic Message Board:** A sign or portion thereof designed to accommodate frequent message changes composed of characters, letters, or illustrations and that can be changed or rearranged electronically without altering the face or surface of such sign.
- (N) **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.
- (O) **Sign, Inflatable:** A sign that requires air pressure or gas inflation for support and display purposes.
- (P) **Sign, Moving:** Any sign or part of a sign that changes physical position by any movement or rotation or that gives the visual impression of such movement by use of lighting, or that exhibits intermittent or sequential flashing of natural or artificial light or color effects by any means whatsoever.
- (Q) **Sign, Pennant:** A geometric shaped cloth, fabric, or other lightweight material that is secured to an object to allow movement of the sign caused by movement of the atmosphere.
- (R) **Sign, Propellor:** See sign, moving.
- (S) **Sign, Revolving or Rotating:** See sign, moving.
- (T) **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.
- (U) **Sign, Snipe:** A sign that is tacked, nailed, posted, pasted, glued, or otherwise affixed to trees, poles, stakes, fences, utility poles, or other objects.
- (V) **Sign, Spinner:** See sign, moving.
- (W) **Sign, Streamer:** A sign comprised of a strip of material, fastened to an object for support, and that requires wind activation for display.
- (X) **Sign, Wall:** A sign affixed to a building wall which does not project horizontally more than twelve (12) inches from the wall nor extend above the height of the wall.
- (Y) **Sign With Flashing Lights:** An illuminated sign that contains an intermittent or sequential flashing light source.
- (Z) **Single Family, Detached:** A building, other than a mobile home containing one dwelling unit designed for occupancy by not more than one family.
- (AA) **Site Development:** A plan drawn at a scale of not less than one (1) 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.
- (BB) **Solar Energy Collection System, Canopy:** A solar energy collection system consisting of elevated solar panels installed above parking lots, carports and other paved areas
- (CC) **Solar Energy Collection System, Roof Mounted:** A solar energy collection system that is structurally mounted to the roof of a building or other permitted structure, including limited accessory equipment associated with system which may be ground mounted. It is installed parallel to the roof with a few inches gap.

- (DD) **Solar Energy Collection System, Ground Mounted:** A solar energy collection system and associated mounting hardware that is affixed to or placed upon the ground including but not limited to fixed, passive, or active tracking racking systems.
- (EE) **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.
- (FF) **Start of Construction:** (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97348)), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
- (GG) **Street:** Any public or private right-of-way which affords the primary means of access to abutting property.
- (1) **Expressway or Freeway:** A thoroughfare designated on the Major Street and Highway Plan that carries a major portion of both intraurban and interurban vehicle traffic at a high rate of speed with few or no traffic stops and having limited access with a design and right-of-way width established by the State Department of Transportation.
 - (2) **Primary Arterial:** A thoroughfare designated on the Major Street and Highway Plan that carries a portion of both intraurban and interurban vehicle traffic at a moderate rate of speed with some traffic stop having a planned right-of-way width of one hundred twenty (120) feet to one hundred fifty (150) feet.
 - (3) **Secondary Arterial:** A thoroughfare designated on the Major Street and Highway Plan that carries a significant portion of the interurban vehicular traffic stops and a planned right-of-way width of one hundred (100) feet.
 - (4) **Collector:** A traffic way designated on the Major Street and Highway Plan that provides vehicle access and traffic circulation within residential neighborhoods and commercial and industrial areas. Collector streets collect traffic from local streets, channeling some into the arterial streets or disperse traffic from the arterial to local streets. Collector streets have a planned right-of-way width of fifty (60) feet to eighty (80) feet.
 - (5) **Service or Access:** A minor street which is parallel and adjacent to major streets, traffic ways, highways or railroad rights-of-way and which provides access to abutting properties and protection from through traffic.
 - (6) **Minor or Local Street:** A traffic way of limited length not of one of the above classifications providing direct access to abutting tracts of land and access to more heavily traveled streets and having a right-of-way width of fifty (50) feet to sixty (60) feet. Sidewalks may be required in local street rights-of-way.
 - (7) **Cul-De-Sac:** A local street with only one outlet having a terminal for the safe and convenient reversal of traffic movement.
 - (8) **Dead End:** A street with one outlet having no turn-around at its closed end.
 - (9) **Alley:** A minor traffic way, dedicated to public use, which is used primarily for vehicular access to the back or the side of properties otherwise abutting on a street.
- (HH) **Street, Intersecting:** Any street which joins another street at an angle, whether or not it crosses the other.

- (II) **Street, Wall:** The wall or part of the building nearest to the street line.
- (JJ) **Street Verge:** A narrow strip of ground located between the boundary of the adjacent property or public sidewalks and the roadway of the street, typically planted with a mix of grass, trees, or other plants..
- (KK) **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.
- (LL) **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.
- (MM) **Subdivider or Developer:** A person, firm or corporation undertaking the subdivision or resubdivision of a lot, tract or parcel of land into two or more lots, or other subdivisions of land for the purpose of transfer of ownership or development, whether immediate or future, including all changes in street right-of-way or lot lines.
- (NN) **Subdivision:** The division of land into lots, parcels, tracts or areas, any one of which when divided has an area of less than two and one-half (2.5) acres, or any division of land involving the dedication of right-of-way or alignment of any existing or proposed street or highway, or the resubdivision of land heretofore divided into lots, sites, or parcels.
- (OO) **Substantial Damage:** Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.
- (PP) **Substantial Improvement:** Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before "start of construction" of the improvement. This includes structures, which have incurred "substantial damage," regardless of the actual repair work performed. The term "substantial improvement" does not, however, include either:
 - (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary conditions, or
 - (2) Any alteration of a "historic structure" provided that the alteration would not preclude the structure's continued designation as an "historic structure."
- (QQ) **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.

16-11-20. "T" Definitions

- (A) **Tattoo Parlor:** An establishment that offers or performs any method of placing ink or other pigment into the skin or mucosa by the aid of needles or any other instrument used to puncture the skin, resulting in permanent coloration of the skin or mucosa.
- (B) **Top Plate:** The horizontal timber directly carrying the trusses of a roof or the rafters.
- (C) **Townhome:** A row or structure of attached, single-family, dwellings joined to one another at one (1) or more sides by a party wall or walls. Each dwelling has a dedicated exterior entrance.
- (D) **Transitional Living Center:** A community-based residential facility that provides room and board, a supervised living environment, counseling and rehabilitation services for persons with a history of juvenile delinquency, behavioral disorders, alcoholism or drug abuse for a continuous period of no more than one hundred twenty (120) consecutive days.
- (E) **Trip:** A single journey made by an individual between two places by a specified mode of travel.

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

16-11-21. "U" Definitions

- (A) **Urban Agriculture, Indoor:** An indoor establishment where food or ornamental crops are grown or processed for personal consumption or to be sold or donated that includes, but is not limited to, greenhouses and other indoor growing operations, vertical farms, aquaponics, aquaculture, and hydroponics.
- (B) **Urban Agriculture, Outdoor:** Backyard, roof-top, vacant lot or balcony cultivation or processing of food or ornamental crops. This definition does not include the keeping, feeding or raising of animals such as chickens, fish, goats, and honeybees.

16-11-22. "V" Definitions

- (A) **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.
- (B) **Vehicle Sales and Rental:** The use of any building or portion thereof, or other premises or portion thereof, for the display, sale, rental, or lease of new motor vehicles, or used motor vehicles as an ancillary use of a zoning lot, and any warranty repair work and other repair service conducted as an accessory use.
- (C) **Veterinary Clinic/Animal Hospital:** A building used exclusively for the care and treatment of domestic household type pets, including incidental overnight boarding within an enclosed building and excluding outside animal runs and boarding services.
- (D) **Violation:** The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required with this Chapter is presumed to be in violation until such time as that documentation is provided.

16-11-23. "W" Definitions

- (A) **Warehouse, Distribution:** Facility located within an enclosed building primarily oriented to the storage and shipping of packaged materials or goods for a single business or a single group of businesses.
- (B) **Warehouse, Storage:** Facility located within an enclosed building primarily oriented to the receiving, holding, and/or storage of packaged materials or goods for a single business or a single group of businesses.
- (C) **Water Surface Elevation:** The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

16-11-24. "X" Definitions

RESERVE

16-11-25. “Y” Definitions

- (A) **Yard:** An open unoccupied space on a lot between a building and a lot line.
- (B) **Yard, Front:** A yard extending along the full length of the front lot lines between the side lot lines.
- (C) **Yard, Rear:** A yard extending along the full length of the rear lot line between the side lot lines.
- (D) **Yard, Required:** The minimum permitted distance of open unoccupied space between a building and a lot line.
- (E) **Yard, Side:** A yard extending along a side lot line between the required front yard and the required rear yard.

16-11-26. “Z” Definitions

RESERVE

MINUTES
JENKS PLANNING COMMISSION
6:00 P.M. THURSDAY, JANUARY 06, 2022
COUNCIL CHAMBERS, JENKS CITY HALL, 211 NORTH ELM STREET

The Jenks Planning Commission was called to order at 6:00 p.m. on January 06, 2022, by Chair Carol Minden. A roll call vote of members was taken as follows:

Present

Scott West
Leon Davis
Craig Bowman
Chair Carol Minden

Absent

Jeffrey Beyer
John Brown
David Randolph

Business

Official action can only be taken on items which appear on the agenda. The Planning Commission may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item (except for Item 1).

1. Consideration and appropriate action relating to a request for approval of the Consent Agenda. (All matters listed under "Consent" are considered by the Commission to be routine and will be enacted by one motion. Any Commissioner may, however, remove an item from the Consent Agenda by request. A motion to adopt the Consent Agenda is non-debatable.)
 - 1.A. Request to approve minutes of the December 09, 2021
 - 1.B. Approve JZ 21 PUD 112.mi2 - Request by Carolina Olphert for approval of a minor amendment for an exception to the required exterior materials for Lot 3 of South County Crossing. General Location: between Elwood and Elm, north of 121st St
 - 1.C. Approve Final Plat: Request by Drew Donosky for approval of the CVP DB Jenks Addition Final Plat. General Location: 305 S Elm
 - 1.D. Approve JL 21-365: request by Zach Bonsall for a lot split and combination. General Location: 305 S Elm
 - 1.E. Approve PT 22-001: Request by Robert Bell for a plat waiver. General Location: 9300 S Elwood Ave

Leon Davis made a motion to approve Item 1. Craig Bowman seconded the motion. A roll call vote of members was taken as follows:

YEA: West, Davis, Bowman, Minden
NAY: None

Motion carried.

2. Consideration and appropriate action relating to items removed from the Consent Agenda
Withdrawn
3. JZ 21-675: Request by Zach Bonsall for a zone change from AG (Agriculture) to CG (Commercial General). General Location: 305 S Elm Planning Director Marcaé Hilton presented the staff report for Item 3 and answered questions. Craig Bowman made a motion to approve Item 3 with staff recommendations. Scott West seconded the motion. A roll call vote of members was taken as follows:

YEA: West, Davis, Bowman, Minden

NAY: None

Motion carried.

Other Business

Social Media Policy – Planning Director Marcaé Hilton presented the Jenks Social Media Policy to the Planning Commission.

Planning Update – Planning Director Marcaé Hilton gave the Planning Update and answered questions. *Scott Bowman left at 6:12 p.m.*

Adjournment. Scott West made a motion to adjourn. Leon Davis seconded the motion. A roll call vote of members was taken as follows:

YEA: West, Davis, Minden

NAY: None

Motion carried. The Jenks Planning Commission adjourned at 6:19 p.m.

Jenks | PC Staff Report



To	Planning Commission
Hearing Date	March 03, 2022
Case Number	ROW-UEC 22-80 HICKORY CREEK
Request	Utility Closure and Ultimate Vacation at District Court
Location	Hickory Creek Subdivision Lots 13-18, Block 5
Applicant	Erik Enyart, Tanner Consulting

Staff Report

Preparer | Marcaé Hilton; BM

Attachments

- ☐ Filed Sewer Easement
- ☐ Plat

Preparer

Erik Enyart
Tanner Consulting

Background Information

STAFF COMMENTARY | Sanitary Sewerline was relocated into a new easement during construction and platting; no know utility remains

PLANNING DATA

TAC | 30-day notice to TAC began on March 1, 2022 No comments have been received at time of report.

Request	Close Sanitary Sewerline and vacate in District Court
Use	Single-family Residential
Zoning	PUD 108 Residential Single-Family
General Location	South of 111 th and West of Elwood
Plat	Hickory Creek of Jenks No. 6940, 12/16/2020
Property Description:	15059 Hickory Creek of Jenks Lots Containing Utility Easement to be Closed and Vacated PROPERTY DESCRIPTION ALL OF LOTS THIRTEEN (13), FOURTEEN (14), FIFTEEN (15), SIXTEEN (16), SEVENTEEN (17), AND EIGHTEEN (18), BLOCK 5, "HICKORY CREEK OF JENKS",

A SUBDIVISION WITHIN THE CITY OF JENKS, TULSA COUNTY,
STATE OF OKLAHOMA, ACCORDING TO THE RECORDED
PLAT THEREOF (PLAT NO. 6940).

Legal

Lot's 13-18, Block 5

STR

Section: 36, Township: 18, Range: 12

Staff Evaluation & Recommendation

Evaluation | Staff is not opposed to the closure and ultimate vacation of the utility easement and will not oppose the vacation at District Court. The applicant must complete the Easement Vacation at District Court and any other engineering requirements as applicable.

Recommendation | *Staff recommends approval and has no objection to the applicant obtaining a Judicial Vacation of the easement.*

SEWER EASEMENT

The First National Bank and Trust Company of Muskogee, as Trustee of the Geraldine Hickerson Trust, an undivided 111/180th, owner(s) of legal and equitable title, in the property upon which the following easement is to be granted, do, for and in consideration of the special benefits to the remainder of their property accruing thereto upon the grant of this easement, hereby grant to the City of Jenks, Oklahoma, and its assigns forever, a perpetual easement for the purpose of providing the option to go upon, construct, build, and at all times maintain a sanitary sewer line and related appurtenances in, through, and along the following described realty, to-wit:

A perpetual easement for a sanitary sewer, said easement being 10' (ten feet) each side of the following described centerline:

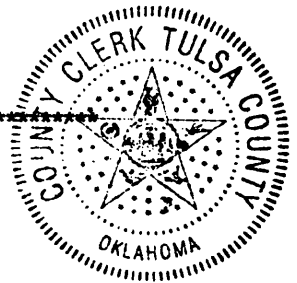
Considering the West line of the NW ¼ of Section 36, T-18N, R-12E, as bearing N 01°-09'-18" W and with all other bearings relative thereto, commencing at the SW corner of the NW ¼ of said Section 36; thence N 01°-09'-18" W, a distance of 301.10 feet to the point of beginning; thence S 89°-03'-45" E, a distance of 70.23 feet; thence S 39°-20'-43" E, a distance of 370.00 feet; thence S 48°-50'-30" E, a distance of 11.56 feet to a point on the South line of the NW ¼ of said Section 36; said point being N 88°-51'-16" E, a distance of 307.49 feet from the SW corner of the NW 1/4 of said Section 36.

To have and hold said described premises as a perpetual easement forever for the use and enjoyment of the City of Jenks and its assigns. In addition, the undersigned hereby grant a temporary construction easement 20 feet in width on either side of the above easement, which temporary construction easement shall terminate sixty (60) days after completion of the installation of said sewer line.

Signed and delivered this 23 day of July, 1999.

The First National Bank and Trust Company of
Muskogee, as Trustee of the Geraldine Hickerson
Trust, an undivided 111/180th

Robert M. Green
Vice-President



ACKNOWLEDGEMENT

STATE OF OKLAHOMA)

) ss.

COUNTY OF TULSA)

This instrument was acknowledged before me this 23rd day of July, 1999, by Robert M. Green, to me known to be the identical person who subscribed the name of **The First National Bank and Trust Company of Muskogee, as Trustee of the Geraldine Hickerson Trust, an undivided 111/180th** thereof to the foregoing instrument as its Vice President and acknowledged to me that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed of such **The First National Bank and Trust Company of Muskogee, as Trustee of the Geraldine Hickerson Trust, an undivided 111/180th** for the uses and purposes therein set forth.

John P. Foster
Notary Public

My commission expires: 3-20-02

Rt City of Jenks
211 No. Elm
Jenks, Ok 74037

R 12 E

PUD-108

Hickory Creek of Jenks

ALL OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW 1/4 NW 1/4) OF SECTION THIRTY-SIX (36)
TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN MERIDIAN
AND ALL OF LOT THREE (3), BLOCK TWO (2) "POLLY T" 2ND ADDITION (PLAT NO. 3481)
A SUBDIVISION WITHIN THE CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA

OWNER:
Jenks Land, L.L.C.

AN OKLAHOMA LIMITED LIABILITY COMPANY
JAMES WALLACE, MANAGER
114 South 3rd Street
Jenks, Oklahoma 74037
Phone: (918)298-6100

SURVEYOR/ENGINEER:
Tanner Consulting, L.L.C.

DAN E. TANNER, P.L.S. NO. 1435
OK CA NO. 2861, EXPIRES 6/30/2021
EMAIL: DAN@TANNERCONSULTING.COM
5323 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929

SUBDIVISION CONTAINS:
ONE HUNDRED TWENTY (120) LOTS
IN TEN (10) BLOCKS
WITH SEVEN (7) RESERVE AREAS
GROSS SUBDIVISION AREA: 44.156 ACRES

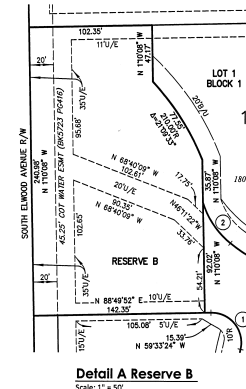
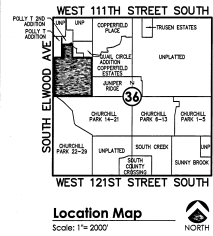
Scale: 1" = 100'
Tanner Consulting

Curve Table

CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD (FOOT)
1	45.34	25.00	103°54'43"	N89°12'47"W	39.38
2	41.57	20.00	83°58'58"	N84°11'33"W	40.21
3	94.23	135.00	40°00'00"	N71°12'22"W	92.35
4	33.96	25.00	77°52'50"	N53°44'25"E	31.43
5	6.04	185.00	1°52'13"	N89°44'43"E	6.04
6	39.27	25.00	80°00'00"	N47°48'38"E	35.36
7	39.27	25.00	80°00'00"	N46°11'27"W	35.36
8	218.63	50.00	250°11'44"	N59°53'30"W	81.63
9	30.77	25.00	70°14'41"	N47°56'17"E	28.87
10	16.09	25.00	30°52'12"	N39°37'27"W	15.81
11	142.89	50.00	163°44'23"	N45°48'38"E	88.89
12	16.09	25.00	30°52'12"	N27°45'35"W	15.81
13	21.03	25.00	48°11'23"	N64°43'37"E	20.41
14	162.68	50.00	186°24'52"	N46°10'18"W	99.64
15	39.29	25.00	80°00'00"	N46°10'18"W	35.37
16	21.03	25.00	48°11'23"	N22°56'26"E	20.41
17	39.25	25.00	80°00'00"	N47°48'38"E	35.34
18	42.66	25.00	87°45'46"	N47°43'38"E	37.67
19	32.35	25.00	74°56'24"	N38°19'27"W	30.14
20	86.88	50.00	155°1'38"	N87°32'27"W	76.57
21	124.21	400.00	174°7'32"	N87°19'29"W	123.71
22	140.07	400.00	174°49'38"	N87°19'29"W	139.45
23	68.05	500.00	74°7'52"	N87°17'25"W	68.00
24	78.50	50.00	90°01'13"	N47°10'45"W	70.72
25	113.00	50.00	137°2'24"	N37°26'40"W	90.44
26	26.18	38.00	89°28'10"	N18°39'37"E	25.66
27	39.26	25.00	89°28'10"	N47°49'51"E	35.35
28	39.28	25.00	90°01'13"	N47°10'45"W	35.36
29	83.37	350.00	173°58'09"	N5°48'51"E	85.12
30	97.12	400.00	173°44'43"	N5°47'11"E	96.89
31	77.55	210.00	210°39'33"	N32°24'58"W	77.51

Notes:

- THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LAND SURVEYING FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
- ALL PROPERTY CORNERS ARE SET 3/8" IRON REBAR WITH YELLOW CAP STAMPED "TANNER 1435" UNLESS OTHERWISE NOTED.
- THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (8301), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:
(a) FOUND 3/4" IRON PIN AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 36;
(b) FOUND MAGNETIC NAIL AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 36.
THE BEARING BETWEEN SAID MONUMENTS BEING NORTH 1°10'08" WEST.
- ACCESS AT THE TIME OF PLAT WAS PROVIDED BY SOUTH ELWOOD AVENUE BY VIRTUE OF RIGHT-OF-WAY DEED DEDICATED BY THIS PLAT, AND BY WEST 112TH STREET, WEST 113TH STREET, WEST 115TH STREET, AND WEST 116TH STREET, ALL BEING PUBLIC STREETS.
- FIFTEEN (15) FOOT UTILITY EASEMENT BY PLAT NO. 3881, CLOSED BY ORDINANCE NO. 1508, PROJECTED TO BE VACATED BY DISTRICT COURT IN JANUARY 2021.
- ADDRESSES SHOWN ON THIS PLAT WERE ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE REIED ON IN PLACE OF THE LEGAL DESCRIPTION.



CERTIFICATE

I hereby certify that all real estate taxes involved in this plat have been paid as reflected by the current tax rolls. Security as required has been provided in the amount of \$20,243.00 per trust receipt not TAXROLLS to be applied to 2020 taxes. This certificate is NOT to be construed as payment of 2020 taxes in full but is given in order that this plat may be filed on record. 2020 taxes may exceed the amount of the security deposit.

Dated: 12/16/2020
John M. Fehrmann
Acting Tulsa County Treasurer
By: [Signature]
Deputy

FINAL PLAT

CERTIFICATE OF APPROVAL
I hereby certify that this plat was approved by the Jenks City Council
on December 15, 2020
[Signature]
MAYOR-VICE-MAYOR
This approval is void if the above signature is not countersigned by the City Manager
[Signature]
CITY MANAGER

Jenks | PC Staff Report



To	Planning Commission
Hearing Date	March 03, 2022
Case Number	JZ 22 PUD 61A Minor Amendment No. 01 Oasis Pools
Request	<i>Approve reduction of the required 10 ft. side yard setback required by pools</i>
Location	12810 S Birch St

Staff Report

Preparer | Marcaé Hilton

Attachments

☐ Drawing

Preparer

Oasis Pools | Todd Briggs

Background Information

Staff was contacted by Oasis Pools regarding a pool at 12810 S Birch St. Originally they designed and laid out the pool at the required ten-foot (10') setback. They believed that the City only required them to adhere to the platted build line, not knowing that pools had a minimum 10' setback regardless of the platted build line. After contacting the utility companies, they moved the pool five feet (5') south due to electrical lines underneath the back yard of the house. Once they did that, they began building the pool. The site is completely excavated, plumbed, and the rebar is installed. The ten-foot (10') setback issue was finally noticed when a City Inspector came to do an inspection and told them the problem. The applicant originally applied for a variance for relief of the ten-foot (10') setback, but there is no hardship as defined by State statute. A minor amendment to the PUD would correct the encroachment. Staff does not see any adverse impact from the relief for the setback as described.

Zoning Request	PUD 61A Minor Amendment No. 1 Amend the 10' side yard pool setback to 5'. No other lots are impacted by the request.
Public Comment	None Minor Amendments are not advertised
Use	Single-family Subdivision No Change
Zoning	RS-1 PUD 61A Single-family Residential No change to the zoning
Comprehensive Plan	Medium Intensity Single Family (Horizon Jenks New Comp Plan)
General Location	North of 131st and East of Elm
Plat	Birmingham at Yorktown Plat No. 6530 April 14, 2014 Lot 10, Block 16 Parcel ID 60410730633310

Property Address 12810 S Birch
Gross Acres 0.18
Property Address 227 W 130 ST S

STR

Section: 06, Township: 17, Range: 13

Zoning

North | Single-family Residence
East | Single-family Residential
South | Single-family Residential
West | Single-family Residential



Figure 1: Zoning Map | INCOG

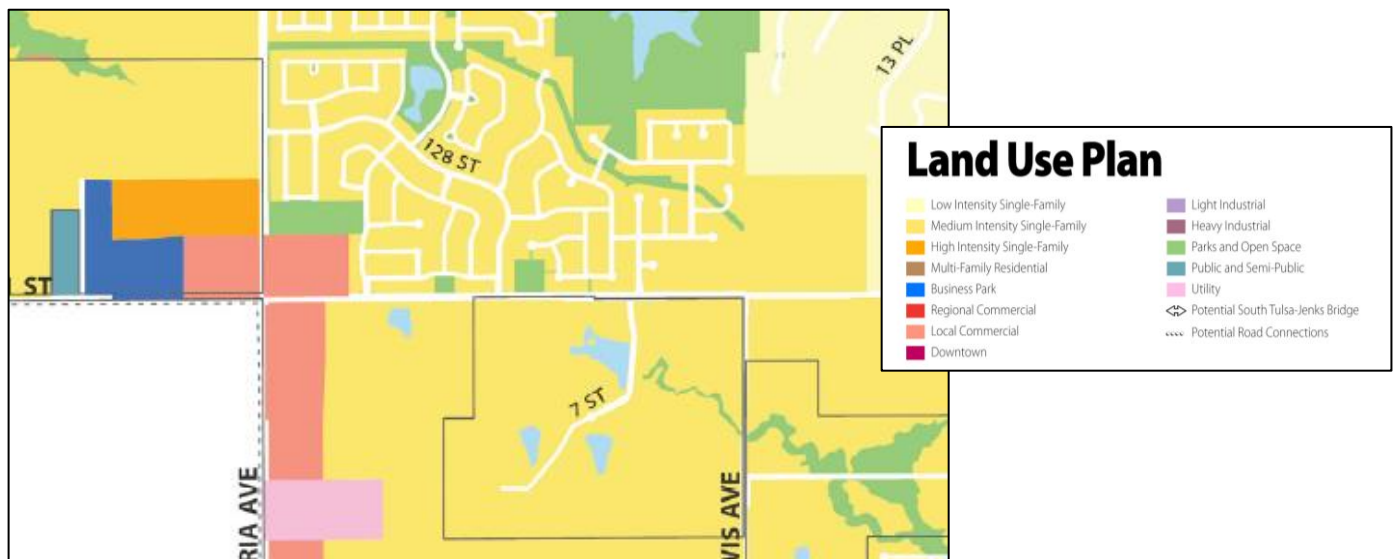


Figure 2: Legend for Horizon Jenks Comp Plan



Figure 3: Google Map View

PUD 61A | PUD ZONING LANGUAGE | [Sec. 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.

YARDS | SETBACK REQUIREMENT | [Sec. 240. - Yards](#)

Obstructions are permitted in required yards as follows:

- (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 feet from any side or rear lot lines.*

Staff Evaluation & Recommendation

Evaluation | Ten-foot (10') pool side yard encroachment relief request:

1. Approving this request would allow the current and future property owners which have been identified by Parcel and Lot & Block relief from the required 25-foot setback by changing it to a 20.5-foot front build line setback.
 - a. This is only for one lot.
 - b. The request is for relief of five (5') feet.
 - c. No other lots in the Valley View Ride are impacted by this decision.
 - d. The five (5') foot requirement is consistent with the recommendations in the upcoming UDO.
2. Approving this request will clear the title of the encroachment.
3. Consider
 1. *Whether the PUD (amendment) is consistent with the comprehensive plan; (Consistent, but not applicable)*
 2. *Whether the PUD (amendment) harmonizes with the existing and expected development of surrounding areas; (Yes, it harmonizes)*
 3. *Whether the PUD (amendment) is a unified treatment of the development possibilities of the project site; (Not applicable)*
 4. *Whether the PUD (amendment) is consistent with the stated purposes and standards of this chapter. (Yes)*

RECOMMENDATION | Staff recommends approval of the requested pool, side yard, setback, reduction from 10' to 5' for PUD 61A | Minor Amendment Number 01.

WHITE SURVEYING COMPANY

4700 EAST 10TH PLACE TULSA, OKLAHOMA 74145 • (918) 685-8824

MORTGAGE INSPECTION REPORT

LEGEND

- FENCE
- U/E UTILITY EASEMENT
- D/E DRAINAGE EASEMENT
- W/P WETTING POINT
- B/E BURIED ELECTRIC & TELEPHONE CABLE
- EASEMENT (APPROPRIATE LOCATION)
- B.L. BOUNDARY LINE
- O.B.L. OUTBOUNDING LINE



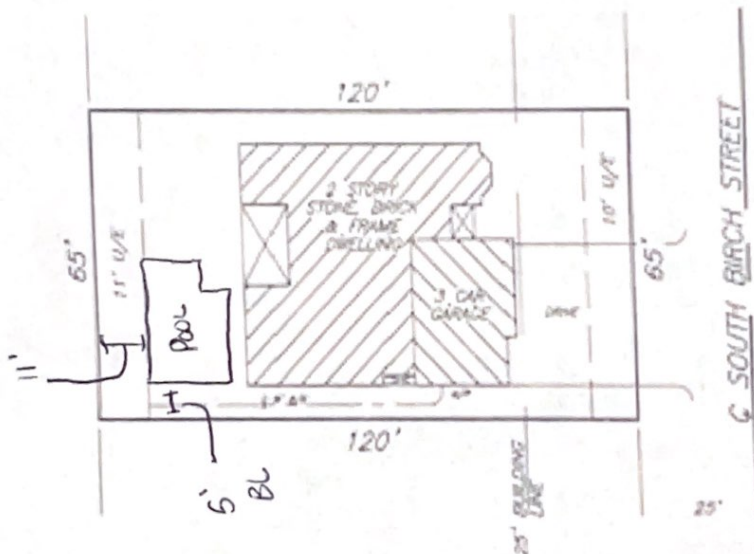
BEFORE YOU SIGN, CALL OR 1-800-423-6943

INVOICE NO.: FTA 17-84288
MORTGAGOR: NIETTEL, MICHAEL

CLIENT: FIRSTTITLE & ABSTRACT SERVICES, LLC.
CBI BANK & TRUST
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
118075

THIS PROPERTY LIES IN ZONE "X-UNSHARED" FLOOD HAZARD AREA PER F.I.R.M. NUMBER 4014300426L, AS LAST REVISED 10/16/12.

* We moved pool 5' to the South to avoid electric line. This moved it to the S' BL not realizing Jenks code was 10'.



THE FOLLOWING RECORDED DOCUMENTS DO NOT AFFECT THIS PROPERTY:

11. RIGHT OF WAY EASEMENT RECORDED IN BOOK 4488 PAGE 841.
12. EASEMENT RECORDED IN BOOK 5000 PAGE 178.
13. WATER EASEMENT RECORDED IN BOOK 5238 PAGE 2588.
14. DEDICATION DEED FOR PUBLIC HIGHWAY RECORDED IN DOCUMENT NO.04104538.

THE FOLLOWING RECORDED DOCUMENT INCLUDES THIS PROPERTY:

15. CONFIRMATORY CONVEYANCE AND ASSIGNMENT RECORDED IN DOCUMENT NO.2012012482.

LEGAL DESCRIPTION AS PROVIDED:

PLAT NO. 6530

LOT TEN (10), BLOCK SIXTEEN (16), BIRMINGHAM AT YORKTOWN, A SUBDIVISION IN THE CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 6530, AND KNOWN AS 12810 SOUTH BIRCH STREET.

SURVEYOR'S STATEMENT

WHITE SURVEYING COMPANY, AN OKLAHOMA CORPORATION, AND THE UNDERSIGNED LICENSED PROFESSIONAL LAND SURVEYOR, UNDER CERTIFICATE OF AUTHORIZATION #140088 (RENEWAL DATE: JUNE 30, 2017), DO HEREBY STATE THAT IN OUR PROFESSIONAL OPINION THE ABOVE INSPECTION PLAT SHOWS THE DWELLING AS LOCATED ON THE PREMISES DESCRIBED. THAT IT IS ENTIRELY NEARLY THE DESCRIBED TRACT BOUNDARIES, AND THERE ARE NO ENCROACHMENTS THEREON BY VISIBLE PERMANENT IMPROVEMENTS, EXCEPT AS INDICATED. THAT THE ABOVE INSPECTION PLAT SHOWS ALL RECORDED PLAT EASEMENTS AND OTHER SUCH EASEMENTS WHICH HAVE BEEN DISCLOSED BY A CURRENT TITLE OPINION OR BY COMMITMENT FOR TITLE INSURANCE AND COPIES THEREOF PROVIDED TO US. THAT THIS INSPECTION PLAT WAS PREPARED FOR CERTIFICATION PURPOSES ONLY FOR THE MORTGAGEE AND IT IS NOT A LAND OR BOUNDARY LINE SURVEY. THAT NO PROPERTY CORNERS WERE SET AND NO USE TO BE USED OR RELIED UPON FOR THE ESTABLISHMENT OF PROPERTY BOUNDARIES OR OTHER IMPROVEMENTS. THAT UNDERGROUND OR ABOVE GROUND UTILITIES WERE NOT FIELD LOCATED AND THEREFORE ARE NOT SHOWN ON THIS INSPECTION PLAT UNLESS SPECIFICALLY REQUESTED BY THE CLIENT. THAT THIS INSPECTION PLAT IS PREPARED SOLELY FOR THE CLIENT LISTED HEREON AND IS NOT TO BE USED FOR ANY SUBSEQUENT LOAN CLOSING, REFUNDING, OR OTHER TRANSACTION. AND THAT NO RESPONSIBILITY OR LIABILITY, INCLUDING HEREON OR HERETO, TO THE PRESENT OR FUTURE LAND OWNER OR OCCUPANT.

WITNESS MY HAND AND SEAL THIS DATE: 4/8/17

WARNING: If the seal on this document is not RED, it is an unauthorized copy which may have been altered or modified, and cannot be used for any purpose without the written permission of White Surveying Company.

Copyright 2015 by White Surveying Company. All Rights Reserved. No part of this plat may be reproduced, stored in a retrieval system, or transmitted in any form without prior written permission of White Surveying Company, P.O. Box 471875, Tulsa, Oklahoma 74145.

Jenks | PC Staff Report



To	Planning Commission
Hearing Date	March 03, 2022
Case Number	JZ 22 PUD 117 Minor Amendment No. 01 Neal
Request	Approve reduction of 25 ft. Build line as pertains to the Plat
Location	223 & 227 W 130 th St S

Staff Report

Preparer | Marcaé Hilton; bm

Attachments

- ☐ Surveyors Inspection Documents
- ☐ Pictures

Preparer

Sisemore & Associates
Tom Neal

Background Information

Staff was contacted by Mr. Neal regarding homes being built at 223 and 227 W 130th St S. After building the homes it was revealed that they had built across the front yard setback of 25 feet by < 5 feet. Tom Neal originally applied for a variance to the 25' setback, but there is no hardship as defined by State statute. A minor amendment to the PUD would correct the build line encroachment. Staff does not see any adverse impact from the relief for the two homes as described.

Zoning Request	PUD 117 Minor Amendment No. 1 Change the front build line on Lot 12 & 13, Block 50 from 25 feet to 20 feet. No other lots are impacted by the request.
Public Comment	None Minor Amendments are not advertised
Use	Single-family Subdivision No Change
Zoning	RS-2 PUD 117 Single-family Residential No change to the zoning
Comprehensive Plan	Local Commercial (Horizon Jenks New Comp Plan)
General Location	North of 131st and East of Elm
Plat	Yorktown Blocks 50-52 Plat No. 6898 January 22, 2020
	Lot 12, Block 50
	Parcel ID 60463730628810
	Property Address 223 W 130 ST S
	Lot 13, Block 50
	Parcel ID 60463730628820
	Property Address 227 W 130 ST S
STR	Section: 06, Township: 17, Range: 13

Zoning North | Single-family Residence
 East | Single-family Residential
 South | Single-family Residential
 West | Single-family Residential

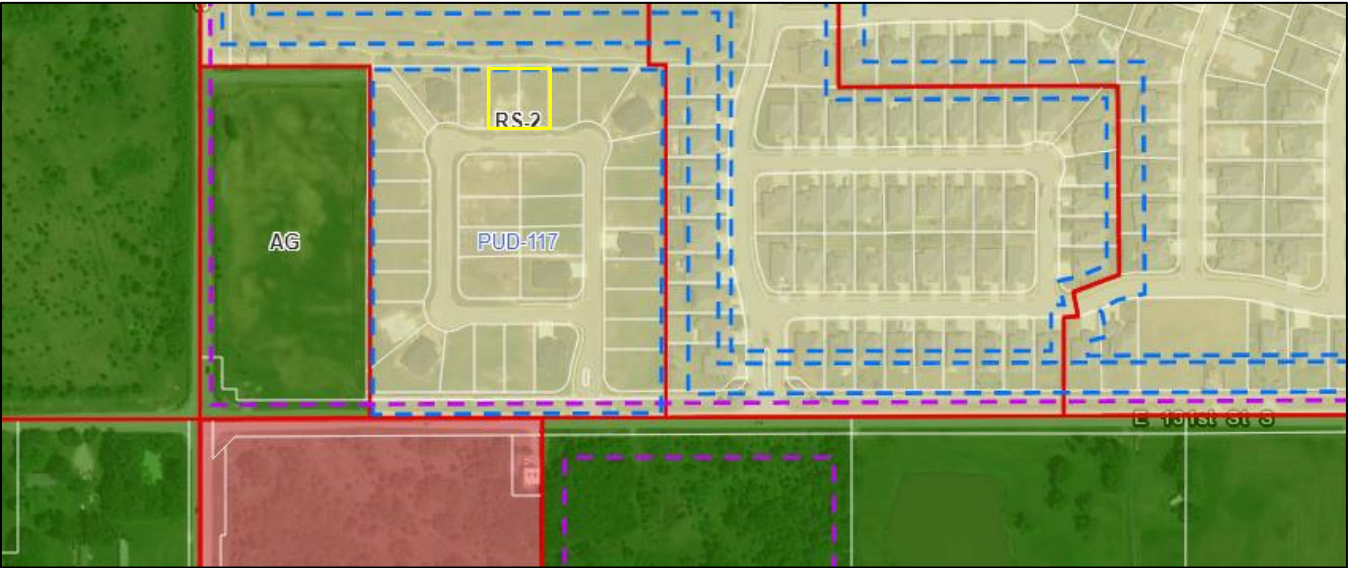


Figure 1: Zoning Map | INCOG

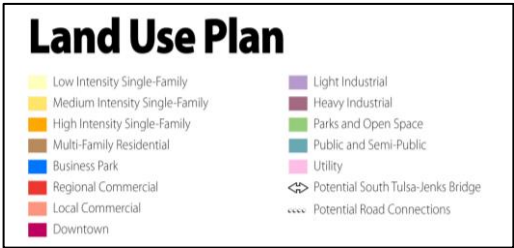


Figure 2: Legend

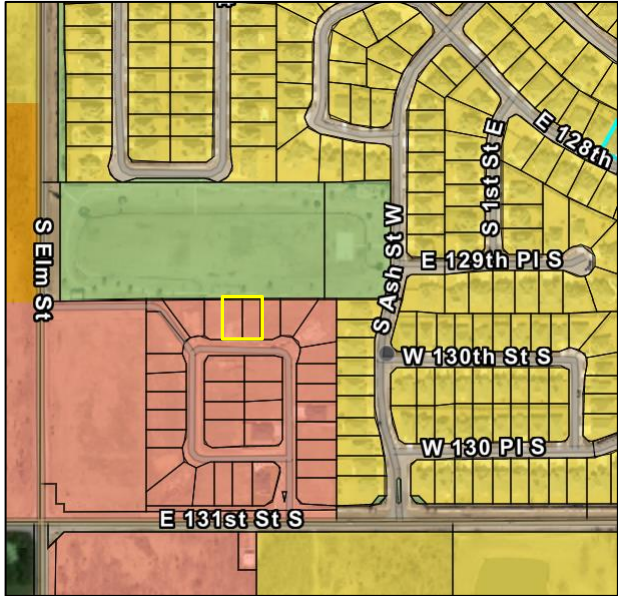


Figure 3: Horizon Jenks Comp Plan



Figure 4: Google Map View

PUD 117 | PUD ZONING LANGUAGE | [Sec. 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.

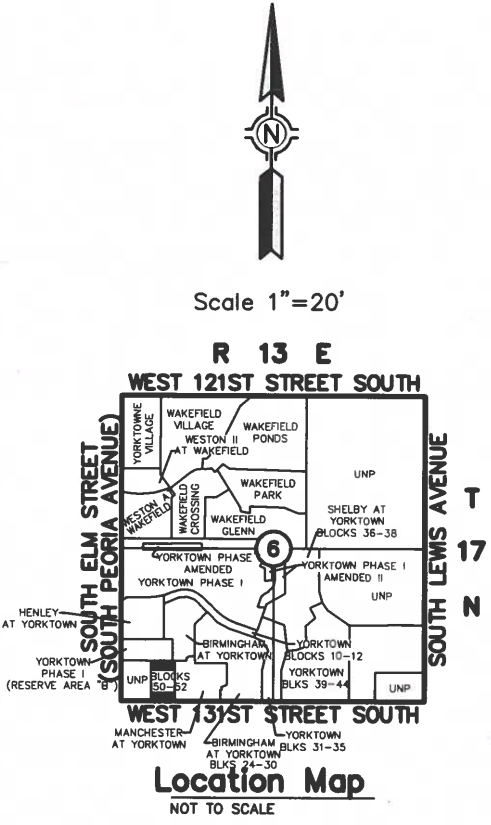
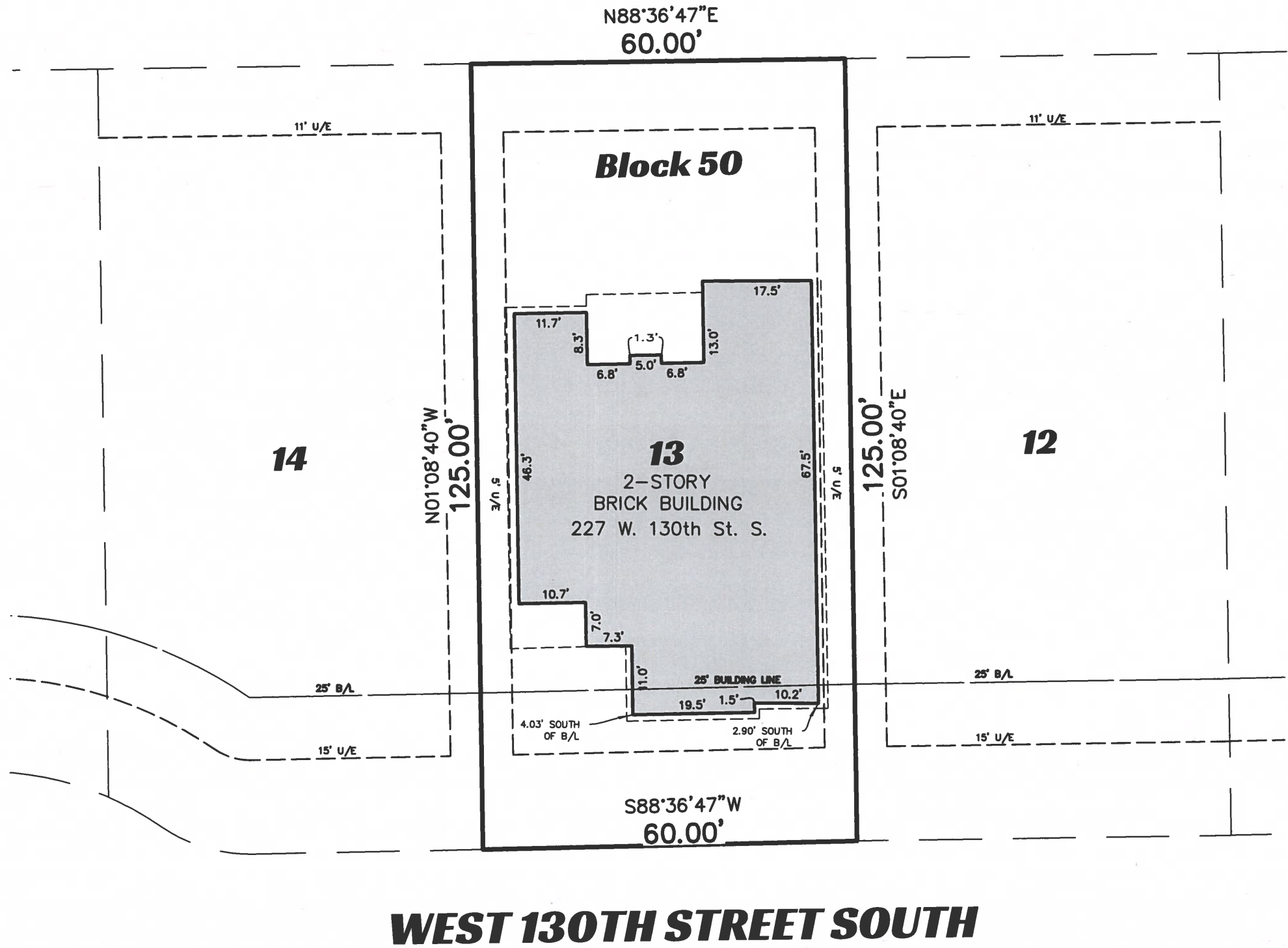
Staff Evaluation & Recommendation

Evaluation | Front 20-foot build line encroachment relief request:

1. Approving this request would allow the current and future property owners which have been identified by Parcel and Lot & Block relief from the required 25-foot setback by changing it to a 20-foot front build line setback.
 - a. This is only for 2 lots.
 - b. The request is for relief under 4.5'
 - c. No other lots in the Valley View Ride are impacted by this decision.
2. Approving this request will clear the title of the encroachment.
3. Consider
 1. *Whether the PUD (amendment) is consistent with the comprehensive plan; (Consistent, but not applicable)*
 2. *Whether the PUD (amendment) harmonizes with the existing and expected development of surrounding areas; (Yes, it harmonizes)*
 3. *Whether the PUD (amendment) is a unified treatment of the development possibilities of the project site; (Not applicable)*
 4. *Whether the PUD (amendment) is consistent with the stated purposes and standards of this chapter. (Yes)*

RECOMMENDATION | *Staff recommends approval of the requested front build-line reduction from 25' to 20' for PUD 117 | Minor Amendment Number 01.*

Exhibit
BUILDING LINE ENCROACHMENT
Lot 13 Block 50 Yorktown Blocks 50-52 Doc#6898
City of Jenks, Tulsa County, State of Oklahoma



Surveyor's Certification

WE, SISEMORE & ASSOCIATES, INC. HEREBY CERTIFY THAT THE ABOVE REPRESENTS A SURVEY PERFORMED UNDER OUR DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF AS OF THIS DATE.

THIS PLAT OF SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS, AS ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.

DATE OF LAST FIELD VISIT: JANUARY 07, 2022.

WITNESS MY HAND AND SEAL THIS 07TH DAY OF JANUARY, 2022.

SISEMORE & ASSOCIATES, INC.

BY: 

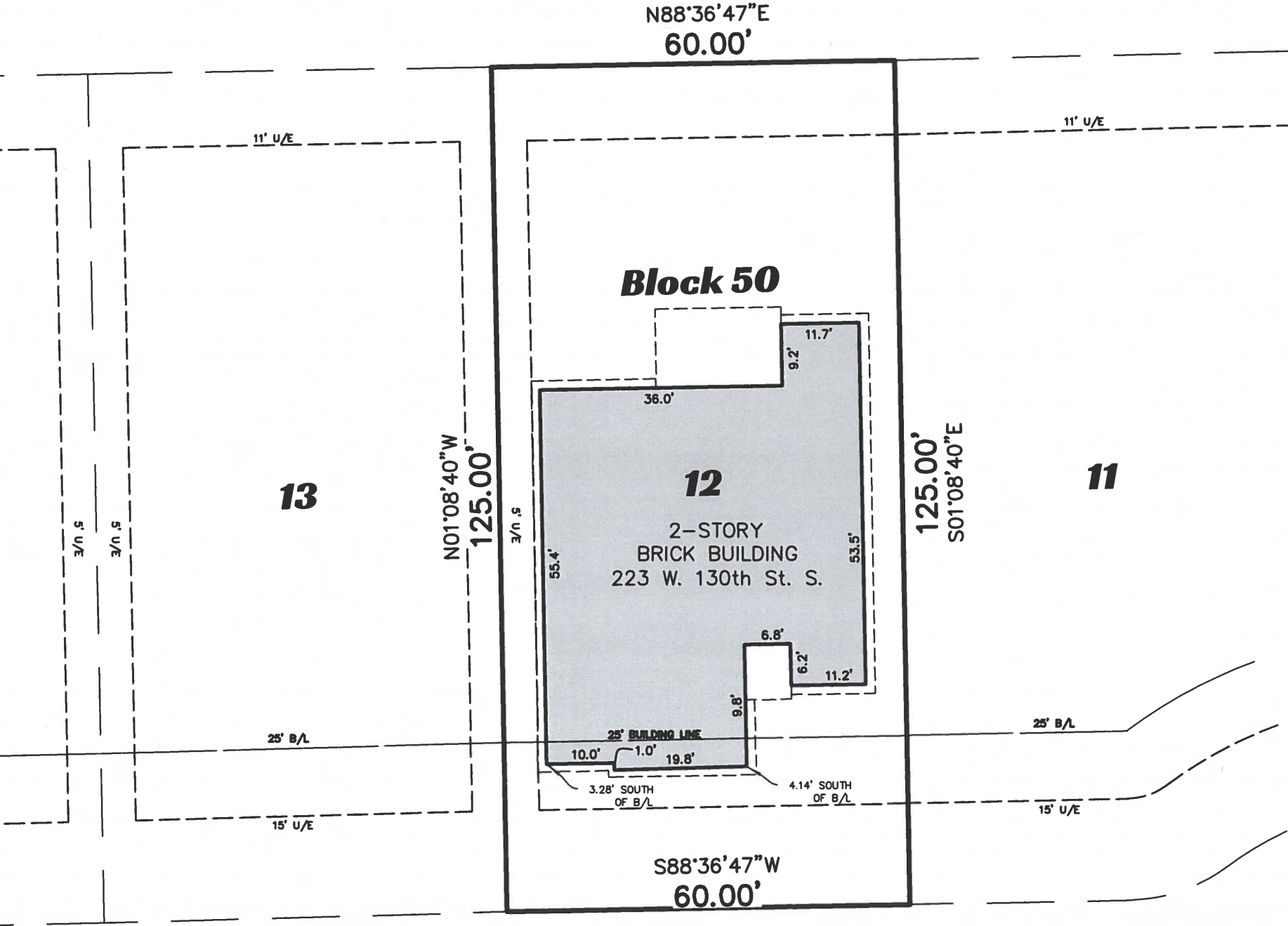
Salvador Titone
PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1788
EMAIL: scollins@sw-assoc.com



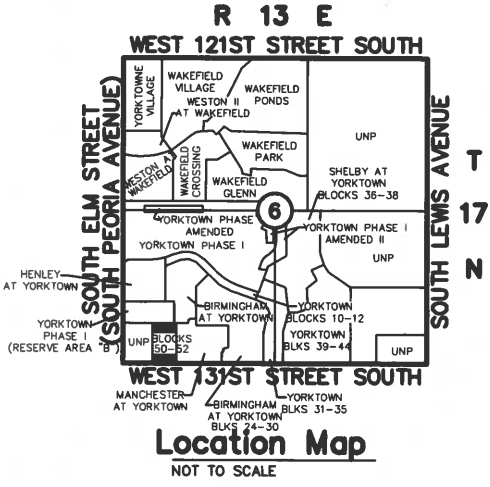
SISEMORE & ASSOCIATES
Surveying ~ Civil Engineering ~ Land Planning
6660 South Sheridan Road Phone: (918) 665-3600
Suite 210 - Tulsa, Oklahoma 74133 Fax: (918) 665-8668
C.A. No. 2421 Exp. Date 6/30/23
(www.sisemoreandassociates.com)

DRAWING: K:\18869.06\18869.06 ex.dwg SISEMORE & ASSOCIATES, INC., 2021

Exhibit
BUILDING LINE ENCROACHMENT
Lot 12 Block 50 Yorktown Blocks 50-52 Doc#6898
City of Jenks, Tulsa County, State of Oklahoma



Scale 1"=20'



Surveyor's Certification

WE, SISEMORE & ASSOCIATES, INC. HEREBY CERTIFY THAT THE ABOVE REPRESENTS A SURVEY PERFORMED UNDER OUR DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF AS OF THIS DATE.

THIS PLAT OF SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS, AS ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.

DATE OF LAST FIELD VISIT: JANUARY 07, 2022.

WITNESS MY HAND AND SEAL THIS 07TH DAY OF JANUARY, 2022.



SISEMORE & ASSOCIATES, INC.
By: *Salvador Titone*
Salvador Titone
PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1788
EMAIL: scollins@aw-assoc.com

SISEMORE & ASSOCIATES
Surveying ~ Civil Engineering ~ Land Planning
6660 South Sheridan Road Suite 210 - Tulsa, Oklahoma 74133
Phone: (918) 665-3600 Fax: (918) 665-8668
C.A. No. 2421 Exp. Date 6/30/23
(www.sisemoreandassociates.com)

WEST 130TH STREET SOUTH



Owner / Developer

YORKTOWN HOLDING, LLC
5711 EAST 71ST STREET, SUITE 120
TULSA, OKLAHOMA 74136
PHONE: (918) 484-4004
MR. JOHN WOOLMAN

Engineer

ENGINEERED BY DESIGN, PLLC
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C.A. # 5848 EXPIRES 6-30-2020

Planned Unit Development (PUD 117)

Yorktown Blocks 50-52

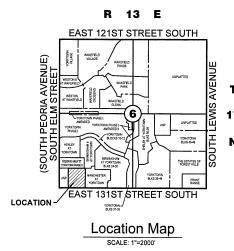
A SUBDIVISION IN THE CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA, BEING A PART OF THE SOUTHWEST QUARTER (SW4) OF SECTION SIX (6), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN.

Line Table

LINE	BEARING	DISTANCE
L1	N 01°08'40" W	240.01'
L2	S 88°36'47" W	199.00'
L3	S 01°08'40" E	240.01'
L4	N 88°36'47" E	199.00'
L5	N 01°08'40" W	27.19'
L6	S 01°08'40" E	27.19'
L7	S 01°08'40" E	416.17'
L8	N 01°08'40" W	230.82'
L9	N 88°36'47" E	189.82'
L10	S 88°36'47" W	192.52'

Curve Table

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	38.38'	25.00'	157°14'53.00"	N 45°15'56" W	35.43'
C2	38.16'	25.00'	89°49'27.00"	S 43°44'04" W	35.39'
C3	38.38'	25.00'	90°14'33.00"	S 48°15'56" E	35.43'
C4	38.16'	25.00'	89°49'27.00"	N 43°44'04" E	35.39'
C5	15.41'	25.00'	35°19'28.47"	S 19°31'09" W	15.17'
C6	28.96'	138.00'	111°11'33.79"	N 14°17'55" E	28.92'
C7	47.25'	30.00'	90°14'33.00"	S 48°15'56" E	42.92'
C8	12.57'	4.00'	180°00'00.00"	N 88°51'21" E	8.00'
C9	12.57'	4.00'	180°00'00.00"	S 88°51'20" W	8.00'
C10	45.70'	30.00'	87°17'09.52"	N 44°18'12" E	41.41'
C11	43.67'	25.00'	100°09'21.30"	N 41°20'32" W	38.33'
C12	52.50'	162.00'	18°34'04.11"	S 10°38'40" W	52.27'
C13	140.40'	50.00'	160°53'11.93"	N 46°15'56" W	88.61'
C14	15.41'	25.00'	35°19'28.47"	N 70°47'02" E	15.17'
C15	15.41'	25.00'	35°32'30.30"	S 73°36'58" E	15.26'
C16	15.51'	25.00'	34°32'30.30"	N 18°14'55" W	15.26'
C17	16.41'	25.00'	35°19'28.47"	N 16°31'09" E	15.17'
C18	16.41'	25.00'	35°19'28.47"	S 70°57'02" W	15.17'
C19	140.40'	50.00'	160°53'11.93"	S 45°15'56" E	88.61'
C20	140.38'	50.00'	190°50'27.59"	S 43°44'03" W	88.61'



Yorktown Phase I Reserve 'B'

Reserve 'D' & U/E

Subdivision Statistics

SUBDIVISION CONTAINS THIRTY-FIVE (35) LOTS IN THREE (3) BLOCKS AND TWO (2) RESERVE AREAS:

BLOCK 50 15 LOTS
BLOCK 51 12 LOTS
BLOCK 52 8 LOTS

GROSS SUBDIVISION AREA:

388,340.99 SF / 8.14 ACRES

Basis of Bearings

BEARINGS ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, (3501 OK N), NORTH AMERICAN DATUM 1983 (NAD83).

Monumentation

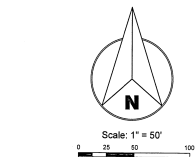
ALL CORNERS SHOWN HEREON WERE SET USING A 3/8" x 18" STEEL PIN WITH A GREEN PLASTIC CAP STAMPED "FRITZ CAS848".

Benchmark

5/8" REBAR - 1 1/2" ALUMINUM CAP/FLUSH-STAMPED "356", SET SE OF THE INTERSECTION OF W. 121ST ST. S. & S. ELM STREET. ELEV = 722.62' (NAVD 1988) N=365958.22 / E=2667293.76

Legend

BL - BUILDING SETBACK LINE
L.N.A. - LIMITS OF NO ACCESS
U/E - UTILITY EASEMENT
STREET ADDRESS



FINAL PLAT CERTIFICATE OF APPROVAL

I HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY THE JENKS CITY COUNCIL ON

MAYOR - VICE MAYOR
THIS APPROVAL IS VOID IF THE ABOVE SIGNATURE IS NOT ENDORSED BY THE CITY MANAGER

CITY MANAGER

STATE OF OKLAHOMA)
COUNTY OF TULSA)

I, MICHAEL WILLIS, TULSA COUNTY CLERK, IN A FOR THE COUNTY AND STATE ABOVE NAMED, DO HEREBY CERTIFY THAT THE FORGING IS A TRUE AND CORRECT COPY OF A LIKE INSTRUMENT NOW ON FILE IN MY OFFICE.

DATED THE _____ DAY OF _____, 2020
MICHAEL WILLIS, TULSA COUNTY CLERK

DEPUTY

CERTIFICATE

I hereby certify that all real estate taxes involved in this plat have been paid as reflected by the current tax rolls. Security as required has been provided in the amount of \$54,000 per tract receipt no. 16233 to be applied to payment of 2020 taxes. This certificate is NOT to be construed as payment of 2020 taxes. If 2020 taxes are given in order that this plat may be recorded, the 2020 taxes may exceed the amount of \$54,000 deposit.

Dated: 01/22/2020

Tulsa County Treasurer

Deputy

Deed of Dedication
YORKTOWN BLOCKS 50-52
PUD 117

KNOW ALL MEN BY THESE PRESENTS:

ANYTOWN HOLDING, L.L.C., AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER REFERRED TO AS THE OWNER, IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND BEING A PART OF GOVERNMENT LOT SEVEN (7) IN SECTION SIX (6), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, TULSA COUNTY, STATE OF OKLAHOMA, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 7, THENCE NORTH 01°08'40" WEST ALONG THE WESTERLY LINE OF SAID GOVERNMENT LOT 7 FOR 700.01 FEET, THENCE NORTH 89°36'47" EAST AND PARALLEL WITH THE SOUTHERLY LINE OF SAID GOVERNMENT LOT 7 FOR 334.42 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND, THENCE CONTINUING NORTH 89°36'47" EAST AND PARALLEL WITH THE SOUTHERLY LINE OF SAID GOVERNMENT LOT 7 FOR 599.01 FEET, THENCE SOUTH 01°08'40" EAST AND PARALLEL WITH SAID WESTERLY LINE FOR 665.01 FEET TO A POINT 55.00 FEET NORTH OF SAID SOUTHERLY LINE, THENCE SOUTH 89°36'47" WEST AND PARALLEL WITH SAID SOUTHERLY LINE FOR 599.01 FEET, THENCE NORTH 01°08'40" WEST AND PARALLEL WITH SAID WESTERLY LINE FOR 665.01 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

SAID DESCRIBED TRACT CONTAINS 398.340.89 SQUARE FEET OR 9.14 ACRES, MORE OR LESS.

BEARINGS ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, (3501 OK N), NORTH AMERICAN DATUM 1983 (NAD83).

AND HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO LOTS, BLOCKS, RESERVE AREAS, AND STREETS, IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "YORKTOWN BLOCKS 50-52", A SUBDIVISION IN THE CITY OF JENKS, TULSA COUNTY, OKLAHOMA.

SECTION I. STREETS, EASEMENTS AND UTILITIES

A. PUBLIC STREETS AND GENERAL UTILITY EASEMENTS

THE OWNER/DEVELOPER DOES HEREBY DEDICATE TO THE PUBLIC THE STREET RIGHTS-OF-WAY AS DEPICTED ON THE ACCOMPANYING PLAT. ADDITIONALLY, THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED AS "UE" OR "UTILITY EASEMENT" FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES, AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POWER WIRES, CONDUITS, VALVES, METERS, AND EQUIPMENT FOR SAID UTILITIES AND ALL OTHER APPURTEANCES THEREOF, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID. PROVIDED HOWEVER, THE OWNER/DEVELOPER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RELAY WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING AND RELAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. THE OWNER/DEVELOPER HEREIN IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF JENKS, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH THE ABOVE SET FORTH USES AND PURPOSES OF AN EASEMENT SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED; PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING FENCES AND WALLS THAT DO NOT CONSTITUTE AN OBSTRUCTION.

B. UNDERGROUND SERVICE

1. OVERHEAD POLES MAY BE LOCATED ALONG THE SOUTH PERIMETER (ALONG EAST 11ST/1 EAST AVENUE) OF THE SUBDIVISION AS NECESSARY IF LOCATED IN UTILITY EASEMENTS FOR THE PURPOSE OF THE SUPPLY OF UNDERGROUND SERVICE. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY UNDERGROUND CABLE, AND EXCEPT AS PROVIDED IN THE IMMEDIATELY PRECEDING SENTENCE, ALL ELECTRIC AND COMMUNICATION SUPPLY LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENT-WAYS RESERVED FOR GENERAL UTILITY SERVICES AND STREETS, SHOWN ON THE ATTACHED PLAT.

2. ALL SUPPLY LINES IN THE SUBDIVISION INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENTS RESERVED FOR GENERAL UTILITY SERVICES AND STREETS SHOWN ON THE PLAT OF THE SUBDIVISION. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE SAID UTILITY EASEMENTS.

3. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH MAY BE LOCATED ON ALL LOTS IN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL, OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE AS MAY BE LOCATED UPON EACH SAID LOT, PROVIDED THAT UPON THE INSTALLATION OF SUCH A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT AND EFFECTIVE EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE, EXTENDING FROM THE SERVICE PEDESTAL, TRANSFORMER OR GAS MAIN TO THE SERVICE ENTRANCE ON THE STRUCTURE OR A POINT OF METERING.

4. THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICES, THROUGH ITS AUTHORIZED AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL SUCH EASEMENTS SHOWN ON THE PLAT OF THE SUBDIVISION OR PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE FACILITIES SO INSTALLED BY IT. THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION ALSO RESERVE THE PERPETUAL RIGHT, PRIVILEGE, AND AUTHORITY TO CUT DOWN, TRIM, OR TREAT ANY TREES AND UNDERGROWTH ON SAID EASEMENT.

5. THE OWNER OF EACH LOT IN THE SUBDIVISION SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND ELECTRIC FACILITIES LOCATED ON HIS PROPERTY AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. THE SUPPLIER OF SERVICE WILL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER OF EACH LOT IN THE SUBDIVISION WILL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS. THE FOREGOING COVENANTS CONCERNING UNDERGROUND FACILITIES SHALL BE ENFORCEABLE BY THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICES.

C. WATER MAINS, SANITARY SEWERS, AND STORM SEWER SERVICES

1. THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS IN THIS ADDITION.

2. WITHIN THE UTILITY EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER MAIN, OR ANY CONSTRUCTION ACTIVITY WHICH WOULD, IN THE JUDGMENT OF THE CITY OF JENKS, INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS SHALL BE PROHIBITED.

3. THE CITY OF JENKS, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, HIS AGENTS OR CONTRACTORS.

4. THE CITY OF JENKS, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THE DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF UNDERGROUND WATER, SANITARY SEWER OR STORM SEWER FACILITIES.

5. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY THE CITY OF JENKS, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

D. SURFACE DRAINAGE

EACH LOT DEPICTED ON THE PLAT OF YORKTOWN BLOCKS 50-52, SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM STREETS AND EASEMENTS. NO LOT OWNER(S) SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS ANY LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF JENKS, OKLAHOMA.

E. PAVING AND LANDSCAPING WITHIN EASEMENT

THE OWNER OF THE LOT AFFECTED SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO LANDSCAPING AND PAVING OCCASIONED BY NECESSARY PLACEMENTS, REPLACEMENTS, OR MAINTENANCE OF WATER SEWER, STORM SEWER, NATURAL GAS, COMMUNICATION, CABLE TELEVISION, OR ELECTRIC FACILITIES WITHIN THE UTILITY EASEMENT AREAS DEPICTED UPON THE ACCOMPANYING PLAT, PROVIDED HOWEVER, THE CITY OF JENKS, OKLAHOMA OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

F. OVERLAND DRAINAGE EASEMENTS

1. OVERLAND DRAINAGE EASEMENTS DESIGNATED ON THE PLAT ARE HEREBY DEDICATED TO THE CITY OF JENKS OR ITS SUCCESSORS FOR THE PURPOSE OF MAINTAINING, CONSTRUCTING OR REPAIRING ALL DRAINAGE FACILITIES WITHIN THESE EASEMENTS MAY BE USED FOR UTILITIES ACCORDING TO THE PROVISIONS IN THE CERTIFICATE OF DEDICATION AS IT APPLIES TO EASEMENTS, EXCEPT THAT CONSTRUCTION AND USE OF UTILITIES THEREIN SHALL NOT INTERFERE WITH THE USE FOR DRAINAGE PURPOSES.

2. NO BUILDING STRUCTURE, WALL, FENCE, OR ABOVE OR BELOW GROUND OBSTRUCTIONS SHALL BE CONSTRUCTED OR PLACED WITHIN ANY DRAINAGE EASEMENT WITHOUT APPROVAL OF THE CITY OF JENKS.

3. THE OWNER OF EACH LOT UPON WHICH A DRAINAGE EASEMENT IS SITUATED SHALL BE SOLELY RESPONSIBLE FOR THE MAINTENANCE OF ANY SAID EASEMENT WHICH TRAVERSES THEIR RESPECTIVE PROPERTY.

4. IN THE EVENT OWNER SHOULD FAIL TO PROPERLY MAINTAIN THE DRAINAGE FACILITIES OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN, OR THE ALTERATION OF THE CONTOUR THEREIN, THE CITY OF JENKS OR ITS DESIGNATED CONTRACTOR MAY ENTER AND PERFORM MAINTENANCE NECESSARY TO THE ACHIEVEMENT OF THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT BY THE OWNER, OR THE HOMEOWNERS ASSOCIATION, IN THE COST THEREOF SHALL BE PAID BY THE OWNER OR THE HOMEOWNERS ASSOCIATION. IN THE EVENT OWNER OR THE HOMEOWNERS ASSOCIATION, AS THE CASE MAY BE, FAILS TO PAY THE COST OF MAINTENANCE AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, THE CITY OF JENKS, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS, AND THEREAFTER FILE A LIEN AGAINST THE SUBJECT LOT, SUCH LIEN, HOWEVER, SHALL BE SUBORDINATE TO THE LIEN OF ANY FIRST MORTGAGE. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF JENKS.

G. RESERVE AREAS "A" & UE

RESERVE AREA "A" & UE IS HEREBY DEDICATED FOR THE PURPOSE OF ESTABLISHING AND MAINTAINING EMERGENCY ACCESS, UTILITY EASEMENT, OPEN SPACE, RECREATION, LANDSCAPING, PAVING AND GATES, AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO THE YORKTOWN MASTER HOMEOWNERS ASSOCIATION, FOR THEIR USE AND MAINTENANCE, TO BE COMPRISED OF THE OWNERS OF ALL RESIDENTIAL LOTS WITHIN THE YORKTOWN DEVELOPMENT COMMUNITY AS SET FORTH WITHIN SECTION IV HEREOF.

H. RESERVE AREA "B" & UE

RESERVE AREA "B" IS HEREBY DEDICATED FOR THE PURPOSE OF ESTABLISHING AND MAINTAINING LANDSCAPING, UTILITY EASEMENT AND OPEN SPACE AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO THE YORKTOWN MASTER HOMEOWNERS ASSOCIATION, FOR THEIR USE AND MAINTENANCE, TO BE COMPRISED OF THE OWNERS OF ALL RESIDENTIAL LOTS WITHIN THE YORKTOWN DEVELOPMENT COMMUNITY AS SET FORTH WITHIN SECTION IV HEREOF.

I. LIMITS OF NO ACCESS

THE UNDERSIGNED OWNER/DEVELOPER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" (L.N.A.) ON THE ACCOMPANYING PLAT, WHICH "LIMITS OF NO ACCESS" MAY BE AMENDED OR RELEASED BY THE CITY OF JENKS, OKLAHOMA, OR ITS SUCCESSOR, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA. LIMITS OF NO ACCESS SHALL BE ENFORCEABLE BY THE CITY OF JENKS, OKLAHOMA.

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, "YORKTOWN BLOCKS 50-52" WAS SUBMITTED AS PART OF A PLANNED UNIT DEVELOPMENT (DESIGNATED AS PUD 117), AS PROVIDED WITHIN SECTIONS 800 THROUGH 950 OF THE CITY OF JENKS ZONING CODE, AS THE SAME EXISTED ON JUNE 3, 2019, (HEREINAFTER THE "JENKS ZONING CODE"); AND

WHEREAS PUD 117 WAS AFFIRMATIVELY RECOMMENDED BY THE JENKS PLANNING COMMISSION AND APPROVED BY THE JENKS CITY COUNCIL, AND

WHEREAS, THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE JENKS ZONING CODE REQUIRE THE ESTABLISHMENT OF COVENANTS OF RECORD, INJURING TO AND ENFORCEABLE BY THE CITY OF JENKS, OKLAHOMA, SUFFICIENT TO ASSURE THE IMPLEMENTATION AND CONTINUED COMPLIANCE WITH THE APPROVED PLANNED UNIT DEVELOPMENT AND AMENDMENTS THERETO; AND

WHEREAS, THE OWNERS ESTABLISHED RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR AN ORDERLY DEVELOPMENT AND TO INSURE ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND THE CITY OF JENKS, OKLAHOMA, AND

THEREFORE, THE OWNERS DO HEREBY IMPOSE RESTRICTIONS AND COVENANTS TO ALL LOTS CONTAINED WITHIN THIS SUBDIVISION PLAT (YORKTOWN BLOCKS 50-52), AND WHICH COVENANTS SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH:

GROSS LAND AREA: 9.63 ACRES (419,305.99 SQUARE FEET)

EXISTING ZONING: PUD 117

YORKTOWN BLOCKS 50-52 NEIGHBORHOOD PUD DEVELOPMENT STANDARDS INCLUDES ALL LOTS LOCATED WITHIN YORKTOWN BLOCKS 50-52:

PERMITTED USES:

USE UNIT 1, AREA-WIDE USES BY RIGHT

USE UNIT 6, SINGLE-FAMILY DWELLINGS, AND CUSTOMARY FACILITIES AND AMENITIES, INCLUSIVE OF COMMON SPACE AREA USES AND ACTIVITIES GENERALLY FOUND WITHIN MASTER-PLANNED RESIDENTIAL COMMUNITIES

MINIMUM LOT WIDTH: 80 FEET

MINIMUM LOT AREA: 5,900 SQUARE FEET

MAXIMUM STRUCTURE HEIGHT:

35 FEET, WITH THE EXCEPTION OF CHIMNEYS, CUPOLAS, OR OTHER ARCHITECTURAL STRUCTURES WHICH MAY EXTEND TO A MAXIMUM HEIGHT OF 45 FEET.

MINIMUM OFF-STREET PARKING:

TWO (2) ENCLOSED OFF-STREET PARKING SPACES PER DWELLING UNIT

BUILDING SETBACK FROM ARTERIAL STREET RIGHT-OF-WAY:

35 FEET

FRONT YARD ABUTTING A PUBLIC STREET:

25 FEET

REAR YARD:

20 FEET

SIDE YARD:

5 FEET

ALL OTHER YARDS ABUTTING A PUBLIC STREET:

15 FEET, UNLESS A SIDE ENTRY GARAGE IS PROPOSED. IF A SIDE ENTRY GARAGE IS PROPOSED THE BUILDING WALL CONTAINING THE GARAGE DOOR SHALL BE SET A MINIMUM OF 25 FEET FROM THE STREET RIGHT OF WAY.

SECTION II. PRIVATE BUILDING AND USE RESTRICTIONS

WHEREAS, THE OWNERS DESIRE TO ESTABLISH ADDITIONAL RESTRICTIONS FOR "YORKTOWN BLOCKS 50-52" FOR THE PURPOSE OF PROVIDING AN ORDERLY DEVELOPMENT OF THE RESIDENTIAL NEIGHBORHOODS WITHIN YORKTOWN BLOCKS 50-52, AND TO ENSURE ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNERS, ITS SUCCESSORS AND ASSIGNS.

THEREFORE, THE OWNERS DO HEREBY AND LIKEWISE IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS UPON THE LOTS WITHIN THIS SUBDIVISION PLAT (YORKTOWN BLOCKS 50-52) WHICH SHALL BE COVENANTS RUNNING WITH THE LAND, AND SHALL BE BINDING UPON THE OWNERS, THEIR SUCCESSORS AND ASSIGNS:

A. ARCHITECTURAL COMMITTEE - PLAN REVIEW

1. NO BUILDING, FENCE, WALL OR LANDSCAPING SHALL BE ERECTED, PLACED OR ALTERED ON ANY RESIDENTIAL LOT IN THIS SUBDIVISION UNTIL THE BUILDING PLANS, LANDSCAPING PLANS, AND SPECIFICATIONS FOR ALL HOUSES TO BE BUILT, AND LANDSCAPING TO BE INSTALLED, ARE ON FILE WITH THE YORKTOWN ARCHITECTURAL COMMITTEE. INITIALLY TO BE YORKTOWN HOLDING, LLC MEMBERS OR THEIR DULY AUTHORIZED REPRESENTATIVE REPRESENTATIVES OR SUCCESSORS, IN THE EVENT OF THE DEATH OR RESIGNATION OF ANY MEMBER OF THE YORKTOWN ARCHITECTURAL COMMITTEE, THE REMAINING MEMBER OR MEMBERS SHALL HAVE FULL AUTHORITY TO APPROVE OR DISAPPROVE SUCH PLANS, SPECIFICATIONS, COLOR SCHEME, MATERIALS AND PLOT PLAN, OR TO DESIGNATE A REPRESENTATIVE OR REPRESENTATIVES WITH THE LIKE AUTHORITY, AND SAID REMAINING MEMBER OR MEMBERS SHALL HAVE AUTHORITY TO FILL ANY VACANCY OR VACANCIES CREATED BY THE DEATH OR RESIGNATION OF ANY OF THE AFORESAID MEMBERS, AND SAID NEWLY APPOINTED MEMBER SHALL HAVE THE SAME AUTHORITY HEREUNDER AS THEIR PREDECESSORS, AS ABOVE SET FORTH, ANY CHANGES TO PLANS ON FILE WITH THE ARCHITECTURAL COMMITTEE, OR ANY ADDITIONAL NEW PLANS WILL NEED WRITTEN APPROVAL BEFORE CONSTRUCTION MAY BEGIN.

2. THE ARCHITECTURAL COMMITTEES PURPOSE IS TO PROMOTE GOOD DESIGN AND COMPATIBILITY WITHIN THE SUBDIVISION AND IN ITS REVIEW OF BUILDING OR LANDSCAPING PLANS FOR DETERMINATION OF ANY WAIVER AS HEREINAFTER AUTHORIZED MAY TAKE INTO CONSIDERATION THE NATURE AND CHARACTER OF THE PROPOSED BUILDING OR STRUCTURE, THE MATERIALS OF WHICH IT IS TO BE BUILT, THE AVAILABILITY OF ALTERNATIVE MATERIALS, THE SITE UPON WHICH IT IS PROPOSED TO BE ERECTED AND THE HARMONY THEREOF WITH THE SURROUNDING AREA. THE ARCHITECTURAL COMMITTEE SHALL NOT BE LIABLE FOR ANY APPROVAL, DISAPPROVAL OR FAILURE TO APPROVE HEREUNDER, AND ITS APPROVAL OF BUILDING PLANS SHALL NOT CONSTITUTE A WARRANTY OR RESPONSIBILITY FOR BUILDING METHODS, MATERIALS, PROCEDURES, STRUCTURAL DESIGN, GRADING OR DRAINAGE, OR CODE VIOLATIONS, THE APPROVAL, DISAPPROVAL OR FAILURE TO APPROVE OF ANY BUILDING PLANS SHALL NOT BE DEEMED A WAIVER OF ANY RESTRICTION, UNLESS THE ARCHITECTURAL COMMITTEE IS HEREINAFTER AUTHORIZED TO GRANT THE PARTICULAR WAIVER.

3. THE POWERS AND DUTIES OF THE ARCHITECTURAL COMMITTEE OR ITS DESIGNATED REPRESENTATIVE SHALL CEASE WHEN ONE-HUNDRED PERCENT (100%) OF THE HOUSES ON THE RESIDENTIAL LOTS HAVE BEEN BUILT. THEREAFTER, THE POWERS AND DUTIES OF THE ARCHITECTURAL COMMITTEE SHALL BE EXERCISED BY THE HOMEOWNERS ASSOCIATION HEREAFTER PROVIDED FOR.

B. BUILDING MATERIAL REQUIREMENTS AND OTHER RESTRICTIONS APPLICABLE TO ALL RESIDENTIAL LOTS CONTAINED WITHIN YORKTOWN BLOCKS 50-52

1. STEM WALLS:

ALL EXPOSED FOUNDATION OR STEM WALLS SHALL BE OF BRICK, STONE OR STUCCO. NO CONCRETE BLOCKS, POURED CONCRETE OR ANY OTHER FOUNDATION WILL BE EXPOSED. NO STEM WALLS WILL BE EXPOSED.

2. ROOFING:

ROOFING SHALL BE A SINGULAR ROOF SELECTION AND COLOR FOR EACH RESPECTIVE NEIGHBORHOOD COMMUNITY WITHIN YORKTOWN, AND THE OWNER/DEVELOPER SHALL HAVE THE RIGHT TO SELECT A DIFFERENT ROOFING COLOR FOR EACH NEIGHBORHOOD COMMUNITY WITHIN YORKTOWN. THE MINIMUM ROOF PITCH SHALL BE AN 8/12 PITCH ON THE FORWARD FACING GABLES.

3. EXTERIOR WALLS:

THE FIRST STORY EXTERIOR WALLS OF THE DWELLINGS ERECTED ON ALL RESIDENTIAL LOTS WITHIN THE YORKTOWN BLOCKS 50-52 NEIGHBORHOOD SHALL BE ONE-HUNDRED PERCENT (100%) BRICK, STONE, OR STUCCO, PROVIDED, HOWEVER, THAT THE AREA OF ALL WINDOWS AND DOORS LOCATED IN SAID EXTERIOR WALLS AND THE AREA ADJACENT TO PATIOS AND UNDER PORCHES SHALL BE EXCLUDED IN THE DETERMINATION OF THE AREA OF EXTERIOR WALLS, AND FURTHER PROVIDED THAT WHERE A PART OF THE EXTERIOR WALL IS EXTENDED ABOVE THE INTERIOR ROOM CEILING LINE DUE TO THE CONSTRUCTION OF A GABLE TYPE ROOF, THEN THAT PORTION OF THE WALL EXTENDING ABOVE THE INTERIOR ROOM CEILING HEIGHT MAY BE CONSTRUCTED OF WOOD MATERIAL AND SHALL BE EXCLUDED FROM THE DETERMINATION OF THE AREA OF THE EXTERIOR WALLS (EXCLUSIVE OF FIREPLACE CHIMNEYS).

4. MINIMUM SQUARE FOOTAGE:

ALL SINGLE STORY DWELLINGS SHALL HAVE A MINIMUM LIVING SPACE OF AT LEAST 1,500 SQUARE FEET. DWELLINGS IN EXCESS OF A SINGLE STORY SHALL HAVE A MINIMUM LIVING SPACE OF 1,200 SQUARE FEET AT THE LOWER LEVEL. SQUARE FOOTAGE SHALL BE COMPUTED ON MEASUREMENTS OVER FRAME OF THE LIVING SPACE, EXCLUSIVE OF PORCHES, PATIOS, AND GARAGES.

5. MINIMUM LOT WIDTH:

AS DESCRIBED ABOVE UNDER SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS.

6. MINIMUM LOT AREA:

AS DESCRIBED ABOVE UNDER SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS.

7. WINDOWS:

ALL DWELLINGS WITH WINDOWS OTHER THAN WOOD OR VINYL WILL BE EITHER ANODIZED OR ELECTROSTATICALLY PAINTED. METAL WINDOW FRAMES SHALL BE CONSISTENT WITH THE EXTERIOR COLOR AND TEXTURE OF THE RESIDENCE. NO UNPAINTED ALUMINUM WILL BE PERMITTED FOR WINDOW FRAMING. WOOD FRAMES WILL BE PAINTED, SEALED OR STAINED.

8. SIDING:

NO STEEL, ALUMINUM OR PLASTIC SIDING SHALL BE PERMITTED ON ANY BUILDING ON ANY RESIDENTIAL LOT.

9. MAILBOXES:

ALL MAILBOXES SHALL BE OF A SINGULAR DESIGN FOR THE LOTS WITHIN YORKTOWN BLOCKS 50-52, AS APPROVED BY THE ARCHITECTURAL COMMITTEE. NO MAILBOX SHALL BE ERECTED ON ANY RESIDENTIAL LOT WITHOUT THE APPROVAL OF THE DESIGN BY THE ARCHITECTURAL COMMITTEE, AND SHALL CONFORM TO A DESIGN STANDARD FOR EACH COMMUNITY. A CHARGE FOR MAILBOXES WILL BE COLLECTED BY THE OWNER/DEVELOPER AT THE CLOSING OF EACH LOT.

10. WALKWAY:

THE ARCHITECTURAL COMMITTEE MAY WAIVE, IN A PARTICULAR INSTANCE, THE BUILDING MATERIAL REQUIREMENTS SET OUT IN THIS SUBSECTION, PROVIDED, SUCH WAIVER TO BE EFFECTIVE MUST BE IN WRITING, DATED AND SIGNED BY A MAJORITY OF THE ARCHITECTURAL COMMITTEE.

C. NOXIOUS ACTIVITY

NO NOXIOUS OR OFFENSIVE TRADE OR ACTIVITY SHALL BE CARRIED ON UPON ANY RESIDENTIAL LOT WITHIN THIS SUBDIVISION, NOR SHALL ANY TRASH, OR OTHER REFUSE BE THROWN, PLACED OR DUMPED UPON ANY VACANT RESIDENTIAL LOT, NOR SHALL ANYTHING BE DONE WHICH MAY BE OR BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.

D. EXISTING BUILDING

NO EXISTING OR ERECTED BUILDING OF ANY SORT MAY BE MOVED ONTO OR PLACED ON AN RESIDENTIAL LOT, EXCEPT FOR CONSTRUCTION OR SALES TRAILERS WHICH MAY BE INSTALLED ON A TEMPORARY BASIS ONLY.

E. DETACHED STRUCTURES PROHIBITION

NO DETACHED ACCESSORY STRUCTURE SHALL BE ALLOWED UPON ANY LOT WITHIN THE YORKTOWN DEVELOPMENT.

F. VEHICLE STORAGE AND PARKING

NO INOPERATIVE VEHICLE SHALL BE STORED ON ANY RESIDENTIAL LOT EXCEPT WITHIN AN ENCLOSED GARAGE. NO MOTOR HOME, BOAT TRAILER, TRAVEL TRAILER OR SIMILAR RECREATIONAL VEHICLE SHALL BE LOCATED, PARKED OR STORED WITHIN A SIDE OR FRONT YARD, AND IF NOT LOCATED WITHIN AN ENCLOSED GARAGE AND SHALL BE SCREENED SUFFICIENTLY TO PREVENT ANY VIEW THEREOF FROM ANY STREET WITHIN THE OVERALL YORKTOWN DEVELOPMENT.

G. ANTENNAS

NO RADIO OR TELEVISION TOWER, AERIAL OR ANTENNA SHALL BE LOCATED ON ANY RESIDENTIAL LOT. SATELLITE DISHES SHALL BE NO LARGER THAN 18" IN DIAMETER AND BE SCREENED FROM VIEW FROM THE STREET AND ADJACENT RESIDENTIAL LOTS WITHIN THE ADDITION.

H. LANDSCAPING REQUIREMENTS

THE FRONT ELEVATION OF ALL RESIDENTIAL LOTS MUST BE PROFESSIONALLY LANDSCAPED UPON COMPLETION OF THE RESIDENCE. ALL FRONT, SIDE AND BACK YARDS MUST BE SOODED ON THE COMPLETION OF ANY RESIDENCE IN THE SUBDIVISION. ALL PROPOSED LANDSCAPING UPON EVERY LOT WITHIN THIS SUBDIVISION MUST RECEIVE APPROVAL BY THE ARCHITECTURAL COMMITTEE AS DESCRIBED UNDER SECTION III.A HEREOF.

I. LIVESTOCK AND POULTRY PROHIBITED

NO ANIMALS, LIVESTOCK OR POULTRY (INCLUDING PIGEONS) OF ANY KIND SHALL BE RAISED, BRED OR KEPT ON ANY RESIDENTIAL LOT OR PART THEREOF, EXCEPT THAT DOGS, CATS, OR OTHER HOUSEHOLD PETS MAY BE KEPT, PROVIDED, THAT THEY ARE NOT KEPT, BRED OR MAINTAINED FOR ANY COMMERCIAL PURPOSE.

J. FENCES AND WALLS

FENCES AND WALLS SITUATED UPON RESIDENTIAL LOTS SHALL COMPLY WITH THE FOLLOWING:

1. NO FENCING SHALL EXTEND BEYOND THE BUILDING LINE OF ANY RESIDENCE. IF A RESIDENCE IS BUILT BEHIND THE FRONT BUILDING LINE OF A RESIDENTIAL LOT, A FENCE MAY NOT EXTEND BEYOND THAT POINT NEAREST THE STREET AT EACH END CORNER.

2. ALL FENCES SHALL CONSIST ENTIRELY OF WOOD, BRICK, NATURAL STONE, WROUGHT IRON, OR SOME COMBINATION THEREOF. THE ARCHITECTURAL COMMITTEE MAY, BUT NOT BE OBLIGATED TO, GRANT AN EXCEPTION TO THIS PROVISION UPON WRITTEN REQUEST.

3. NO FENCE IN EXCESS OF SIX FEET (6') IN HEIGHT SHALL BE PERMITTED UNLESS OTHERWISE APPROVED BY THE ARCHITECTURAL COMMITTEE IN WRITING.

4. CONCRETE CURBING SHALL BE REQUIRED ALONG THE ENTIRE LENGTH OF THE SUBDIVISION PERIMETER FENCING.

5. LOTS 9 THROUGH 15, BLOCK 50 WITH PERIMETER FACING THE EXISTING YORKTOWN RESERVE AREA WILL BE PERMITTED TO INSTALL A 5'-0" TALL BLACK POST AND CHAIN LINK FENCE WITH A GATE. NO OTHER FENCE MATERIALS WILL BE ACCEPTABLE ON THIS PROPERTY LINE.

K. GARAGE

EACH DWELLING SHALL HAVE A GARAGE FOR AT LEAST TWO AUTOMOBILES. GLASS SHALL NOT BE PERMITTED IN GARAGE DOORS WITHOUT ARCHITECTURAL COMMITTEE APPROVAL.

L. COMMERCIAL STRUCTURES

NO BUILDING OR STRUCTURE SHALL BE PLACED, ERECTED OR USED AT ANY TIME FOR ANY BUSINESS, PROFESSIONAL, TRADE OR COMMERCIAL PURPOSE ON ANY PORTION OF ANY RESIDENTIAL LOT, PROVIDED, HOWEVER, THAT OWNER, AS THE DEVELOPER OF THE SUBDIVISION MAY MAINTAIN A SALES OFFICE IN THE SUBDIVISION FOR THE SALE OF THE SUBDIVISION LOTS AND BUILDING CONTRACTORS MAY MAINTAIN SALES OFFICES, CONSTRUCTION TRAILERS, AND MODEL HOMES IN THE SUBDIVISION FOR THE CONSTRUCTION, SALE AND

DISPLAY OF HOMES LOCATED, OR TO BE LOCATED, IN THE SUBDIVISION SUBJECT TO THE CITY OF JENKS ZONING CODE REQUIREMENTS.

M. TRASH RECEPTACLES

TRASH RECEPTACLES CANNOT BE LEFT CURBSIDE FOR MORE THAN A 24 HOUR PERIOD OF TIME. ALL TRASH RECEPTACLES SHALL BE KEPT INSIDE OF A GARAGE OR SCREENED FROM VIEW FROM ALL STREETS WITHIN THE SUBDIVISION.

N. BUILDING REQUIREMENTS AND AMENDMENTS

ANY MODIFICATIONS OR AMENDMENTS TO THE BUILDING AND/OR ARCHITECTURAL REQUIREMENTS LISTED UNDER THIS SECTION (SECTION III. PRIVATE BUILDING AND USE RESTRICTIONS) SHALL ONLY BE ALLOWED WITH ARCHITECTURAL COMMITTEE APPROVAL AS DESCRIBED UNDER SECTION III.A HEREOF.

O. SWIMMING POOLS

NO SWIMMING POOL SHALL BE BUILT NEARER THAN FIVE (5) FEET TO ANY SIDE LOT LINE OR REAR YARD LOT LINE. WHERE SIDE YARD AND REAR YARD EASEMENTS ARE SHOWN GREATER THAN THE FOREGOING, NO ENCRoACHMENT SHALL BE ALLOWED ON THE EASEMENT. ABOVE-GROUND SWIMMING POOLS ARE PROHIBITED.

P. CLOTHESLINES

CLOTHES LINES OR OTHER OUTDOOR CLOTHES DRYING APPLIANCES ARE PROHIBITED.

SECTION IV. HOMEOWNERS ASSOCIATION

A. FORMATION OF MASTER AND NEIGHBORHOOD HOMEOWNERS ASSOCIATIONS

THE OWNERS OF YORKTOWN BLOCKS 50-52 FORMED A MASTER HOMEOWNERS ASSOCIATION (YORKTOWN MASTER HOMEOWNERS ASSOCIATION) WHICH IS THE PRINCIPLE HOMEOWNERS ASSOCIATION AFFECTING AND INCLUDING EACH OWNER OF A LOT OF RECORD WITHIN ALL OF THE CURRENT AND FUTURE YORKTOWN NEIGHBORHOOD COMMUNITIES, OF WHICH SAID COMMUNITIES AND FUTURE DEVELOPMENT AREAS CONTAIN APPROXIMATELY 225 ACRES OF LAND AND ARE AS SHOWN WITHIN THE APPROVED YORKTOWN PLANNED UNIT DEVELOPMENT (PUD NO. 57). ADDITIONALLY, ALL OF THE CURRENT AND FUTURE YORKTOWN NEIGHBORHOOD COMMUNITIES SHALL ALSO BE MEMBERS OF A YORKTOWN NEIGHBORHOOD HOMEOWNERS ASSOCIATION CONSISTING OF DEFINED LOTS AND BLOCKS REPRESENTING THE INDIVIDUAL NEIGHBORHOODS WITHIN THE OVERALL YORKTOWN DEVELOPMENT COMMUNITY, THE YORKTOWN MASTER AND NEIGHBORHOOD HOMEOWNERS ASSOCIATION HAVE IN ACCORDANCE WITH THE DEEDS OF SAID LOTS AND BLOCKS OF THE CITY OF OKLAHOMA, AND ARE TO BE FORMED FOR THE GENERAL PURPOSES OF MAINTAINING THE COMMON AREAS OF THE OVERALL YORKTOWN COMMUNITY, AND ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF THE YORKTOWN COMMUNITY.

B. MEMBERSHIP

ANY OWNER OF A LOT IN THE OVERALL YORKTOWN COMMUNITY SHALL AUTOMATICALLY BECOME A MEMBER OF THE NEIGHBORHOOD HOMEOWNERS ASSOCIATION FOR THAT RESPECTIVE NEIGHBORHOOD COMMUNITY IN WHICH SUCH LOT BELONGS. EACH NEIGHBORHOOD COMMUNITY SHALL, LIKEWISE AUTOMATICALLY BECOME MEMBERS OF THE YORKTOWN MASTER HOMEOWNERS ASSOCIATION (YMHA). MEMBERSHIP OF THE NEIGHBORHOOD HOMEOWNERS ASSOCIATION SHALL BE LIMITED TO THE RECORD OWNER, WHETHER ONE OR MORE PERSONS OR ENTITIES, OF A LOT OF RECORD WITHIN THE NEIGHBORHOOD COMMUNITY. IN ADDITION, OWNERS OF LOTS OF RECORD WITHIN THE PRESENTLY PLATTED AND DEVELOPED NEIGHBORHOOD COMMUNITY OF "WESTON AT WAKEFIELD" AND "WESTON II AT WAKEFIELD" SHALL BE ALLOWED TO PARTICIPATE IN THE YORKTOWN MASTER HOMEOWNERS ASSOCIATION AND HAVE PRIVILEGES AND RIGHTS TO THE FULL USE AND ENJOYMENT OF THE COMMUNITY POOL AND IMPROVEMENTS LOCATED WITHIN RESERVE AREA "G" OF YORKTOWN PHASE I, AND OTHER CERTAIN YORKTOWN COMMUNITY COMMON AREAS TO BE SET FORTH BY THE YORKTOWN MASTER HOMEOWNERS ASSOCIATION. SUCH LOT OWNERS SHALL BE ENTITLED TO THESE PRIVILEGES ON AN INDIVIDUAL BASIS, YEARLY, BY PAYING THE ANNUAL YMHA DUES (EQUAL TO AMOUNT PAID BY YORKTOWN RESIDENTS). THE FOREGOING IS NOT INTENDED TO INCLUDE PERSONS OR ENTITIES THAT HOLD AN INTEREST MERELY AS SECURITY FOR THE PERFORMANCE OF AN OBLIGATION, OTHER THAN CONTRACT SELLERS. MEMBERSHIP SHALL BE APPURTENANT TO AND MAY NOT BE SEPARATED FROM OWNERSHIP OF A LOT SITUATED WITHIN THE YORKTOWN COMMUNITY OR SUCH NEIGHBORHOOD COMMUNITIES THAT MAY BE ANNEXED OR MERGED INTO THE JURISDICTION OF THE YORKTOWN MASTER HOMEOWNERS ASSOCIATION. OWNERSHIP OF A LOT SHALL BE THE SOLE QUALIFICATION OF MEMBERSHIP WITH RESPECT TO THOSE PROPERTY OWNERS IN YORKTOWN.

C. ASSESSMENT

EACH RECORD OWNER OF A RESIDENTIAL LOT WITHIN THE OVERALL YORKTOWN COMMUNITY SHALL BE SUBJECT TO ASSESSMENT BY THE YORKTOWN MASTER HOMEOWNERS ASSOCIATION THROUGH THEIR COMMUNITY MEMBERSHIP FOR THE PURPOSES OF IMPROVEMENT AND MAINTENANCE OF THE PRIMARY COMMON AREAS OF THE YORKTOWN PHASE I SUBDIVISION, WHICH CONSIST OF RESERVE AREAS "A", "B", "C", "D", "E", "F", "G", "H", "I", "J", "K", "L", "M", "N", "O", "P", "Q", "R", "S", "T", "U", "V", "W", "X", "Y", "Z", AND "AA", "AB", "AC", "AD", "AE", "AF", "AG", "AH", "AI", "AJ", "AK", "AL", "AM", "AN", "AO", "AP", "AQ", "AR", "AS", "AT", "AU", "AV", "AW", "AX", "AY", "AZ", "BA", "BB", "BC", "BD", "BE", "BF", "BG", "BH", "BI", "BJ", "BK", "BL", "BM", "BN", "BO", "BP", "BQ", "BR", "BS", "BT", "BU", "BV", "BW", "BX", "BY", "BZ", "CA", "CB", "CC", "CD", "CE", "CF", "CG", "CH", "CI", "CJ", "CK", "CL", "CM", "CN", "CO", "CP", "CQ", "CR", "CS", "CT", "CU", "CV", "CW", "CX", "CY", "CZ", "DA", "DB", "DC", "DD", "DE", "DF", "DG", "DH", "DI", "DJ", "DK", "DL", "DM", "DN", "DO", "DP", "DQ", "DR", "DS", "DT", "DU", "DV", "DW", "DX", "DY", "DZ", "EA", "EB", "EC", "ED", "EE", "EF", "EG", "EH", "EI", "EJ", "EK", "EL", "EM", "EN", "EO", "EP", "EQ", "ER", "ES", "ET", "EU", "EV", "EW", "EX", "EY", "EZ", "FA", "FB", "FC", "FD", "FE", "FF", "FG", "FH", "FI", "FJ", "FK", "FL", "FM", "FN", "FO", "FP", "FQ", "FR", "FS", "FT", "FU", "FV", "FW", "FX", "FY", "FZ", "GA", "GB", "GC", "GD", "GE", "GF", "GG", "GH", "GI", "GJ", "GK", "GL", "GM", "GN", "GO", "GP", "GQ", "GR", "GS", "GT", "GU", "GV", "GW", "GX", "GY", "GZ", "HA", "HB", "HC", "HD", "HE", "HF", "HG", "HH", "HI", "HJ", "HK", "HL", "HM", "HN", "HO", "HP", "HQ", "HR", "HS", "HT", "HU", "HV", "HW", "HX", "HY", "HZ", "IA", "IB", "IC", "ID", "IE", "IF", "IG", "IH", "II", "IJ", "IK", "IL", "IM", "IN", "IO", "IP", "IQ", "IR", "IS", "IT", "IU", "IV", "IW", "IX", "IY", "IZ", "JA", "JB", "JC", "JD", "JE", "JF", "JG", "JH", "JI", "JJ", "JK", "JL", "JM", "JN", "JO", "JP", "JQ", "JR", "JS", "JT", "JU", "JV", "JW", "JX", "JY", "JZ", "KA", "KB", "KC", "KD", "KE", "KF", "KG", "KH", "KI", "KJ", "KK", "KL", "KM", "KN", "KO", "KP", "KQ", "KR", "KS", "KT", "KU", "KV", "KW", "KX", "KY", "KZ", "LA", "LB", "LC", "LD", "LE", "LF", "LG", "LH", "LI", "LJ", "LK", "LL", "LM", "LN", "LO", "LP", "LQ", "LR", "LS", "LT", "LU", "LV", "LW", "LX", "LY", "LZ", "MA", "MB", "MC", "MD", "ME", "MF", "MG", "MH", "MI", "MJ", "MK", "ML", "MN", "MO", "MP", "MQ", "MR", "MS", "MT", "MU", "MV", "MW", "MX", "MY", "MZ", "NA", "NB", "NC", "ND", "NE", "NF", "NG", "NH", "NI", "NJ", "NK", "NL", "NM", "NO", "NP", "NQ", "NR", "NS", "NT", "NU", "NV", "NW", "NX", "NY", "NZ", "OA", "OB", "OC", "OD", "OE", "OF", "OG", "OH", "OI", "OJ", "OK", "OL", "OM", "ON", "OO", "OP", "OQ", "OR", "OS", "OT", "OU", "OV", "OW", "OX", "OY", "OZ", "PA", "PB", "PC", "PD", "PE", "PF", "PG", "PH", "PI", "PJ", "PK", "PL", "PM", "PN", "PO", "PP", "PQ", "PR", "PS", "PT", "PU", "PV", "PW", "PX", "PY", "PZ", "QA", "QB", "QC", "QD", "QE", "QF", "QG", "QH", "QI", "QJ", "QK", "QL", "QM", "QN", "QO", "QP", "QQ", "QR", "QS", "QT", "QU", "QV", "QW", "QX", "QY", "QZ", "RA", "RB", "RC", "RD", "RE", "RF", "RG", "RH", "RI", "RJ", "RK", "RL", "RM", "RN", "RO", "RP", "RQ", "RR", "RS", "RT", "RU", "RV", "RW", "RX", "RY", "RZ", "SA", "SB", "SC", "SD", "SE", "SF", "SG", "SH", "SI", "SJ", "SK", "SL", "SM", "SN", "SO", "SP", "SQ", "SR", "SS", "ST", "SU", "SV", "SW", "SX", "SY", "SZ", "TA", "TB", "TC", "TD", "TE", "TF", "TG", "TH", "TI", "TJ", "TK", "TL", "TM", "TN", "TO", "TP", "TQ", "TR", "TS", "TT", "TU", "TV", "TW", "TX", "TY", "TZ", "UA", "UB", "UC", "UD", "UE", "UF", "UG", "UH", "UI", "UJ", "UK", "UL", "UM", "UN", "UO", "UP", "UQ", "UR", "US", "UT", "UU", "UV", "UW", "UX", "UY", "UZ", "VA", "VB", "VC", "VD", "VE", "VF", "VG", "VH", "VI", "VJ", "VK", "VL", "VM", "VN", "VO", "VP", "VQ", "VR", "VS", "VT", "VU", "VV", "VW", "VX", "VY", "VZ", "WA", "WB", "WC", "WD", "WE", "WF", "WG", "WH", "WI", "WJ", "WK", "WL", "WM", "WN", "WO", "WP", "WQ", "WR", "WS", "WT", "WU", "WV", "WW", "WX", "WY", "WZ", "XA", "XB", "XC", "XD", "XE", "XF", "XG", "XH", "XI", "XJ", "XK", "XL", "XM", "XN", "XO", "XP", "XQ", "XR", "XS", "XT", "XU", "XV", "XW", "XX", "XY", "XZ", "YA", "YB", "YC", "YD", "YE", "YF", "YG", "YH", "YI", "YJ", "YK", "YL", "YM", "YN", "YO", "YP", "YQ", "YR", "YS", "YT", "YU", "YV", "YW", "YX", "YY", "YZ", "ZA", "ZB", "ZC", "ZD", "ZE", "ZF", "ZG", "ZH", "ZI", "ZJ", "ZK", "ZL", "ZM", "ZN", "ZO", "ZP", "ZQ", "ZR", "ZS", "ZT", "ZU", "ZV", "ZW", "ZX", "ZY", "ZZ".

D. REQUIRED MOWING OF VACANT LOTS

THE YORKTOWN MASTER HOMEOWNERS ASSOCIATION SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO MOW ANY VACANT LOT WITHIN THE OVERALL YORKTOWN DEVELOPMENT COMMUNITY AFTER COMPLETION OF A 10 DAY NOTICE PERIOD TO THE LOT OWNER BY THE CITY OF JENKS CODE ENFORCEMENT DEPARTMENT THAT EFFECTIVELY STATES THAT SAID LOT IS IN VIOLATION OF SECTION 13-1-13, ABATEMENT OF WEEDS AND TRASH OF THE JENKS CITY CODE. THE YORKTOWN MASTER HOMEOWNERS ASSOCIATION SHALL HAVE THE RIGHT TO ADD COSTS OF SAID MOWING TO SAID LOT OWNERS HOMEOWNERS ASSOCIATION DUES TO BE COLLECTED IN ACCORDANCE WITH SUBSECTION V.C. OF THIS SECTION.

SECTION V. ENFORCEMENT, DURATION, AMENDMENT, AND SEVERABILITY

A. ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNERS, THEIR SUCCESSORS AND ASSIGNS, WITHIN THE PROVISIONS OF SECTION I, STREETS, EASEMENTS AND UTILITIES, AND SECTION II, PLANNED UNIT DEVELOPMENT RESTRICTIONS, ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERE TO, AND ADDITIONALLY THE COVENANTS WITHIN SECTION I AND II WHETHER OR NOT SPECIFICALLY THEREIN SO STATED, SHALL INURE TO THE BENEFIT OF THE OWNERS OF THE CITY OF JENKS AND SHALL BE ENFORCEABLE BY THE CITY OF JENKS, OR ITS SUCCESSORS OR ASSIGNS OR OWNERS OF ANY LOTS WITHIN YORKTOWN SHALL VIOLATE ANY OF THE COVENANTS HEREIN, IT SHALL BE LAWFUL FOR THE CITY OF JENKS, ANY OWNER OF A LOT OR A PROPERTY OWNERS ASSOCIATION FORMED FOR THIS SUBDIVISION TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT HIM OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT IN ANY JUDICIAL ACTION BROUGHT BY A PROPERTY OWNERS ASSOCIATION OR AN OWNER OF A LOT WHICH ACTION SEEKS TO ENFORCE THE COVENANTS OR RESTRICTIONS SET FORTH HEREIN OR TO RECOVER DAMAGES FOR THE BREACH THEREOF. THE PREVAILING PARTY SHALL BE ENTITLED TO RECOVER REASONABLE ATTORNEYS FEES AND COSTS AND EXPENSES INCURRED IN SUCH ACTION.

B. DURATION

THESE RESTRICTIONS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL AND SHALL BE IN FORCE AND EFFECT FOR A TERM OF NOT LESS THAN THIRTY (30) YEARS FROM THE DATE OF THE RECORDING OF THIS DEED OF DEDICATION UNLESS TERMINATED OR AMENDED HEREINAFTER PROVIDED.

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I, STREETS, EASEMENTS AND UTILITIES MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE JENKS PLANNING COMMISSION, OR ITS SUCCESSORS WITH THE APPROVAL OF THE CITY OF JENKS, OKLAHOMA. THE COVENANTS WITHIN SECTION II, PLANNED UNIT DEVELOPMENT RESTRICTIONS, MAY BE AMENDED AT ANY TIME WITH 75 PERCENT AGREEMENT OF ALL OWNERSHIP IN YORKTOWN PHASE I, YORKTOWN PHASE I AMENDED, YORKTOWN PHASE I AMENDED II, YORKTOWN BLOCKS 10-12, AND OTHER PLATTED YORKTOWN COMMUNITIES, AS APPLICABLE, AND APPROVAL BY THE CITY OF JENKS PLANNING COMMISSION AND JENKS CITY COUNCIL. THE COVENANTS WITHIN SECTION II, PRIVATE BUILDING AND USE RESTRICTIONS, AND SECTION IV, HOMEOWNERS ASSOCIATION, MAY BE AMENDED OR TERMINATED AT ANY TIME WITH 75 PERCENT AGREEMENT OF ALL OWNERS WITHIN THAT NEIGHBORHOOD COMMUNITY THAT DESIRES THE CHANGE. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS PROPERLY RECORDED.

D. SEVERABILITY

INVALIDATION OF ANY RESTRICTION SET FORTH HEREIN OR ANY PART THEREOF, BY AN ORDER, JUDGMENT, OR DECREE OF ANY COURT, OR OTHERWISE, SHALL NOT INVALIDATE OR AFFECT ANY OF THE OTHER RESTRICTIONS OR ANY PART THEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, YORKTOWN HOLDING, L.L.C., AN OKLAHOMA LIMITED LIABILITY COMPANY, HAS EXECUTED THIS INSTRUMENT THIS 17th DAY OF January, 2020.

YORKTOWN HOLDING, L.L.C.

AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: John Woolman, MANAGER

STATE OF OKLAHOMA)

COUNTY OF TULSA)

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS 17th DAY OF January, 2020, PERSONALLY APPEARED JOHN WOOLMAN TO BE KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THEIR NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME AS ITS MANAGER THAT THEY EXECUTED THE SAME AS THEIR FREE AND VOLUNTARY ACT AND DEED, AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SAID OKLAHOMA LIMITED LIABILITY COMPANY, FOR THE USES AND PURPOSES THEREIN SET FORTH.

Stephanie Naylor
STEPHANIE NAYLOR
MY COMMISSION EXPIRES: 3/22/2024
MY COMMISSION NUMBER: 15002084



CERTIFICATE OF SURVEY

I, ANDY FRITZ, OF FRITZ LAND SURVEYING, L.L.C., A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA UNDER CERTIFICATE OF AUTHORIZATION #5848, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS "YORKTOWN BLOCKS 50-52", A SUBDIVISION IN THE CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA, IS A TRUE REPRESENTATION OF THE SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES, AND MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

Andy Fritz
ANDY FRITZ
LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1694



STATE OF OKLAHOMA)

COUNTY OF TULSA)

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS 6TH DAY OF JANUARY, 2020, PERSONALLY APPEARED ANDY FRITZ TO BE KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THEIR NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME AS ITS MANAGER, THAT THEY EXECUTED THE SAME AS THEIR FREE AND VOLUNTARY ACT AND DEED, AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SAID OKLAHOMA LIMITED LIABILITY COMPANY, FOR THE USES AND PURPOSES THEREIN SET FORTH.

Jennifer Fritz
JENNIFER FRITZ
MY COMMISSION EXPIRES: 9/25/2022
MY COMMISSION NUMBER: 14505588



To	Planning Commission
Hearing Date	March 03, 2021
Case Number	JZ 22 PUD 112 Minor Amendment No. 02 South County Crossing
Request	<i>Approve exception to required exterior materials for Lots 3, 4, 5, & 6</i>
Location	North of 121 st between Elwood and Elm

Staff Report

Preparer | Marcaé Hilton

Attachments

Proposed Site Plan

Elevation Examples

Approved PUD 112 & MI1 Documents

Preparer

Ryan McCarty

Carolina Olphert

City of Jenks Archives

Background Information

REQUEST: JZ 22 PUD 112 Minor Amendment No. 02 | South County Crossing

"To allow for an exception to the required exterior masonry building materials for Lots 3, 4, 5, & 6 by allowing architectural metal and stucco as exterior materials in addition to Masonry"

Current language:

- Masonry Covering 100% up to 20 feet on all south facing walls
- Masonry Covering 100% up to 20 feet on west face of westmost buildings
- 4 feet high masonry wainscoting on remaining walls within 300 feet of the centerline of 121st Street

APPROVED: JZ 21 PUD 112 Minor Amendment No. 01 | South County Crossing | City Council-February 16, 2021

- Approval of exception to required exterior materials
- Lot 3, Block One | 40,000 square foot warehouse
- Warehouse building is setback more than 100 yards
- Per the engineering site plan calculations, it meets the 300-foot setback condition allowing for the 4 ft. high masonry wainscot requirement to be waived.
- Approved architectural metals to create a sustainable modern look

PUD 112 | STAFF COMMENTARY

Lots 3-6 of Block One of South County Crossing is abutted by a Single-family residential development to the north and east, Fire Station Number 2 to the west, and a large parcel zoned (IM) Industrial Moderate to the south across 121st Street. West of the Fire Station is an area that was approved for mini storage in April 2017. The proposed development was and is “consistent” with the Comprehensive Plan, but to be compatible with immediate surrounding properties, separation buffers were added. The residential properties to the north are separated by the large reserve and drainage channel in the residential subdivision. In addition, the proposed detention pond on this site separates the eastern two buildings from the property to the north. All the buildings on Lots 1 and 6 are limited to 20 feet high at the eave. There is an 8-foot high privacy fence and heavy tree planting requirement along the eastern property line to protect the single-family dwellings.

Public Comment	None Minor Amendments are not advertised
General Location	North of 121 st and West of Elm
Zoning	PUD 112 & IM (Industrial Medium) Ordinance No. 1461 Minor Amendment No. 1 Approve metal on Lot (3) Three, Block (1) One Minor Amendment No. 2 “To allow for an exception to the required exterior masonry building materials by allowing architectural metal and stucco as exterior materials in addition to Masonry” • Masonry, <i>Stucco and/or Architectural Metal</i> Covering 100% up to 20 feet on all south facing walls • Masonry, <i>Stucco, and/or Architectural Metal</i> Covering 100% up to 20 feet on west face of westmost buildings • 4 feet high masonry, <i>Stucco, and/or Architectural Metal</i> wainscoting on remaining walls within 300 feet of the centerline of 121st Street
Use	Industrial Development No Change Office & Warehousing • Use Units 1, 4, 10, 11, 15, 17, 21, 22, 24 Excluded Uses: • UU4 pressure station, shelter water storage facility, temporary open aired facilities • UU16 gasoline stations • UU 21 billboards Building Materials: (<i>Requested to be amended to add Stucco and Metal</i>) • <i>Masonry Covering 100% up to 20 feet on all south facing walls</i> • <i>Masonry Covering 100% up to 20 feet on west face of westmost buildings</i> • <i>4 feet high masonry wainscoting on remaining walls within 300 feet of the centerline of 121st Street</i> • Awnings, canopies, overhangs office area only encouraged Screening:

- HVAC out of view
- Materials solid waste collection and loading areas wooden fence with doors
- Perimeter Fence | Wooden 6 feet tall

Lighting:

- Oriented to minimize light leaving development
- Control light pattern leaving site at boundary of development
- Photometric study required | 0.00 foot candles at property line
- All lights face down and away

Parking:

- Area B-Lots 3 and 4 | shared parking
- Owner to submit parking info with each building permit and maintain ongoing count of spaces vs. uses
- Uses may share parking via shared parking analysis
- Off street parking and loading are specified in PUD document

See PUD 112 for additional details

Old Comprehensive Plan	Industrial Special District No. 3 Special consideration due to previous petroleum storage facility
Comprehensive Plan	Local Commercial
Plat	South County Crossing Plat No. 6849 04.23.19
STR	Section: 36, Township: 18N, Range: 12E
Zoning	North PUD 132 (OM, CG, AG) & PUD 12 (RS-2) Single-family Residential South Creek
	East PUD 12, (RS-2) Single-family Residential South Creek
	South IM Industrial Medium Undeveloped
	West AG City of Jenks Fire Station “Ewing Perryman”

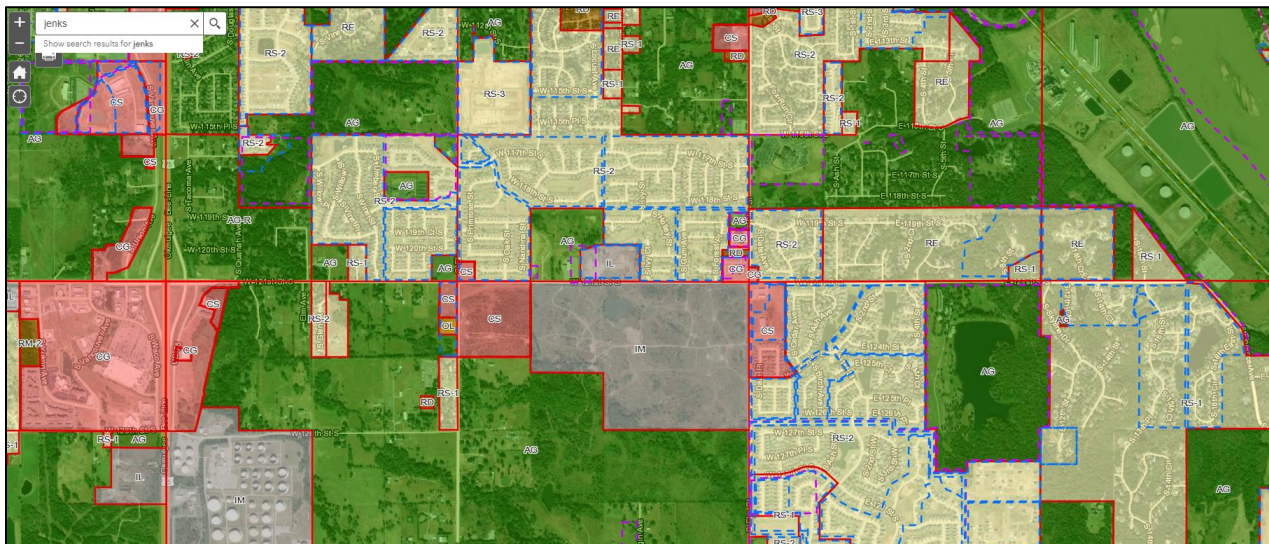
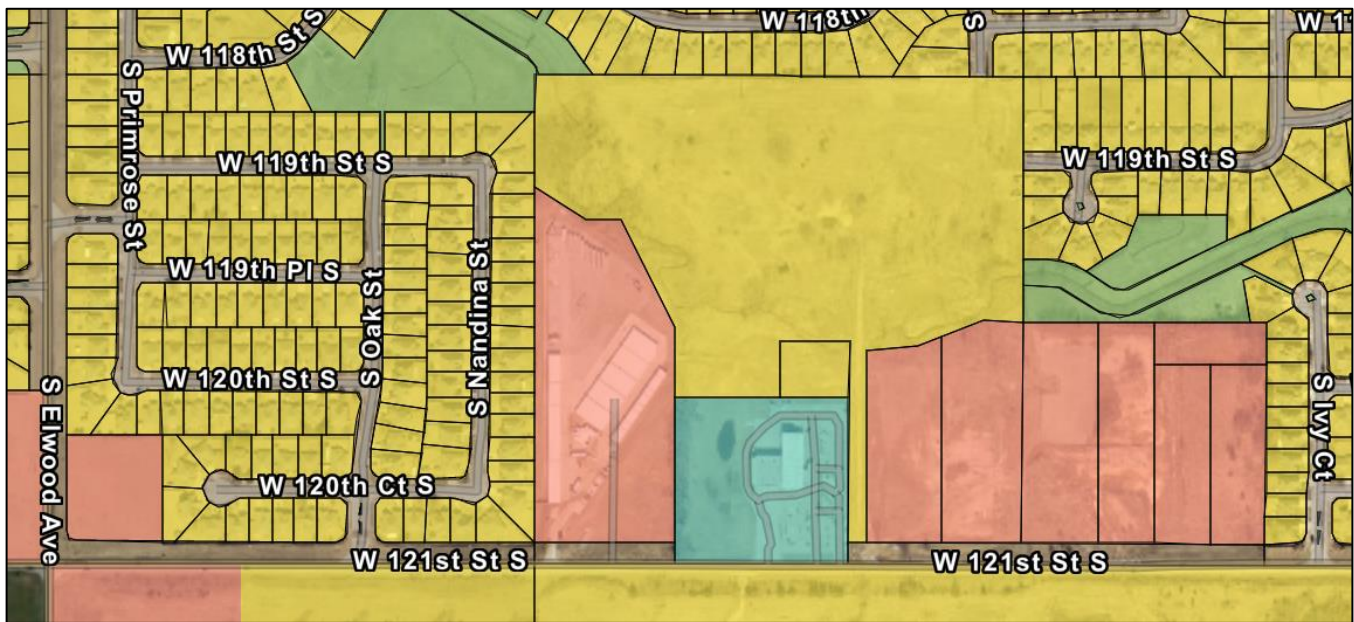


Figure 1: Zoning Map | INCOG



Land Use Plan



Figure 2: Comprehensive Plan Map | Amended to Business Park

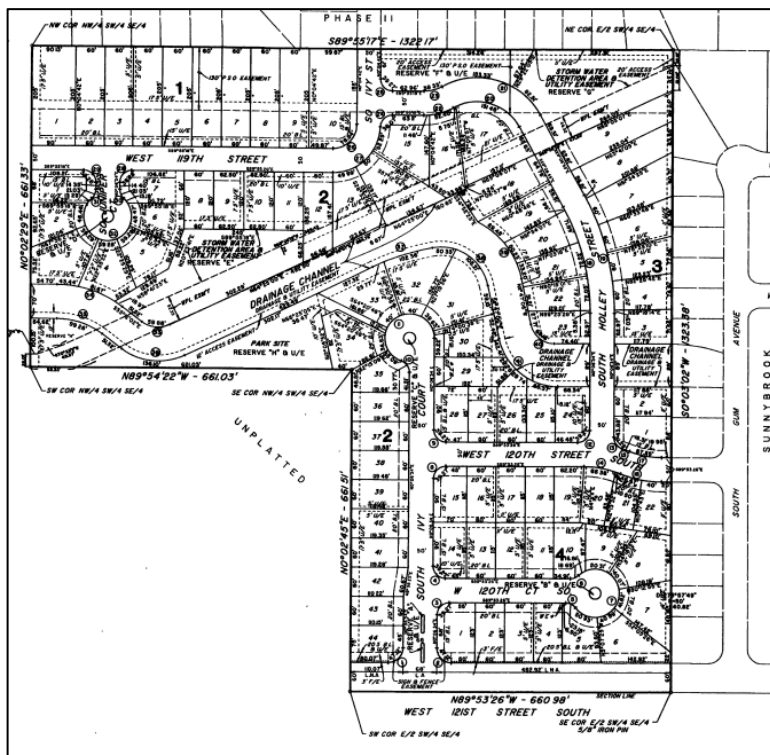


Figure 3: South Creek Plat showing drainage channel and Reserve Areas that abut South Country Plat

PUD ZONING LANGUAGE

Sec. 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.

Staff Evaluation & Recommendation

Evaluation

Building Materials as approved:

- Masonry Covering 100% up to 20 feet on all south facing walls
- Masonry Covering 100% up to 20 feet on west face of westmost buildings
- 4 feet high masonry wainscoting on remaining walls within 300 feet of the centerline of 121st Street

Building Materials as requested Minor Amendment No. 2: “To allow for an exception to the required exterior masonry building materials by allowing metal and stucco as exterior materials in addition to Masonry”

- Masonry, Stucco and/or Architectural Metal Covering 100% up to 20 feet on all south facing walls
- Masonry, Stucco, and/or Architectural Metal Covering 100% up to 20 feet on west face of westmost buildings
- 4 feet high Masonry, Stucco, and/or Architectural Metal wainscoting on remaining walls within 300 feet of the centerline of 121st Street

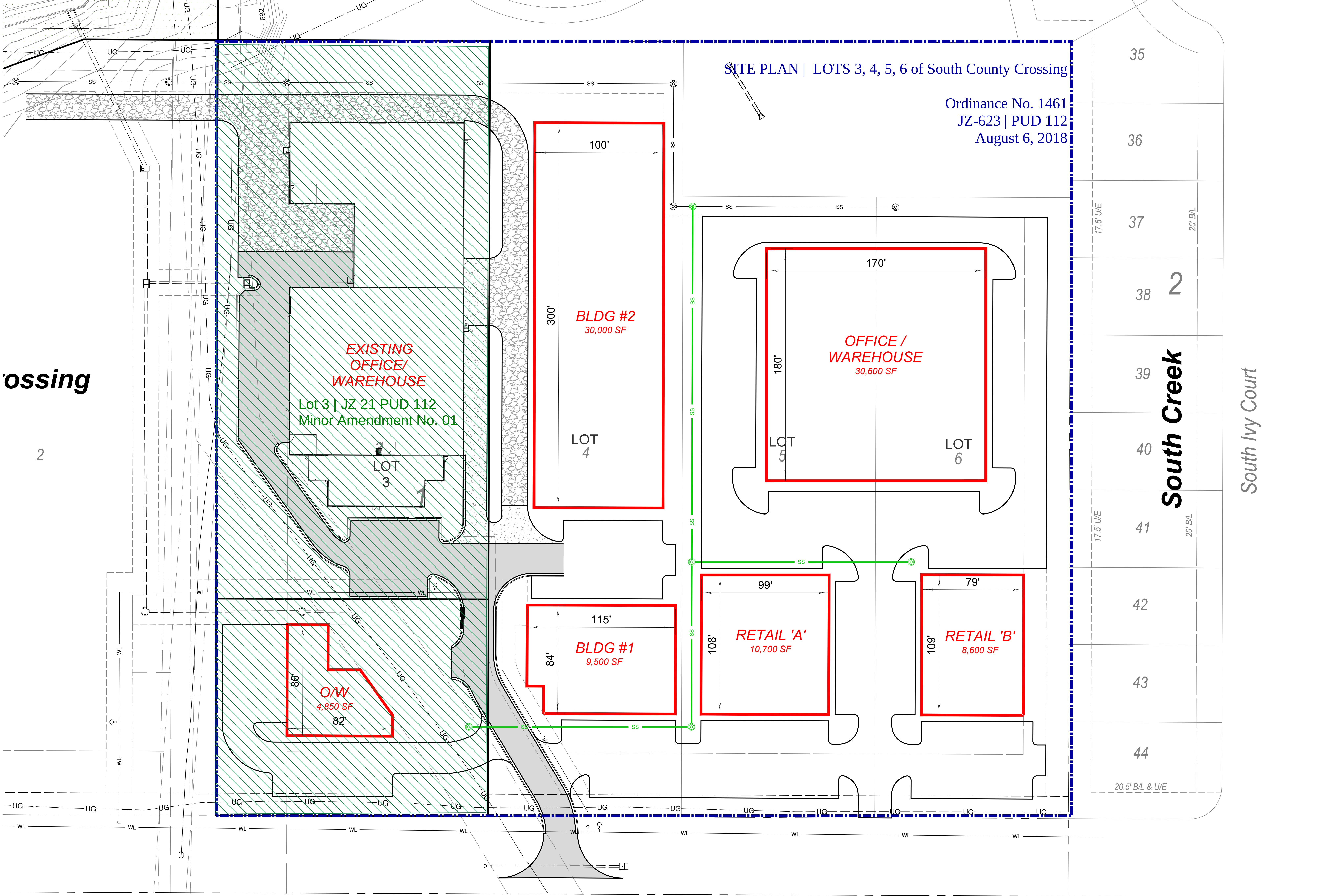
The applicant is asking for relief of the masonry requirement for Lots 3-6, Block One. Mr. Jordan is asking Planning Commission to consider allowing exterior materials such as stucco and architectural metals to create a sustainable modern look.

- Approval does not waive any other lot or PUD 112 requirements.

1. Approving this request would allow for future buildings on Lot 3-6, Block One to have relief from the required “Masonry covering 100% up to 20 feet high of the south facing walls of all buildings...”
 1. Whether the PUD (Minor Amendment) is consistent with the comprehensive plan; (Consistent, but not applicable in this case)
 2. Whether the PUD (Minor Amendment) harmonizes with the existing and expected development of surrounding areas; (Harmony can be achieved within PUD 112 even with the deviation of materials, this is the question to be considered)

3. *Whether the PUD (Minor Amendment) is a unified treatment of the development possibilities of the project site; (Unified treatment can be achieved with a mix of materials and architectural styles; this is a question to be considered)*
4. *Whether the PUD (Minor Amendment) is consistent with the stated purposes and standards of this chapter. (Yes)*

RECOMMENDATION | *Staff recommends approval of PUD 112 materials waiver request of 100% Masonry to allow for additional exterior options including stucco and architectural metal panels to create a sustainable modern look similar to the previously approved metal architectural panels | Minor Amendment Number 02.*



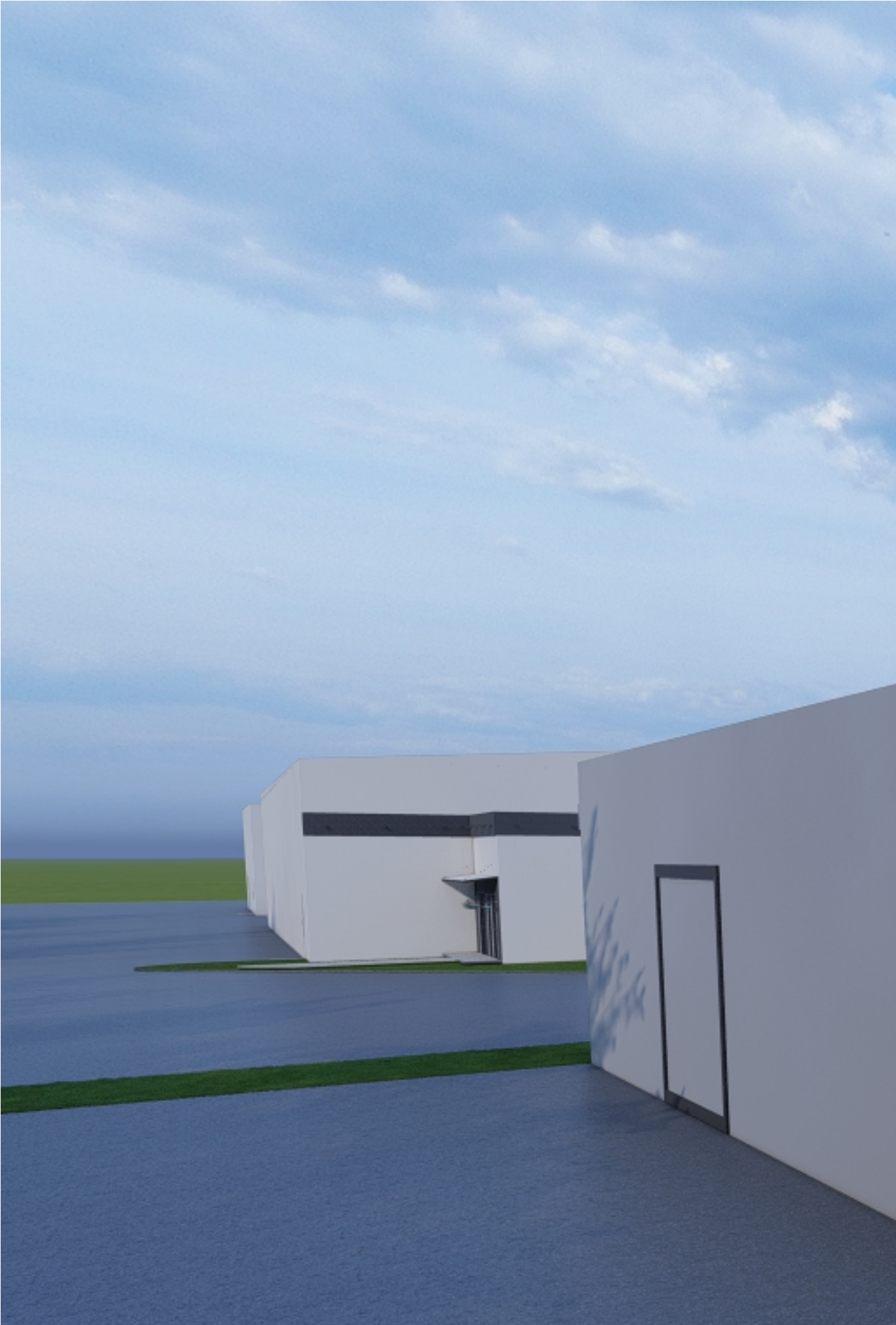


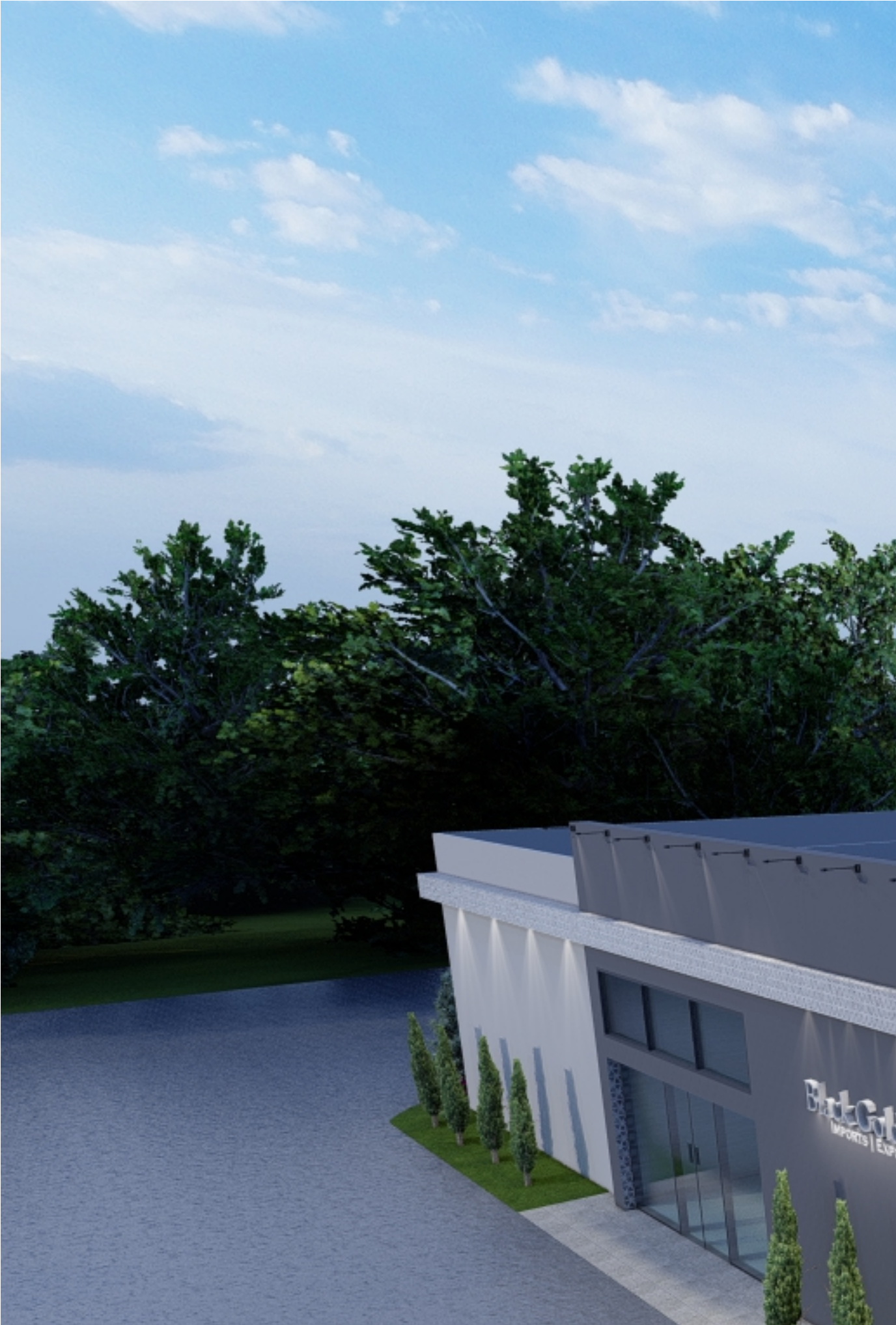




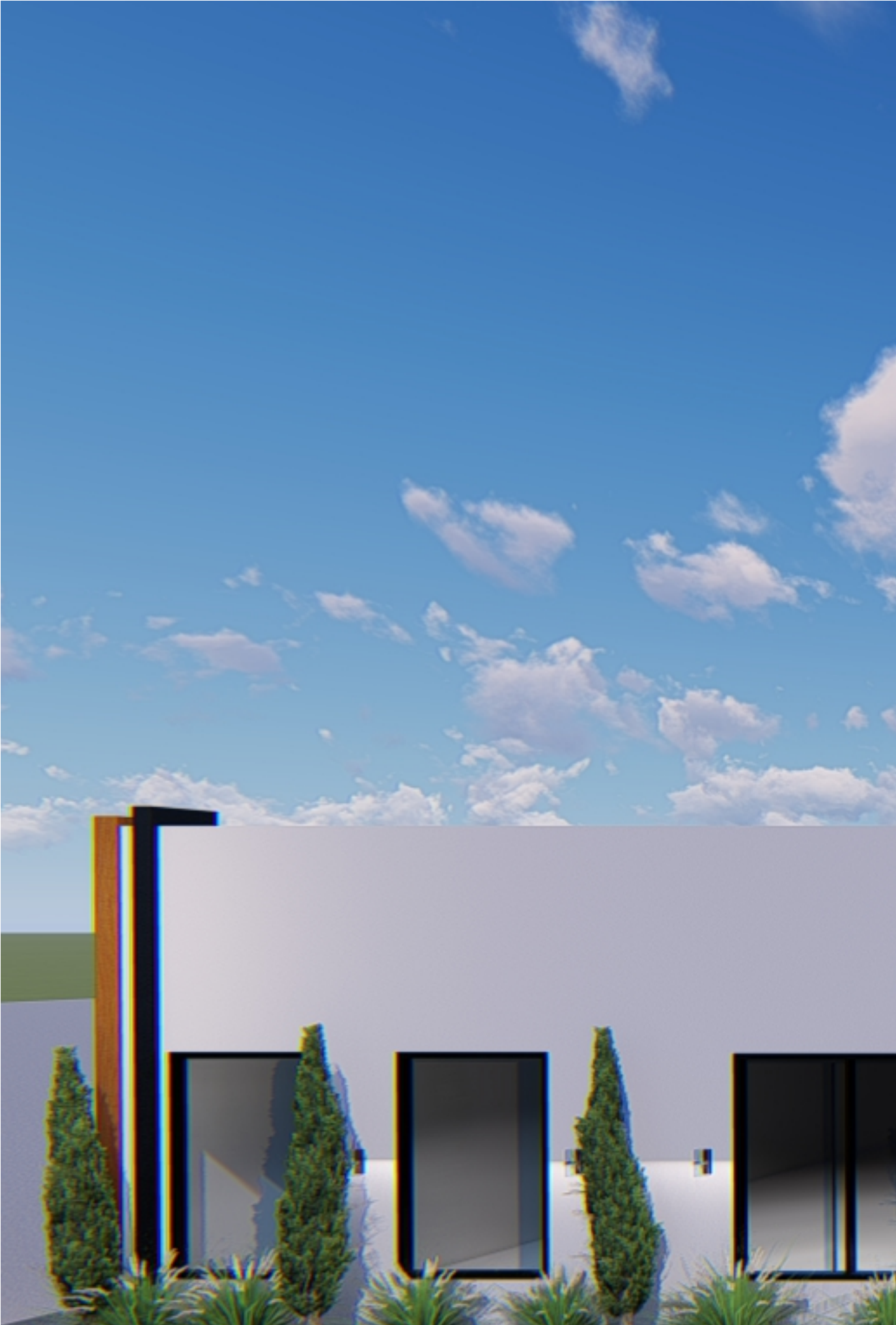












To	Planning Commission
Hearing Date	March 03, 2022
Case Number	JZ 21 PUD 132.MA1 South County Crossing II
Request	<i>Approve a Major Amendment to PUD 132 to establish new boundary, rezone new parcel and add the PUD overlay for office warehouse and other uses</i>
Location	North of 121 st between Elwood and Elm

Staff Report

Preparer | Marcaé Hilton

Attachments

PUD 132 | Major Amendment No. 1
Land Area Exhibit
Deed Restriction

Preparer

Ryan McCarty, Select Design
Fritz Land Surveying, LLC
City of Jenks Archives

Background Information

PUD 132 | STAFF COMMENTARY

PUD 132 was approved by City Council on December 21, 2022 per Ordinance No. 1572. This Major amendment is a request to add an additional parcel.

South County Crossing II is a proposed horizontal mixed-use, commercial development requesting approval of a Planned Unit Development to allow office, office/warehouse, garage condos, enclosed RV storage, and limited retail opportunities on a 22.583-acre tract of land within the City of Jenks.

The proposed new land area is identified as “Development Area C.3” and will follow the guidelines of Development Area C. The PUD was approved with a combination of underlying zonings (OM, CG and AG). Development Area A is currently zoned Office Medium and will not change. Commercial General was approved for Development areas B, C, and D. The current Jenks Zoning Code is designed and worded different from the newly recommended UDO. Staff has inserted a chart to show the different uses per the PUD, zoning and UDO.

The project is located on the north side of West 121st Street South between South Elwood Avenue and South Elm Street. A property owners’ association will be formed, and dues established for the maintenance of the private streets, proposed detention facilities and common areas. The property is bordered by a single-family residential development to the north and east, Fire Station Number 2 to

the west, and a large parcel zoned IM to the south across 121st Street. West of the Fire Station is an area that is partially developed for mini storage, it was approved in April 2017.

The residential properties to the north will be buffered by the large dedicated reserve area. In addition, the proposed detention pond on this site separates the western properties with greenspace and detention ponds.

Public Comment None at the time of this report

General Location North of 121st and West of Elm

Zoning | Development Area/Uses

	Chapter 10 Use Units Comparison Chart	Districts					
No.	Name	PUD	C G	CH	I L	IM	NEW UDO
1.	Area wide Uses		X	X	X	X	
2.	Area wide Specific Use		S	S	S	S	
4.	Public Protection		X	X	E	E	
5.	Community Services and Cultural Facilities		X	X	X	X	
8.	Multifamily Dwellings and Similar uses		P	P			
10.	Off-Street Parking Areas	"A, C"	X	X	X	X	Not a Use Unit in new UDO
11.	Offices and Studios	"A, C"	X	X	X	X	Professional Office
12.	Eating Places Other Than Drive-Ins		X	X	E	E	
13.	Convenience Goods and Services	"C"	X	X	E	E	General Retail, Services, Brewery etc., Coffee
14.	Shopping Goods and Services		X	X	E	E	
15.	Other Trades and Services (*RV Storage Only) (**Non-habitable Condo for lease)	"B*", D**"	X	X	X	X	Self-Storage
16.	Gasoline Service Stations		X	X	X	X	
17.	Automotive and Allied Activities		X	E			
18.	Drive-In Restaurants		X	X			
19.	Hotel, Motel, and Recreation Facilities (*Enclosed Recreation & Pool)	"C*"	X	X			General Entertainment
20.	Commercial Recreation, Intensive		S	S	S	S	
21.	Business Signs and Outdoor Advertising		X	X	X	X	
22.	Warehousing and Wholesaling	"C"	E		X	X	Warehouse Office
23.	Mining and Mineral Processing				S	S	
24.	Light Manufacturing and Industrial Research and Development	"C"	E	P	X	X	Brewery, Lab, Manufacturing Light & Heavy
26.	Heavy Manufacturing and Industry					E	
27.	Tattoo and Massage		X				
X = Use by Right. E = Special Exception S = Specific Use P = Requires Planned Unit Development							
Prohibited Uses "C" Sexually Oriented Business, Medical Marijuana							

Development Area "A" Office & Studios
 1.453 Acres
 6.4% of Development
 OM (Office Medium)
 Building Height 20 ft.

Development Area “B”	Screening wooden privacy fence (6 ft) along south RV Storage 1.295 Acres 5.7% of Development CG (Commercial General) Building Height 20 ft.
Development Area “C”	Mixed Use Office/Warehouse/Retail 8.339 Acres 37.0% of Development CG (Commercial General) Building Height 20 ft.
Development Area “D”	Garage Condos 3.862 Acres 16.9 % of Development CG (Commercial General) Building Height 20 ft.
Development Area “E”	Reserve Area/Drainage 7.670 Acres 34% of Development CG (Commercial General) Screening Wooden privacy fence, 6 feet along north boundary of E.1
Comprehensive Plan	Business Park
Plat	Unplatted Platting is required, staff expects an application any day
STR	Section: 36, Township: 18N, Range: 12E
Zoning	North PUD 18, (RS-2) Single-family Residential Churchhill Park East PUD 18, (RS-2) Single-family Residential Churchhill Park South AG City of Jenks Fire Station & (IM) Industrial Medium Undeveloped West PUD 28, (RS-2) Single-family Churchhill Park & SUP 117 Ministorage

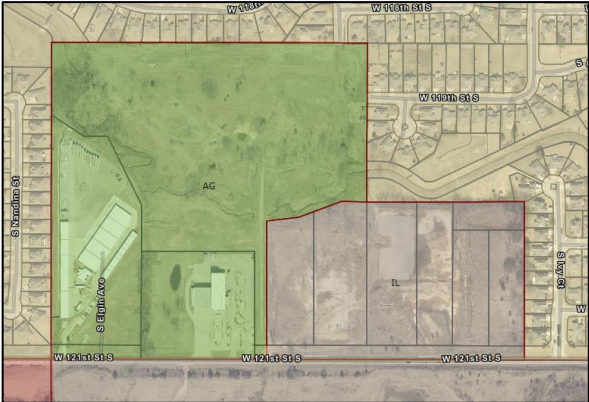


Figure 1: Zoning Map | GIS

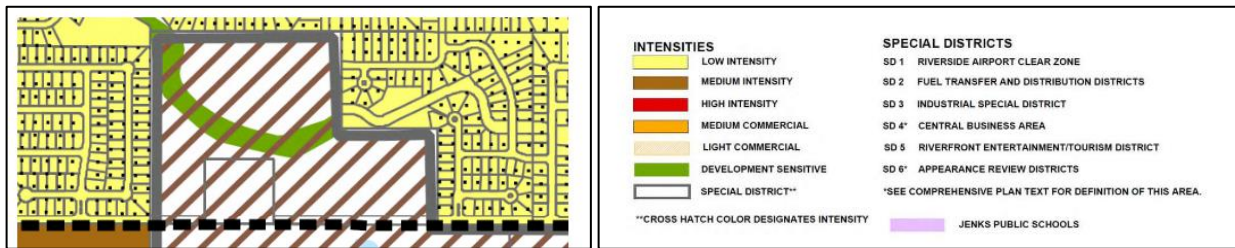


Figure 2: Comprehensive Plan Map when purchased | Special District

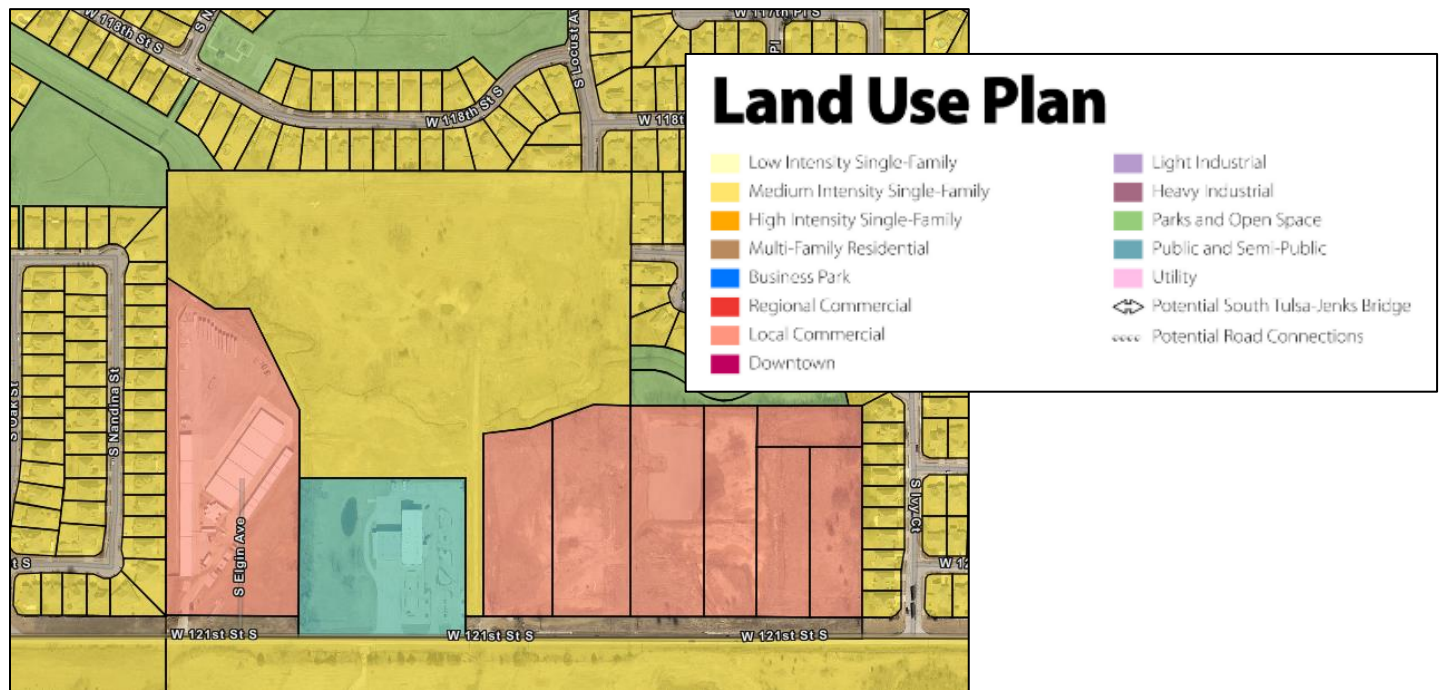


Figure 3: Current Land Use Plan Amended to Business Park

Staff Evaluation & Recommendation

Evaluation PUD 132 MA1 is a request to rezone a small triangular piece of property, identified as “C.3,” adjacent to 121st Street to CG and place the same approved restrictive zoning (Planned Unit Development) over the entire described PUD 132 area. The land has a filed deed with restrictions describing the types of uses allowed and specifically prohibiting residential uses. In addition, the deed recommends Industrial and Commercial uses stating at no time will any persons be domiciled or otherwise reside on the property. Noting the restrictions due to previous oil and gas production, staff believes the recommended uses described within the PUD fit the intent of the Comprehensive Plan as it existed at the time of purchase and meets the intent of the Horizon Jenks Comprehensive Plan. This majority of the project sits back from west 121st Street South about 450 feet with this small piece fronting 121st street. The majority of the project is screened and/or will not be seen from the street due to the distance from 121st.

1. Approving this request would allow for the owner to develop the small “C.3” area similarly to the approved PUD 132 according to the established standards.

2. Staff believed this a creative use of the property and the applicant has provided a unified treatment of the development tract.

RECOMMENDATION | *Staff recommends conditional approval PUD 132*

1. *Platting is required*
2. *Provide Staff with a clean copy of PUD 132 MA1*
3. *Adhere to engineering and planning requirements*
4. *Adhere to all building code and fire code*

Planned Unit Development 132-A
Major Amendment #1

SOUTH COUNTY CROSSING II

Jenks, Oklahoma

February 25, 2022



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I. Development Concept

22.583

South County Crossing II is a ~~previously approved proposed~~ horizontal mixed-use, commercial development ~~requesting approval of a Planned Unit Development to~~ which allows office, office/warehouse, ~~garage-condos~~ private garages, enclosed RV storage, and limited retail opportunities on a 21.41-acre tract of undeveloped land within the City of Jenks. The project is located on the north side of West 121st Street South between South Elwood Avenue and South Elm Street. A property owners' association will be formed, and dues established for the maintenance of the private streets, proposed detention facilities and common areas.

Objectives:

- To permit and encourage innovative land development while maintaining appropriate limitation on the character and intensity of use and assuring compatibility with adjoining and proximate properties
- To permit greater flexibility within the development to best utilize the physical features of the particular site
- To encourage the provision and preservation of meaningful open space
- To encourage integrated and unified design and function of the various uses comprising the planned unit development
- To encourage a more productive use of land consistent with the public objectives and standards of accessibility, safety, infrastructure and land use compatibility.

Legal Description

PUD 132 – LEGAL DESCRIPTION

A TRACT OF LAND THAT IS PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4 SW/4) OF SECTION THIRTY-SIX (36), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SE/4 OF THE SW/4 OF SAID SECTION 36; THENCE NORTH 88°55'08" EAST ALONG THE SOUTH LINE OF THE SW/4 OF SAID SECTION 36 A DISTANCE OF 853.09 FEET; THENCE NORTH 01°04'52" WEST A DISTANCE OF 60.00 FEET TO A POINT ON THE NORTHERN RIGHT-OF-WAY LINE OF WEST 121ST STREET SOUTH AND THE POINT OF BEGINNING; THENCE NORTH 01°07'33" WEST A DISTANCE OF 389.69 FEET; THENCE SOUTH 88°55'16" WEST A DISTANCE OF 475.10 FEET; THENCE NORTH 01°07'33" WEST A DISTANCE OF 194.56 FEET; THENCE NORTH 27°32'38" WEST A DISTANCE OF 319.09 FEET; THENCE SOUTH 88°52'30" WEST A DISTANCE OF 97.52 FEET; THENCE NORTH 58°21'45" WEST A DISTANCE OF 165.04 FEET TO A POINT ON THE WEST LINE OF THE SE/4 OF THE SW/4 OF SAID SECTION 36; THENCE NORTH 01°09'53" WEST ALONG SAID WEST LINE A DISTANCE OF 302.82 FEET TO THE NORTHWEST CORNER OF THE SE/4 OF THE SW/4 OF SAID SECTION 36; THENCE NORTH 88°53'07" EAST ALONG THE SOUTH LINE OF CHURCHILL PARK, BLOCKS 14-21, PLAT NO. 5403 A DISTANCE OF 1321.86 FEET TO THE NORTHEAST CORNER OF THE SE/4 OF THE SW/4 OF SAID SECTION 36; THENCE SOUTH 01°09'18" EAST A DISTANCE OF 661.33 FEET TO A POINT ON THE NORTH LINE OF SOUTH COUNTY CROSSING, PLAT NO. 6849; THENCE SOUTH 88°54'12" WEST A DISTANCE OF 104.26 FEET; THENCE SOUTH 68°47'47" WEST

A DISTANCE OF 191.10 FEET; THENCE SOUTH 82°02'36" WEST A DISTANCE OF 135.85 FEET TO THE NORTHWEST CORNER OF LOT ONE (1), BLOCK ONE (1) OF SAID SOUTH COUNTY CROSSING; THENCE SOUTH 01°07'33" EAST ALONG THE WEST LINE OF SAID LOT ONE (1) A DISTANCE OF 519.29 FEET TO A POINT ON THE NORTHERN RIGHT-OF-WAY LINE OF WEST 121ST STREET SOUTH; THENCE SOUTH 88°55'08" WEST ALONG SAID NORTHERN RIGHT-OF-WAY LINE A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 932,661.7 SQ. FEET OR 21.41 ACRES.

ADDITIONAL LAND AREA PROPOSED (MAJOR AMENDMENT #1) – LEGAL DESCRIPTION

A TRACT OF LAND OF THAT IS PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION THIRTY-SIX (36), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SE/4 OF THE SW/4 OF SAID SECTION 36; THENCE NORTH 01°09'53" WEST ALONG THE WEST LINE THEREOF A DISTANCE OF 60.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF EAST 121st STREET SOUTH; THENCE NORTH 88°55'08" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 116.06 FEET TO THE POINT OF BEGINNING; THENCE NORTH 32°44'10" EAST 469.42 FEET; THENCE SOUTH 01°07'33" EAST 390.01 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF EAST 121st STREET SOUTH; THENCE SOUTH 88°55'08" WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 261.56 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 51,005.2 SQ. FEET OR 1.17 ACRES.

EXHIBIT A
VICINITY MAP
(UPDATED)



EXHIBIT B
AERIAL PHOTO
(UPDATED)



EXHIBIT C
CONCEPTUAL SITE PLAN
(UPDATED)



EXHIBIT D
EXISTING ZONING MAP
(UPDATED)

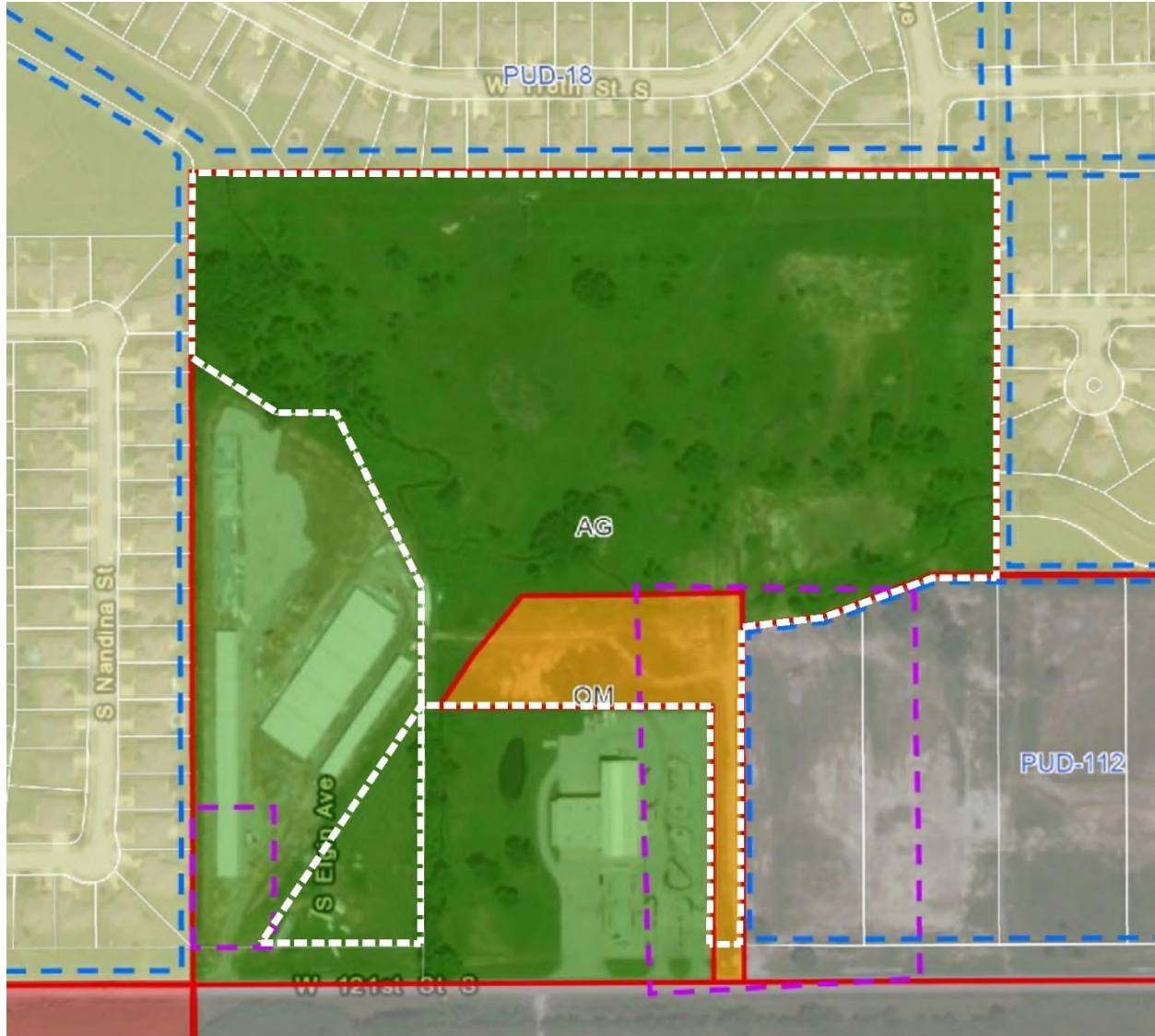


EXHIBIT E
PROPOSED ZONING MAP
(UPDATED)

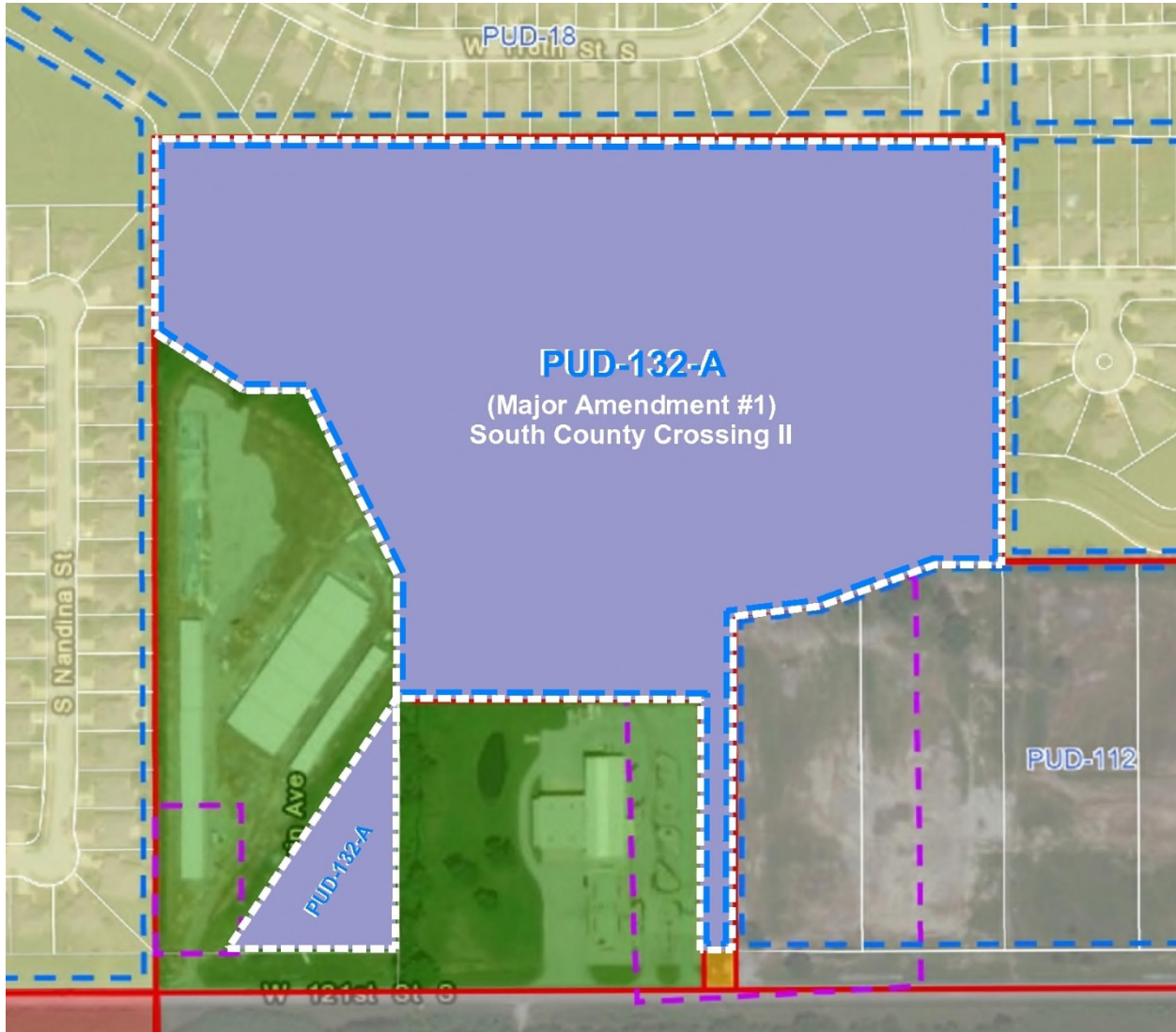
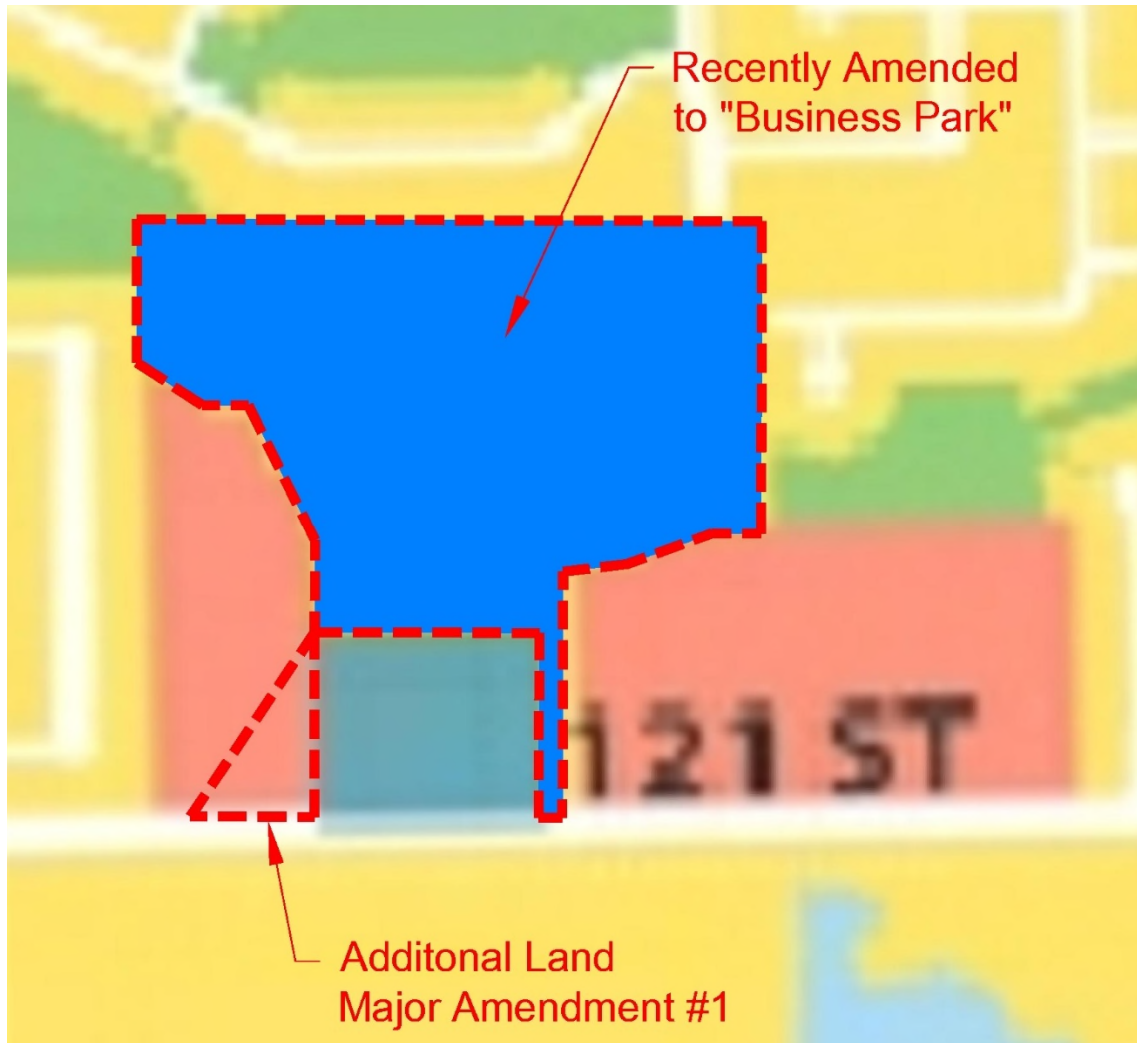


EXHIBIT F
JENKS COMPREHENSIVE PLAN
(UPDATED)



Land Use Plan

- | | |
|--------------------------------|------------------------------------|
| Low Intensity Single-Family | Light Industrial |
| Medium Intensity Single-Family | Heavy Industrial |
| High Intensity Single-Family | Parks and Open Space |
| Multi-Family Residential | Public and Semi-Public |
| Business Park | Utility |
| Regional Commercial | Potential South Tulsa-Jenks Bridge |
| Local Commercial | Potential Road Connections |
| Downtown | |

EXHIBIT G
JENKS COMPREHENSIVE PLAN
“COMMERCIAL & INDUSTRIAL AREAS PLAN”



- 3 Maintain flexibility for safe, sustainable reuse:** This site was previously used as a petroleum storage facility and limited related activity continues. Future development will be contingent on review and remediation of any environmental concerns. The Land Use Plan identifies the site for medium-intensity residential land use, and it should continue to be prioritized for this use. If the area is deemed inappropriate for residential development due to contamination, the City should encourage the portion of the site that fronts 121st Street for local commercial or business park development and consider acquiring the remaining portions for a community park.

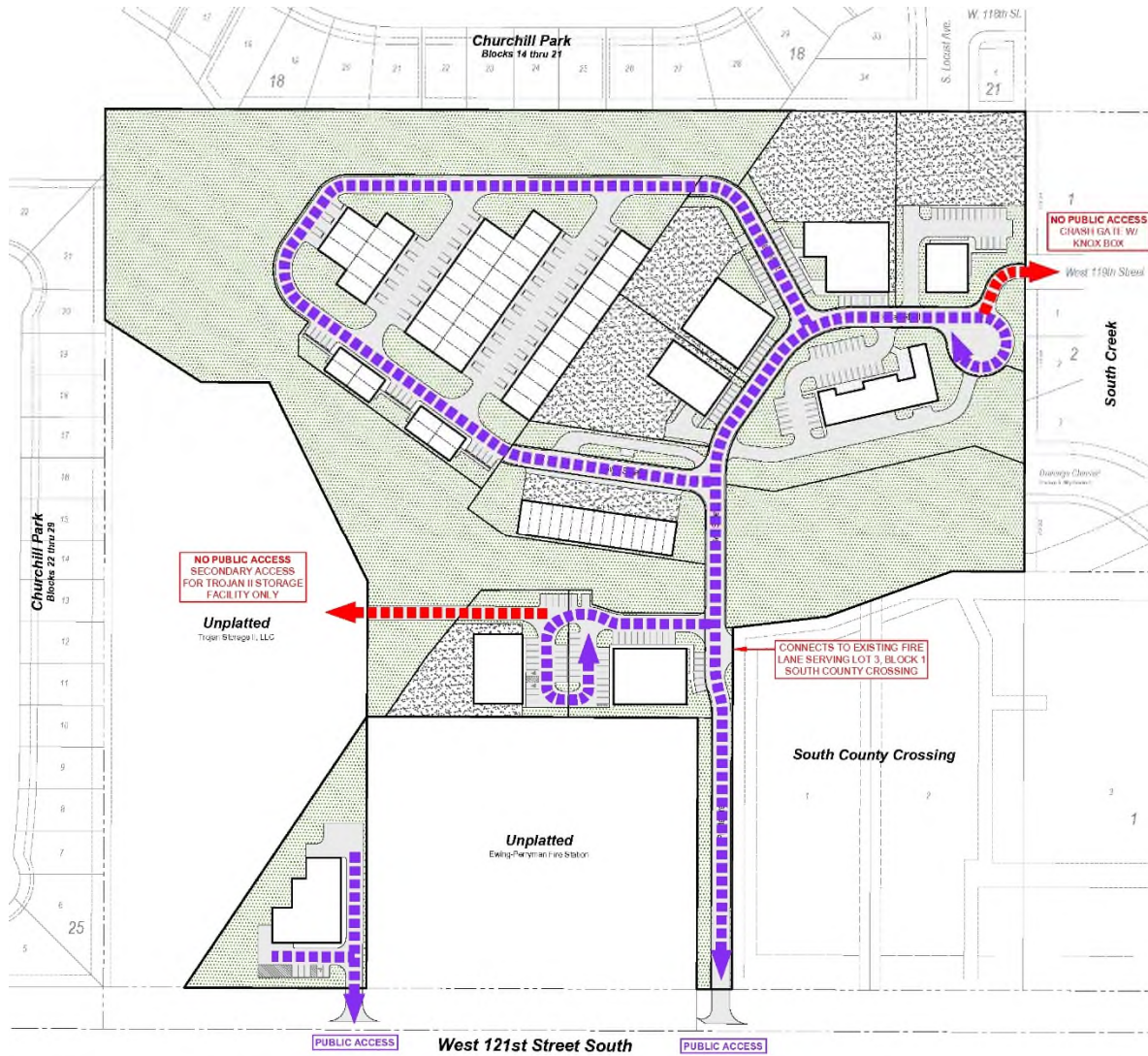
EXHIBIT H
BUILDING ELEVATION CONCEPTS



EXHIBIT I
SIGNAGE CONCEPT



EXHIBIT J
VEHICULAR ACCESS & CIRCULATION
(UPDATED)



II. Development Standards

DEVELOPMENT AREAS SUMMARY

AREA	USE	SF	ACRES	% OF TOTAL	ZONING
A	Office & Studios	63,284.7	1.453	6.4	OM
B	RV Storage	56,407.8	1.295	5.7	CG
C	Office / Warehouse / Retail	363,242.4	8.339	37.0	CG
D	Private Garages	166,644.1	3.826	16.9	CG
E	Reserve Area / Drainage	334,087.9	7.670	34.0	AG
TOTALS		983,666.9	22.583		



DEVELOPMENT AREA - A

Office & Studios - proposed building shown on the Conceptual Site Plan is approximately 8,400 SF.

Net Lot Area: 63,284.7 SF (1.453 AC)

Zoning: OM

Permitted Uses:

- Use Unit 10: Off-Street Parking Areas
- Use Unit 11: Offices and Studios

Excluded Uses:

- Use Unit 28: Sexually Oriented Business
- Use Unit 29: Medical Marijuana

Maximum Building Square Footage: 15,821 SF

Based on maximum 0.25 F.A.R. per Jenks Zoning Code – Section 530

Minimum Building Setbacks:

North Boundary: N/A

East Boundary: N/A

South Boundary: N/A

West Boundary: 15 feet

Maximum Building Height: 20 feet

Parking Requirements: Per Jenks Zoning Code

Screening: A wooden privacy fence, six feet in height, shall be constructed along the south boundary being the common property line with Ewing-Perryman Fire Station.

Internal Screening: No internal screening of differing uses within the boundaries of the PUD is required.

DEVELOPMENT AREA - B

Enclosed RV Storage - proposed building shown on the Conceptual Site Plan is approximately 11,250 SF.

Net Lot Area: 56,407.8 SF (1.295 AC)

Zoning: CG

Permitted Use:

- Use Unit 15: Other Trades and Services (RV Storage Only)

Excluded Uses:

- Use Unit 28: Sexually Oriented Business
- Use Unit 29: Medical Marijuana

Maximum Building Square Footage: N/A

Minimum Building Setbacks:

North Boundary: N/A

East Boundary: N/A

South Boundary: N/A

West Boundary: N/A

Maximum Building Height: 20 feet

Parking Requirements: None

Internal Screening: No internal screening of differing uses within the boundaries of the PUD is required.

DEVELOPMENT AREA – C

Mixed Use:

- Office & Studios
- Office/Warehouse including light manufacturing / research and development
- Retail opportunities - centered around “artisan” type establishments (i.e. boutique, salon, etc.)
- Limited commercial recreation establishments

Net Lot Area: 363,242.4 SF (8.339 AC)

Zoning: CG

Permitted Uses:

- Use Unit 10: Off Street Parking Areas
- Use Unit 11: Office and studios
- Use Unit 13: Convenience Goods and Services
- Use Unit 19: Hotel, Motel, and Recreation Facilities
 - Enclosed commercial recreation establishments NEC
 - Swimming pool (enclosed)
- Use Unit 22: Warehousing and Wholesaling
- Use Unit 24: Light Manufacturing and Research and Development

Excluded Uses:

- Use Unit 28: Sexually Oriented Business
- Use Unit 29: Medical Marijuana

USE UNIT 11

Maximum Floor Area Ratio: 0.25

USE UNITS 13 & 19

Maximum Floor Area Ratio: 0.50

USE UNITS 22 & 24

Maximum Floor Area Ratio: N/A

Minimum Building Setbacks:

Dev. Area C.1

North Boundary: N/A
East Boundary: N/A
South Boundary: 15 feet
West Boundary: N/A

Dev. Area C.2

North Boundary: 100 feet
East Boundary: 50 feet
South Boundary: N/A
West Boundary: N/A

Dev. Area C.3

North Boundary: N/A
East Boundary: 15 feet
South Boundary: 50 feet
West Boundary: N/A

Maximum Building Height: 20 feet

Parking Requirements: Per Jenks Zoning Code, except Use Unit 22

- 0-9,999 SF of floor area: 5 parking spaces
- 10,000-19,999 SF of floor area: 8 parking spaces
- More than 20,000 SF of floor area: 10 parking spaces

Screening:

1. A wooden privacy fence, six feet in height, shall be constructed along the south boundary of Dev. Area C.1 being the common property line with Ewing-Perryman Fire Station.
2. A wooden privacy fence, six feet in height, shall be constructed along the north and east boundary of Dev. Area C.2.
3. A wooden privacy fence, six feet in height, shall be constructed along the east boundary of Dev. Area C.3 being the common property line with Ewing-Perryman Fire Station.

Internal Screening: No internal screening of differing uses within the boundaries of the PUD is required.

DEVELOPMENT AREA - D

Private Garages - proposed buildings shown on the Conceptual Site Plan are approximately 54,000 SF.

Net Lot Area: 166,644.1 SF (3.826 AC)

Zoning: **CG**

Permitted Uses:

- Use Unit 15: Other Trades and Services (**Private Garages**)

Excluded Uses:

- Use Unit 28: Sexually Oriented Business
- Use Unit 29: Medical Marijuana

Maximum Building Square Footage: N/A

Minimum Building Setbacks:

North Boundary: N/A

East Boundary: N/A

South Boundary: N/A

West Boundary: N/A

Maximum Building Height: 20 feet

Parking Requirements:

- Units with enclosed parking garage: 2 parking spaces (1 inside / 1 outside)
- Units without enclosed garage: 2 parking spaces

Internal Screening: No internal screening of differing uses within the boundaries of the PUD is required.

DEVELOPMENT AREA – E

Open Space / Storm Water Detention & Overland Drainage Easement
Reserve area shall be maintained by Property Owners' Association

Net Lot Area: 334,087.9 SF (7.670 AC)

Zoning: AG

Permitted Uses:

- Use Unit 1: Area Wide Uses By Right

Excluded Uses:

- Use Unit 28: Sexually Oriented Business
- Use Unit 29: Medical Marijuana

Screening: A wooden privacy fence, six feet in height, shall be constructed along the north boundary of Dev. Area E.1.

Internal Screening: No internal screening of differing uses within the boundaries of the PUD is required.

III. General Provisions

A. Screening:

1. Service equipment (including HVAC equipment) and areas shall be screened so the visual impacts of these functions are fully contained and out of view from a person standing on the ground at the perimeter of the PUD boundary.
2. Screening materials for solid waste collection and loading areas shall be a six-foot tall wooden fence. Trash dumpsters shall have a door, which shall remain closed when not in use.

B. Lighting:

1. All pole-mounted and building-mounted lighting shall be oriented to minimize light leaving the development.
2. The mounting height of each fixture light shall not exceed 20' as measured from the pavement to the light fixture.
3. A photometric study shall be provided to verify a maximum light level of 0.00 foot-candles is obtained at the perimeter of the PUD boundary.
4. All lights will face down and away from the PUD boundary.

C. Signage:

1. The height of freestanding sign shall be measured from the grade where the sign is located and shall not exceed thirty feet (30') in height. (Refer to Exhibit I – Signage Concept)
2. No sign permit shall be issued until a Detailed Site Plan is prepared and approved by the City of Jenks.

D. Utilities:

Proposed public utility infrastructure design shall be submitted to and approved by the City Engineer and in accordance with the City of Jenks Engineering Design Criteria.

E. Drainage:

The majority of the site will be graded to allow for surface water to drain to proposed detention facilities or be collected in an internal storm sewer system that will route to proposed detention facilities. The final drainage and grading design will be designed in conformance with City of Jenks Engineering Design Criteria.

F. Vehicular Access and Circulation:

All private driveway and/or street connections shall be subject to the City Engineer curb cut permit approval for the proposed access points on West 121st Street South, and the Fire Chief's approval of locations, spacing, widths, and curb return radii. (Refer to Exhibit J – Vehicular Access and Circulation)

G. Emergency Vehicle Access:

A fire apparatus road (20' wide) shall be established and maintained for emergency vehicles. Pavement striping, signage, etc. shall be submitted to and approved by the Fire Chief.

H. Detailed Site Plan Review:

No building permit shall be issued until a detailed site plan is submitted to and approved by the Jenks Planning Commission and City Council in accordance with the City of Jenks Zoning Code. Any standard requirements of the City of Jenks Fire Chief, City Engineer, and City Attorney shall be met as part of the PUD Detailed Site Plan Approval.

I. Requirement to Plat:

No building permit shall be issued until a preliminary plat containing restrictive covenants memorializing the above development standards is prepared and approved by the City of Jenks Planning Commission. A certificate of occupancy shall not be issued until a plat containing restrictive covenants memorializing the above development standards is prepared and filed in accordance with the City of Jenks Subdivision Regulations.

IV. Anticipated Construction Schedule

It is anticipated that construction shall will commence within 6 months from the date this PUD – Major Amendment #1 is approved by City Council.



CITY OF JENKS

211 NORTH ELM STREET • P.O. BOX 2007
JENKS, OKLAHOMA 74037-2007
PHONE (918) 299-5883 • FAX (918) 299-4489

NOTICE OF A PUBLIC HEARING ON A PROPOSED MAJOR PUD AMENDMENT & ZONE CHANGE LOCATED IN THE CITY OF JENKS, OKLAHOMA

JZ 22 PUD 132.ma1

Notice is hereby given that a public hearing will be held before the Jenks Planning Commission, in Jenks City Hall, Council Chambers, 211 North Elm Street, Jenks, Oklahoma, at 6:00 p.m. on 03 March 2022, in consideration of the following:

An application to approve a Request by Ryan McCarty for a major PUD Amendment to PUD 132 and to rezone the tract of land to CG (Commercial General).

Legal Description: A TRACT OF LAND OF THAT IS PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION THIRTY-SIX (36), TOWNSHIP EIGHTEEN

(18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S.

GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SE/4 OF THE SW/4 OF SAID SECTION 36;

THENCE NORTH 01°09'53" WEST ALONG THE WEST LINE THEREOF A DISTANCE OF 60.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF

EAST 121st STREET SOUTH; THENCE NORTH 88°55'08" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 116.06 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 32°44'10" EAST 469.42 FEET;

THENCE SOUTH 01°07'33" EAST 390.01 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF EAST 121st STREET SOUTH;

THENCE SOUTH 88°55'08" WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 261.56 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 51,005.2 SQ. FEET OR 1.17 ACRES.

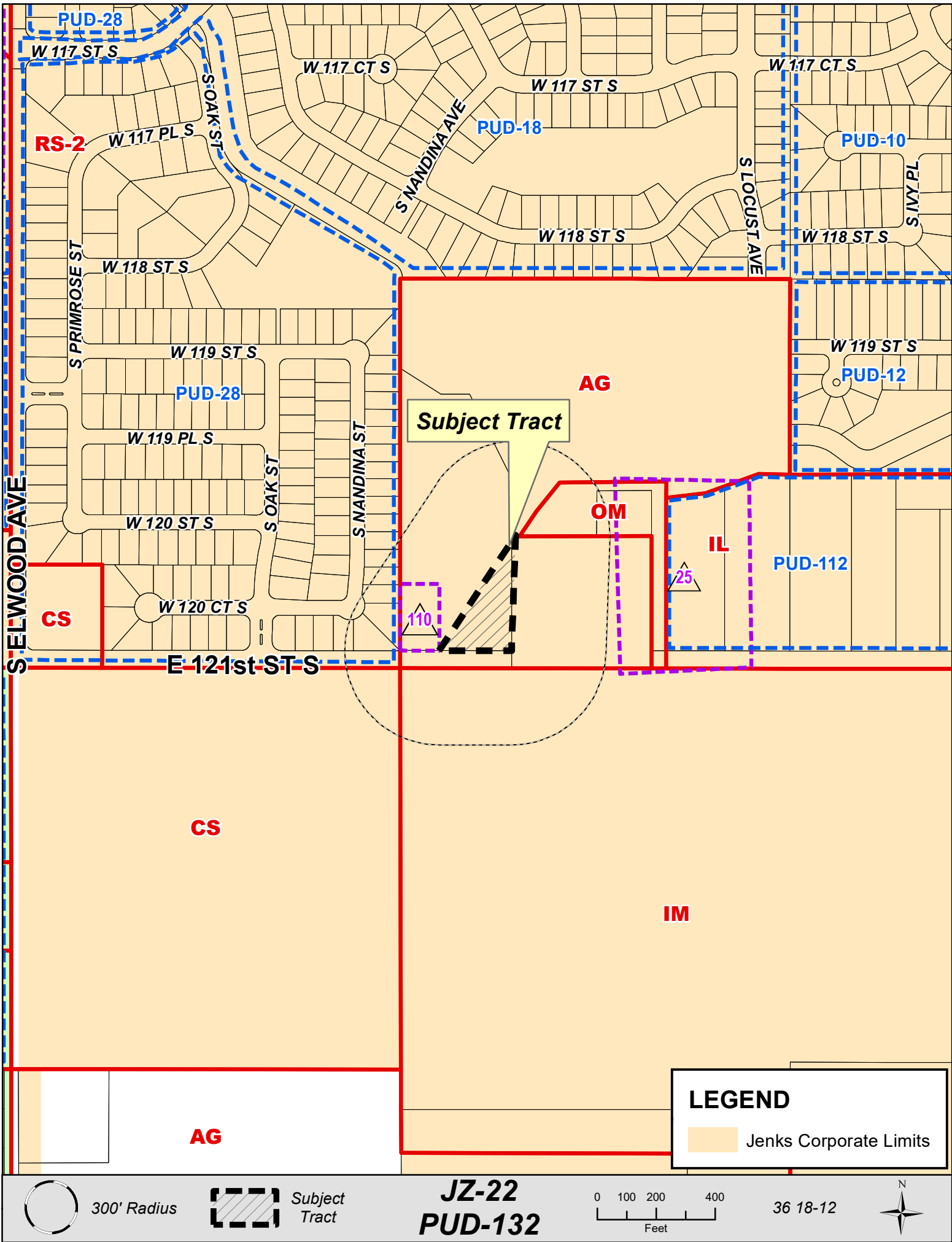
BEARINGS ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, (3501 OK N), NORTH AMERICAN DATUM 1983 (NAD83).

General Location: North side of 121st - West of Fire Station #2

All persons interested in this matter may appear at these hearings and present their objections to or arguments for any of the above matters.

Dated at Jenks Oklahoma on 7 February 2022.

Marcae Hilton, Secretary
Jenks Planning Commission



Subdivision Statistics

SUBDIVISION CONTAINS TEN (10) LOTS IN FIVE (5) BLOCKS AND FIVE (5) RESERVE AREAS.

GROSS SUBDIVISION AREA: 983,666.9 SQUARE FEET / 22.583 ACRES

Basis of Bearings

OKLAHOMA STATE PLANE OK NORTH ZONE 3501, NAD83, U.S. SURVEY FEET, USING THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 36, T-18-N, R-12-E AS S 88°55'08" W.

Monumentation

ALL CORNERS SHOWN HEREON WERE SET USING A 3/8" x 18" STEEL REBAR WITH A GREEN PLASTIC CAP STAMPED "FRITZ CA5848".

Benchmark

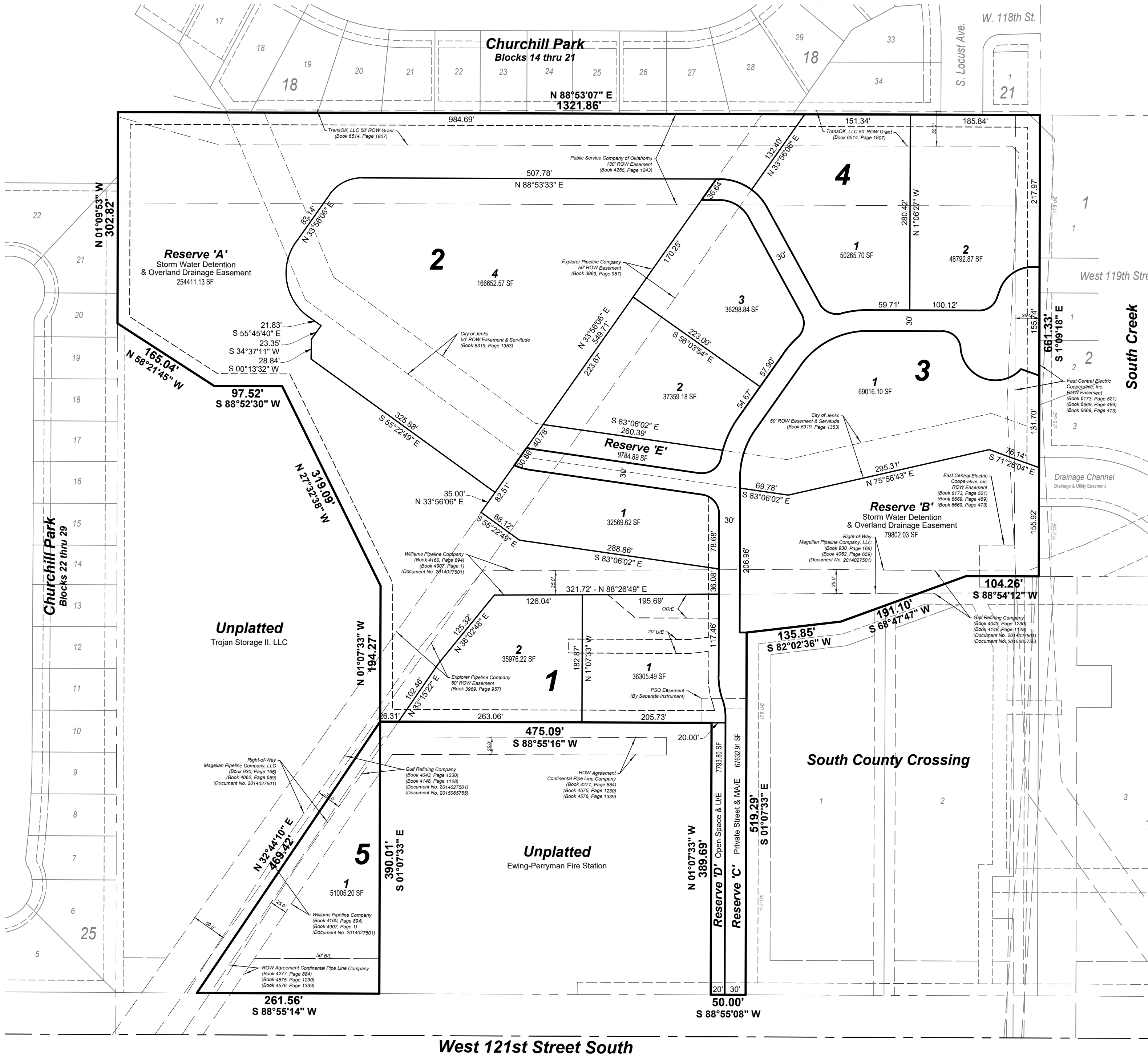
5/8" REBAR - 1 1/2" ALUMINUM CAP STAMPED "356", FOUND SE OF THE INTERSECTION OF W. 121ST ST. S. & S. ELM STREET. ELEV = 722.62' (NAVD 1988)
N=365965.22 / E=2567293.76

Legend

B/L -- BUILDING SETBACK LINE
L.N.A. -- LIMITS OF NO ACCESS
MA/E -- MUTUAL ACCESS EASEMENT
U/E -- UTILITY EASEMENT

South County Crossing II
PUD 132-A

A SUBDIVISION IN THE CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA AND BEING A PART OF A TRACT OF LAND IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 18 NORTH, RANGE 12 EAST, OF THE INDIAN BASE AND MERIDIAN.



Owner / Developer

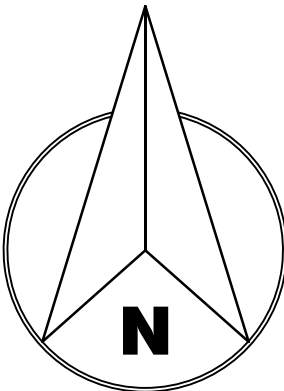
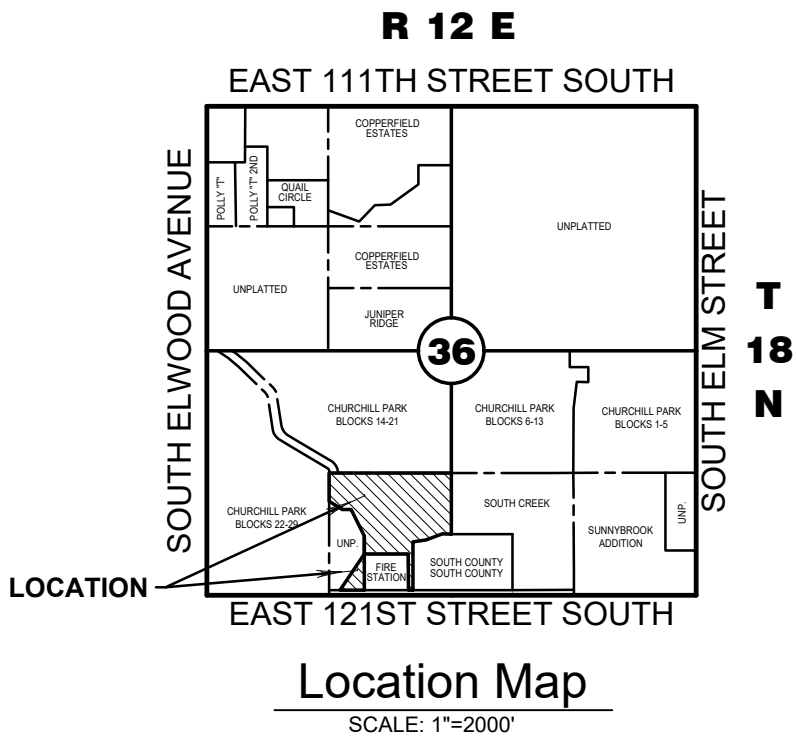
BLACK GOLD AT 121ST, LLC
2021 SOUTH LEWIS AVENUE, SUITE 301
TULSA, OKLAHOMA 74014
PHONE: 918-605-5600
MR. KEVIN JORDAN

Engineer

ENGINEERED BY DESIGN, PLLC
P.O. BOX 15567
DEL CITY, OKLAHOMA 73155
PHONE: (405) 234-0980
EMAIL: ahale@engineeredbydesign.pro
C.A. # 7655 EXPIRES 6-30-2022

Surveyor

FRITZ LAND SURVEYING, LLC
2017 WEST 91ST STREET
TULSA, OKLAHOMA 74132
PHONE: (918) 231-0575
EMAIL: fritzlandsurveying@gmail.com
C.A. # 5848 EXPIRES: 6-30-2022



Scale: 1" = 100'
0 50 100 200

FINAL PLAT
CERTIFICATE OF APPROVAL

I HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY THE JENKS CITY COUNCIL ON

MAYOR - VICE MAYOR

THIS APPROVAL IS VOID IF THE ABOVE SIGNATURE IS NOT ENDORSED BY THE CITY MANAGER.

CITY MANAGER

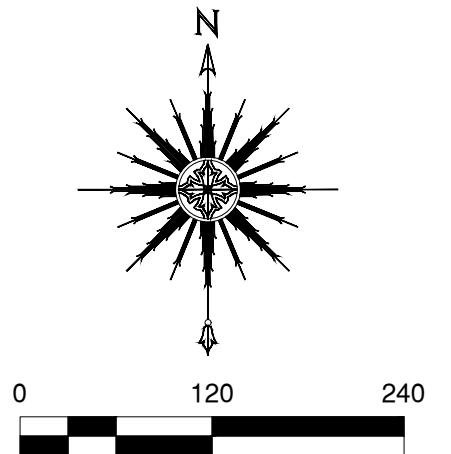
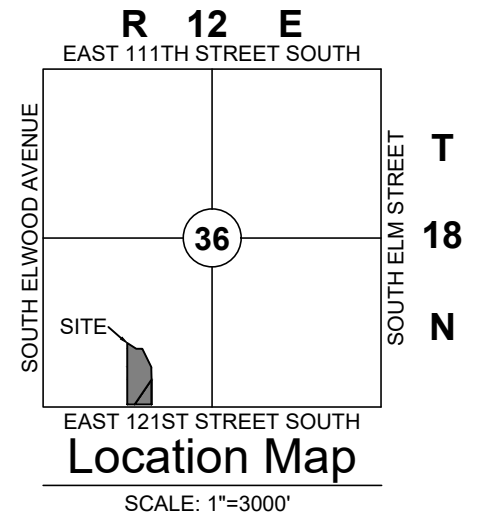
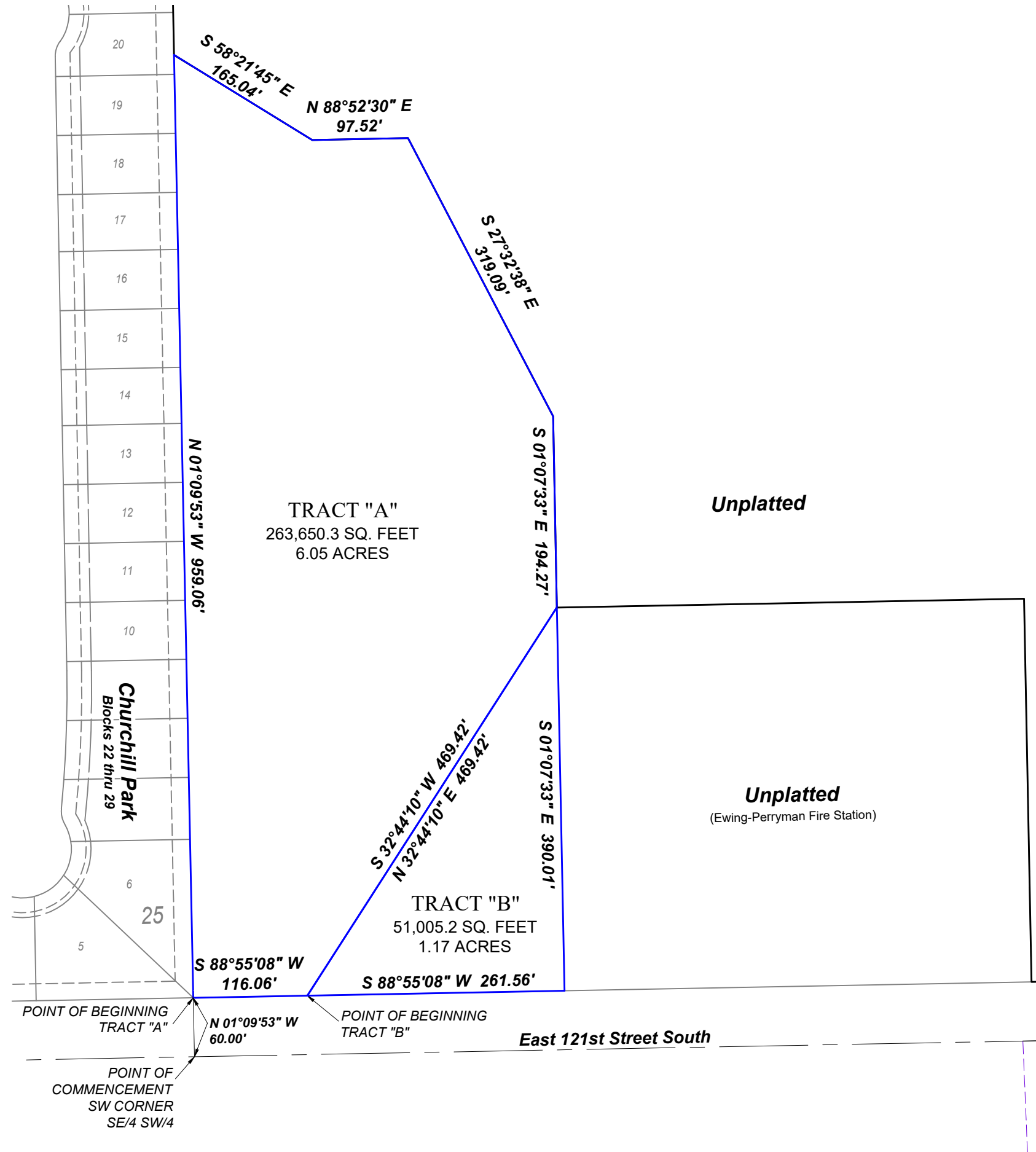
STATE OF OKLAHOMA)
COUNTY OF TULSA) SS

I, MICHAEL WILLIS, TULSA COUNTY CLERK, IN A FOR THE COUNTY AND STATE ABOVE NAMED, DO HEREBY CERTIFY THAT THE FORGOING IS A TRUE AND CORRECT COPY OF A LIKE INSTRUMENT NOW ON FILE IN MY OFFICE.

DATED THE _____ DAY OF _____, 2022
MICHAEL WILLIS, TULSA COUNTY CLERK

DEPUTY

SKETCH
COUNTY TREASURER STAMP
PLAT



LOT LINE ADJUSTMENT		
PART OF THE SE/4 SW/4 OF SEC.36, T18N, R12E ACCOUNT NO.: R98236823647210 - W. 121st ST. S, JENKS, TULSA COUNTY, OK, 74037		
SURVEY: N/A	DATE: N/A	PREPARED BY: FRITZ LAND SURVEYING, LLC 2017 W. 91ST STREET, TULSA, OK 74132 PH: 918.231.0575 FRITZLANDSURVEYING@GMAIL.COM C.A. # 5848 EXPIRES: 6-30-2022
DRAFT: RLL	DATE: 01.31.2022	
APPROVED: PLS	DATE: 01.31.2022	
SHEET 1 OF 2	PROJ. NO. 19015	



Tulsa County Clerk - Michael Willis

Doc # 2017114856 Page(s): 5 Recorded 12/13/2017 09:35:57 AM

Receipt # 17-69130 Fees: \$21.00 Doc Stamp:\$ 487.50

③

Record & Return to:
 American Eagle Title Group
 401 NW 13th St, Suite 320
 Oklahoma City, OK 73103
 File # 1602-0014-68

After recording, return to:
 Kevin L. Jordan
 Black Gold Group
 2021 S. Lewis Ave., Ste. 301
 Tulsa, Oklahoma 74104

SPECIAL WARRANTY DEED

KNOW ALL BY THESE PRESENTS:

THAT **Koch Pipeline Company, L.P.**, a Delaware limited partnership (“**Grantor**”), successor by merger to Bow Pipe Line Company, an Oklahoma corporation, with an address at 4111 East 37th Street North, Wichita, Kansas 67220, in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration in hand paid, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell, convey and assign unto **Trojan Storage II, LLC**, an Oklahoma limited liability company, (“**Grantee**”), with an address at 2021 S. Lewis Avenue, Suite 301, Tulsa, Oklahoma 74104, all of Grantor’s right, title and interest in and to that certain parcel of real property more particularly described on **Schedule 1** attached hereto and incorporated herein by reference, together with all of Grantor’s right, title and interest, if any, in and to all buildings, fixtures and other improvements located thereon and all rights, privileges and easements appurtenant thereto (the “**Property**”) subject, however, to all matters of record and the following restrictive covenant:

To the fullest extent permitted by applicable law, Grantee, on its behalf and on behalf of its successors and assigns and all present and future owners and occupiers of and/or successors in title or interest to the Property and part thereof (collectively, “**Property Owners**”), agrees to the following (collectively referred to hereafter as the “**Restrictions**”): (i) to not allow the Property to be used for residential purposes; it being the expressed intent of the Parties that the Property will be used for industrial or other commercial uses only and that at no time will any persons be domiciled or otherwise reside on the Property, (ii) to prevent the withdrawal of groundwater on, at, under or from the Property for any use except for monitoring purposes; and (iii) to ensure that any penetration or excavation of the Property is not greater than 6 feet deep and is conducted in such a manner as to prevent the migration or release of contaminants to any other zone or media and to prevent uncontrolled exposure to human and ecological receptors. The term “residential purposes” shall include, but not be limited to, use for dwellings such as single family houses or multi-family dwellings and apartments, children's homes, nursing homes, residential portions of government-owned lands (local, state or federal), day care facilities, educational facilities, hospitals residential portions of range or farm land, and parks (local, state or federal). The above covenants shall apply to and bind each and every Property Owner, and their respective successors and assigns, and shall operate as a covenant running with the land and passing with title to the Property and any part thereof.

The Restrictions shall not act to waive, rescind or modify any other restrictions that may be in effect against the Property, it being the intention that the Restrictions are to supplement and not replace, modify or amend any restrictions or other covenants pertaining to the use of the Property in effect as of the date hereof. Grantee may request in writing a waiver of the Restrictions but no waiver, rescission, amendment or other modification of the Restrictions shall be effective unless made in a writing signed by an officer of Grantor. The waiver of or failure to enforce any of the restrictions or covenants contained herein shall in no event be deemed to be a waiver of the right to do so at any time thereafter.

GRANTEE ACKNOWLEDGES AND AGREES THAT GRANTOR HAS NOT MADE, DOES NOT MAKE, AND EXPRESSLY DISCLAIMS ANY WARRANTIES, REPRESENTATIONS, COVENANTS, OR GUARANTEES, EITHER EXPRESS OR IMPLIED, WHETHER ARISING BY OPERATION OF LAW OR OTHERWISE, AS TO THE MERCHANTABILITY, QUANTITY, QUALITY, ENVIRONMENTAL CONDITION, OR PHYSICAL CONDITION OF THE PROPERTY OR ITS SUITABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE OR USE. GRANTEE AFFIRMS THAT IT: (I) HAS INVESTIGATED AND INSPECTED THE PROPERTY AND IS FAMILIAR AND SATISFIED WITH ITS ENVIRONMENTAL CONDITION AND PHYSICAL CONDITION, AND (II) HAS MADE ITS OWN DETERMINATION AS TO THE: (A) MERCHANTABILITY, QUANTITY, QUALITY, ENVIRONMENTAL CONDITION AND PHYSICAL CONDITION OF THE PROPERTY, INCLUDING THE POSSIBLE PRESENCE ON, AT, UNDER, OR EMANATING FROM THE PROPERTY OF HAZARDOUS MATERIALS OR OTHER ENVIRONMENTAL CONTAMINATION, AND (B) THE PROPERTY'S SUITABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE OR USE.

GRANTEE HEREBY ACCEPTS THE PROPERTY IN ITS PRESENT ENVIRONMENTAL CONDITION AND PHYSICAL CONDITION ON AN "AS IS", "WHERE IS", AND "WITH ALL FAULTS AND DEFECTS", INCLUDING ENVIRONMENTAL, BASIS, REGARDLESS OF HOW SUCH FAULTS AND DEFECTS WERE CAUSED OR CREATED (BY GRANTOR'S NEGLIGENCE, ACTIONS, OMISSIONS, OR FAULT, OR OTHERWISE), AND ACKNOWLEDGES THAT: (A) WITHOUT THIS ACCEPTANCE, THIS SALE WOULD NOT BE MADE, AND (B) GRANTOR SHALL NOT BE UNDER ANY OBLIGATION WHATSOEVER TO UNDERTAKE ANY IMPROVEMENT, REPAIR, MODIFICATION, ALTERATION, REMEDIATION, OR OTHER WORK OF ANY KIND WITH RESPECT TO ANY OF THE PROPERTY.

GRANTOR IS HEREBY EXPRESSLY RELEASED BY GRANTEE AND ITS SUCCESSORS AND ASSIGNS FROM ANY AND ALL RESPONSIBILITIES, LIABILITIES, OBLIGATIONS, AND CLAIMS, KNOWN AND UNKNOWN, WHETHER BASED UPON NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, ARISING UNDER ENVIRONMENTAL STATUTES, COMMON LAWS, OR ANY OTHER LEGAL REQUIREMENT, INCLUDING ANY OBLIGATIONS TO TAKE THE PROPERTY BACK AND ANY ACTIONS FOR CONTRIBUTION, INDEMNITY, OR TO IMPROVE, REPAIR,

OR OTHERWISE MODIFY THE PHYSICAL CONDITION OR OPERATION OF THE PROPERTY, THAT GRANTEE OR ITS SUCCESSORS OR ASSIGNS MAY HAVE AGAINST GRANTOR OR THAT MAY ARISE IN THE FUTURE, BASED, IN WHOLE OR IN PART, UPON THE PRESENCE OF HAZARDOUS MATERIALS OR OTHER ENVIRONMENTAL CONTAMINATION ON, AT, UNDER, OR EMANATING FROM THE PROPERTY OR ARISING FROM THE ENVIRONMENTAL CONDITION OR PHYSICAL CONDITION OF THE PROPERTY, REGARDLESS OF HOW CAUSED OR CREATED (BY GRANTOR'S NEGLIGENCE, ACTIONS, OMISSIONS, OR FAULT, PURSUANT TO ANY STATUTORY SCHEME OF STRICT LIABILITY, OR OTHERWISE). GRANTEE FURTHER ACKNOWLEDGES THAT THE PROVISIONS OF THIS SECTION HAVE BEEN FULLY EXPLAINED TO GRANTEE AND THAT IT FULLY UNDERSTANDS AND ACCEPTS THE SAME AS A CONDITION TO PROCEEDING WITH THIS TRANSACTION. GRANTEE ACKNOWLEDGES THAT NONE OF GRANTOR'S EMPLOYEES, AGENTS, OR REPRESENTATIVES HAS MADE ANY STATEMENTS OR REPRESENTATIONS CONTRARY TO THE PROVISIONS OF THIS SECTION.

GRANTOR MAKES NO WARRANTY OR REPRESENTATION, EXPRESS, IMPLIED, STATUTORY OR OTHERWISE, AS TO THE ACCURACY OR COMPLETENESS OF ANY TITLE OPINION, DATA, REPORTS, RECORDS, PROJECTIONS, INFORMATION, OR MATERIALS NOW, HERETOFORE, OR HEREAFTER FURNISHED OR MADE AVAILABLE TO GRANTEE IN CONNECTION WITH THE PROPERTY, INCLUDING ANY DESCRIPTION OF THE PROPERTY, THE PRICING ASSUMPTIONS, THE ENVIRONMENTAL CONDITION OR PHYSICAL CONDITION OF THE PROPERTY, ANY OTHER MATTERS CONTAINED IN THE DATA, OR ANY OTHER MATERIALS FURNISHED OR MADE AVAILABLE TO GRANTEE BY GRANTOR OR BY GRANTOR'S EMPLOYEES, AGENTS, OR REPRESENTATIVES. GRANTEE HAS RELIED, AND WILL RELY, SOLELY UPON ITS INDEPENDENT INVESTIGATION OF, AND JUDGMENT WITH RESPECT TO, THE PROPERTY AND ITS VALUE.

TO HAVE AND TO HOLD said described Property unto the Grantee, Grantee's successors and assigns forever. Grantor warrants title to the Property, subject to the foregoing exceptions and restrictions, unto Grantee against any and all acts, conveyances, liens and encumbrances affecting such Property made or suffered to be made or done by, through or under Grantor, but not otherwise.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, Grantor has executed this instrument on the date set forth in the acknowledgement block below to be effective as of the 11th day of December, 2017.

KOCH PIPELINE COMPANY, L.P. (JCB)
By Koch Pipeline Company, LLC, its general partner

By Bob O'Hair

Name: Bob O'Hair

Title: Executive Vice President

ACKNOWLEDGMENT

STATE OF KANSAS)
) SS.
COUNTY OF SEDGWICK)

This instrument was acknowledged before me this 8th day of December, 2017, by Bob O'Hair, as Executive Vice President of Koch Pipeline Company, LLC, a Delaware limited liability company and the general partner of Koch Pipeline Company, L.P., a Delaware limited partnership, for and on behalf of said limited partnership.



Marie A. Methe
Notary Public

My Commission Expires:

June 14, 2020

Schedule 1

Legal Description of the Property

A portion of the land conveyed to Bow Pipe Line Company, now known as Koch Pipeline Company, L.P., by Deed filed in Book 4815, Page 1370 in the records of the County Clerk of Tulsa County, Oklahoma, and such portion described as follows:

(Tract A)

A tract of land of land in the southeast quarter of the southwest quarter of Section 36, Township 18 North, Range 12 East, of the Indian Base and Meridian, City of Jenks, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, said tract of land being described as follows:

Commencing at the southwest corner of said southeast quarter of the southwest quarter;

Thence North 01°09'26" West along the west line of said southeast quarter of the southwest quarter for 60.00 feet to the point of beginning;

Thence continuing North 01°09'26" West along said west line for 959.06 feet;

Thence south 58°31'21" East for 165.14 feet;

Thence North 88°52'30" East for 97.52 feet;

Thence South 27°32'38" East for 319.09 feet;

Thence South 01°07'33" East for 584.61 feet;

Thence South 88°55'08" West parallel with and 60.00 feet north of the south line of said southeast quarter of the southwest quarter for 378.08 feet to the point of beginning.

To	Planning Commission
Hearing Date	March 03, 2022
Case Number	JZ 21 PUD 134 "C" Street Gardens
Request	<i>Approve a Rezoning and PUD overlay for townhomes</i>
Location	South of "C" Street and East of 5 th Street

Staff Report

Preparer | Marcaé Hilton

Attachments
PUD 134
Legal Notice Map

Preparer
JR Donelson
INCOG

Background Information

PUD 134 | STAFF COMMENTARY

This requested townhome project is located north of Main Street and east of Jenks High School. The blocks in question are surrounded by a mix of uses ranging from single-family detached homes to higher density housing, office uses and Jenks Public Schools. Staff believes this infill project will provide for a high demand new development and will encourage walkability and connectivity with the addition of sidewalks, and storm drains. The applicant has submitted a request to rezone from RS-2 (Residential Single-family) to RM-2 (Residential Multi-family) and the addition of a restrictive Planned Unit Development (PUD 134). The project is planned as a multi-family (Townhome) project named 'C Street Gardens.' The property is situated at the southeast corner of East 'C' Street and North 5th Street. The property is presently vacant and will be required to be re-platted.

Public Comment	Two persons from the public called
General Location	Southeast corner of 5 th and "C" 323 N 5 ST E
Comprehensive Plan	High Intensity Single-family
Plat Data	Jenks Original Town, Filed 07/15/1905
Parcel Data	Parcel ID 60525831900600
Property Address	323 N 5 ST E
Legal	LTS 10 11 12 BLK 2
Gross Acres	0.24
STR:	Section: 19, Township: 18N, Range: 13E

Zoning

Development Area/Uses

	RS-2	PUD 134	RTH	RM-2
Lot Width (min. ft.)	75	20.5	20	20
Lot Area (min. sq. ft.)	9,000	10,500	1,800	1,800
Land Area of development Per D.U. (min. sq. ft.)	10,875	$17,850/6=2,975$ $2,420/code$	3,630	2,420
STRUCTURE HEIGHT (Max. Ft.)	35	35	35	35
LIVABILITY SPACE Per D.U. (min. sq. ft.)	5,000	400/code	1,400	400
Residential Collector—5 th Street	15	6 ?	15	15
Rear Yards (min. ft.) Alley	25	5	20	10
Side Yards (min. ft.)	NA	NA	NA	NA
—One side yard East	10	5	10	10
—Other side yard	5	5	10	10
A minimum of three townhouse lots.				

Zoning

North & East | (RM-2) Multi-family, (RS-3) Single-family

South | (RS-3) Single-family

West | SUP 96 (Jenks Public Schools) & (RS-3) Single-family Residential



Figure 1: Zoning Map | INCOG

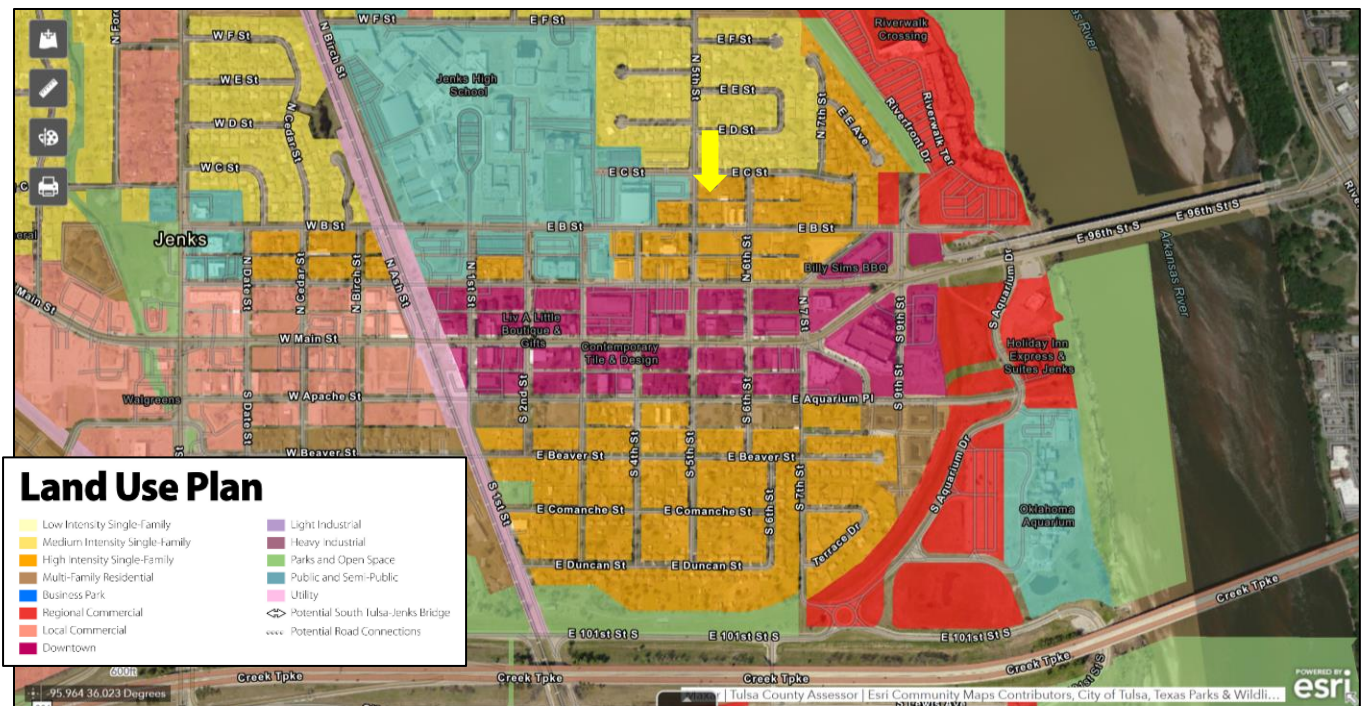


Figure 2: HIGH INTENSITY SINGLE FAMILY | Current Land Use Plan

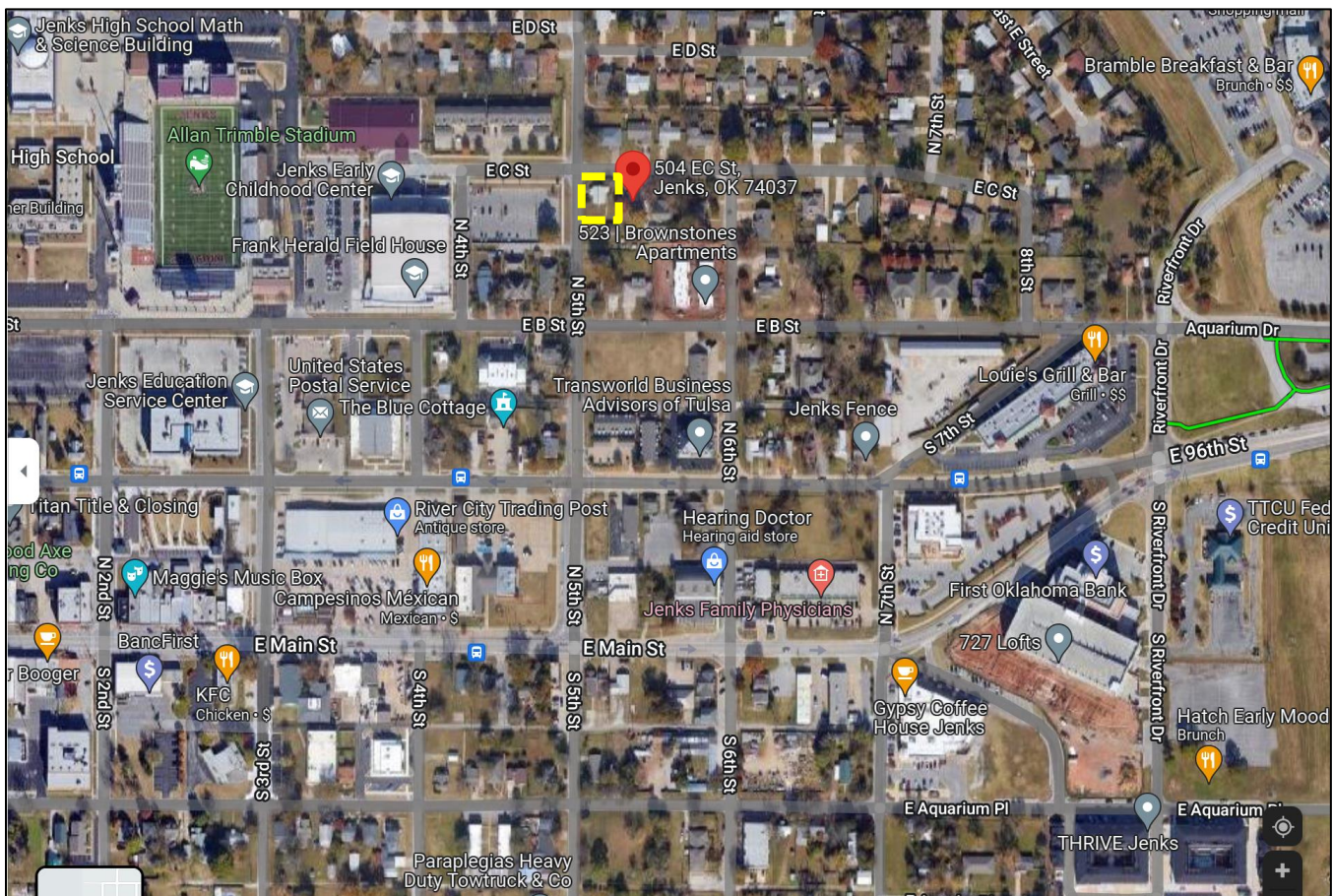


Figure 3: Google Maps

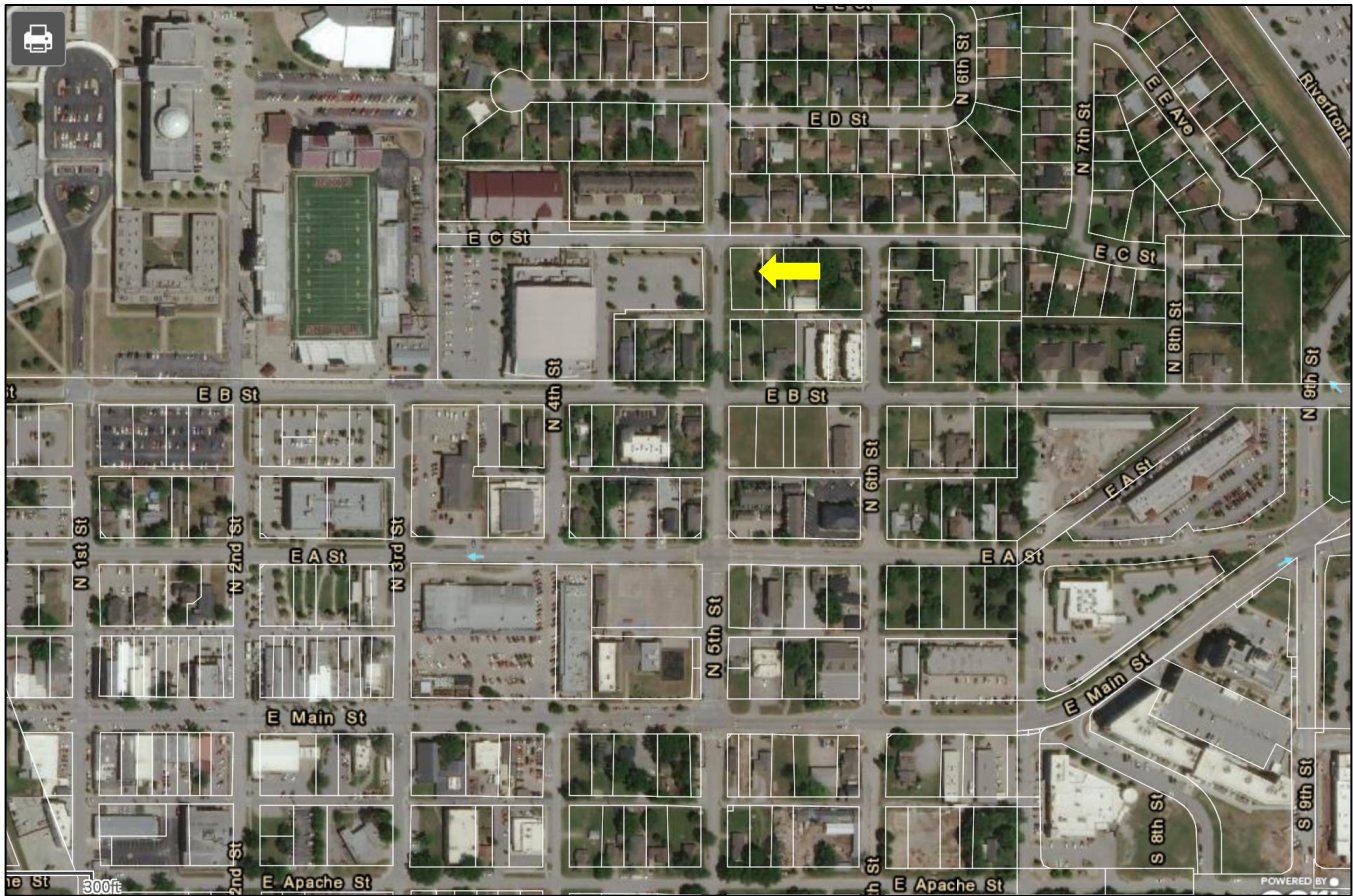


Figure 4: 5th and B



Figure 5: Google Maps



Figure 6: 5th and "C" looking north

Staff Evaluation & Recommendation

Evaluation PUD 134 is a request to rezone to RM-3 (Residential Multi-family) and place a restrictive zoning (Planned Unit Development) over the entire area. The project is similar in design to 523 Brownstone Apartments, in this case the applicant plans to build townhomes. The materials are brick with a traditional architectural style.

1. Approving this request would allow for the owner to develop the entire area as townhomes.
2. Staff believes this PUD has provided a unified treatment of the development tract.
3. Approval is a waiver of some Bulk and Area requirements as currently presented in the Code.

RECOMMENDATION | *Staff recommends conditional approval of PUD 134*

1. *Replatting is required*
 - a. *Utility Easements may not be adequate | TBD during TAC and Platting*
 - b. *Sidewalks are required along all streets*
 - c. *Plat must be filed before building permit is issued*
2. *Alley will be improved to City specifications*
3. *Add 134 to face of PUD*
4. *Page 1 | add Comprehensive Plan language*
5. *Adhere to engineering and planning requirements*
6. *Adhere to all building code and fire code*
7. *Confirm setback from "C" Street and other setbacks*

The Gardens on C Street

**An Addition located in the
Jenks – Original Township
of Section 19, T-18-N, R-13-E, Tulsa County, Oklahoma.**

PLANNED UNIT DEVELOPMENT NUMBER ¹³⁴_____

Prepared by:
JR Donelson, Inc.
12820 So. Memorial Dr., Office 100
Bixby, Oklahoma 74008
918-394-3030
Email: jrdon@tulsacoxmail.com

January 4, 2022

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I. Development Concept

'The Gardens on C Street' comprises 0.241 acres in one development area. The 0.241 acres gross (hereinafter the "Property" or the "Site") located in the S/2 (South Half) of Section 19, T-18-N, R-13-E. The property is situated at the southeast corner of East 'C' Street and North 5th Street. The site is vacant and will be re-platted.

The project is planned as a multi-family use project, being Townhouses. The Jenks Comprehensive Plan designates this site as 'High Intensity Single-Family'. Exhibit 1 is a Concept Illustration of the Site Plan.

Zoning.

The present zoning of the Property is RS3 (Single Family District. The Site is located within the jurisdiction of the Jenks Comprehensive Plan. The proposed use is the construction of Single-Family dwelling 'Townhouses'. The proposed zoning is 'RM2', Residential Multi-Family District. Adjacent property zoning is shown on Exhibit 7. Comprehensive Plan High Intensity Single Family.

Features of the Site Area.

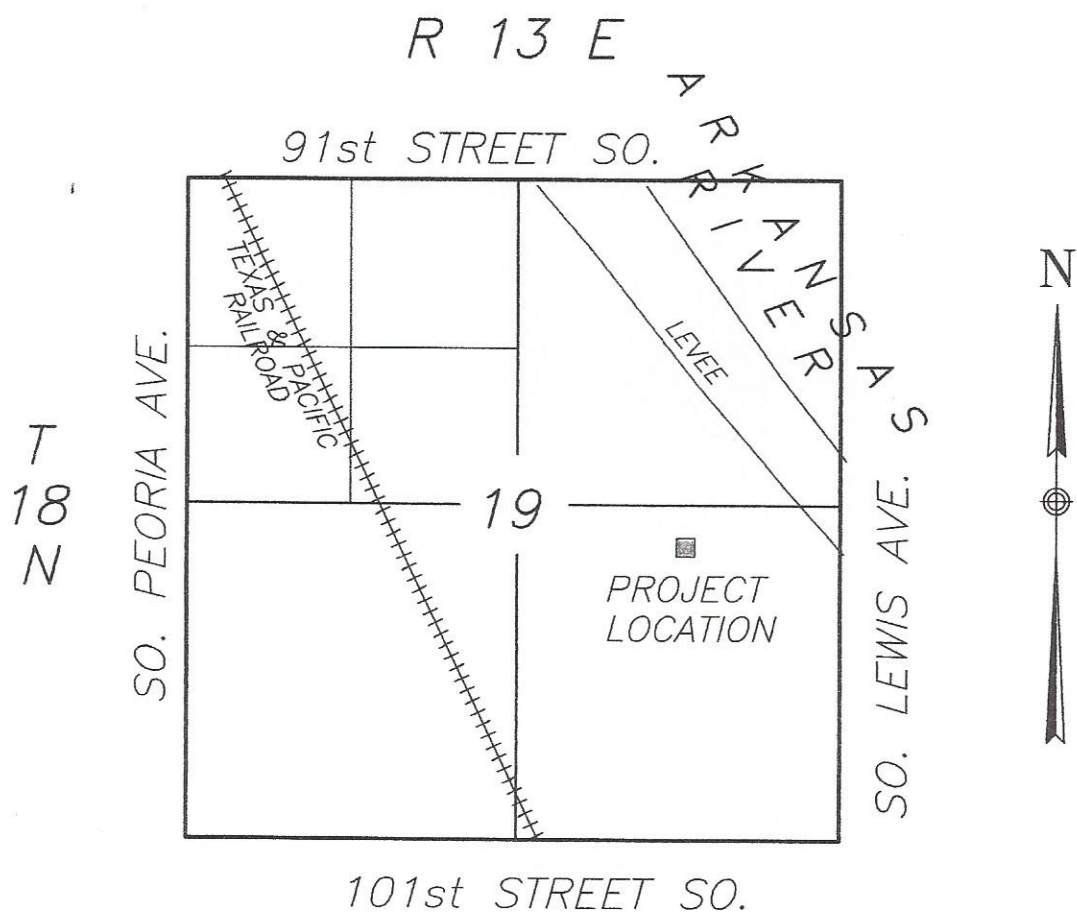
Located adjacent to North 5th Street and East 'C' Street, the property is vacant. The property has been platted as 'Jenks-Original Town'. Water and sanitary sewer are present. Neither East 'C' Street nor North 5th Street are curbed and drainage is via a bar ditch. Storm water runoff flows into the bar ditch and then is captured in storm sewer pipe. There are single-family dwellings to the north, south and east of this site. PUD-65 is to the northwest, RD zoned property to the southwest and Jenks Early Childhood Center to the west.

FEMA Flood Map

The flood map which applies to this site is 40143C0364L, effective date: 10/16/2012. The FEMA 100 year water surface elevation is 614.00. The finish floor of each building unit will be according to the current City of Jenks building requirements.

ADD COMP LANGUAGE





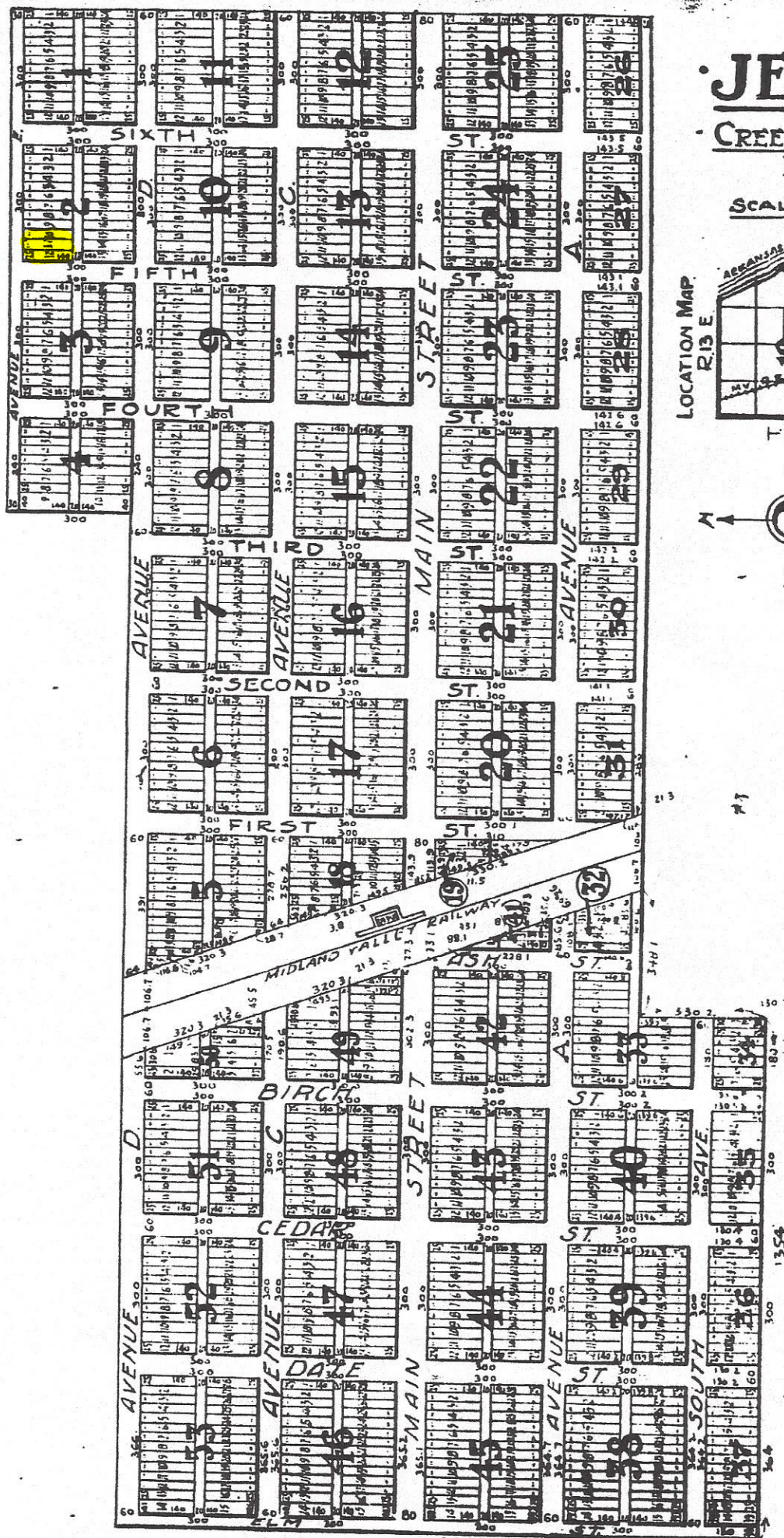
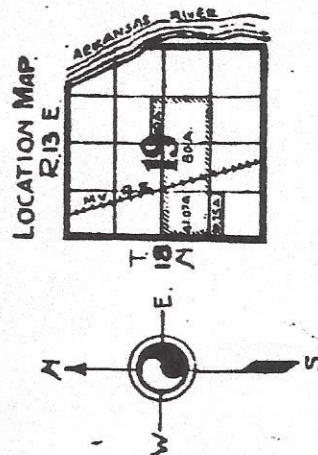
LOCATION MAP

JENKS

CREEK NATION

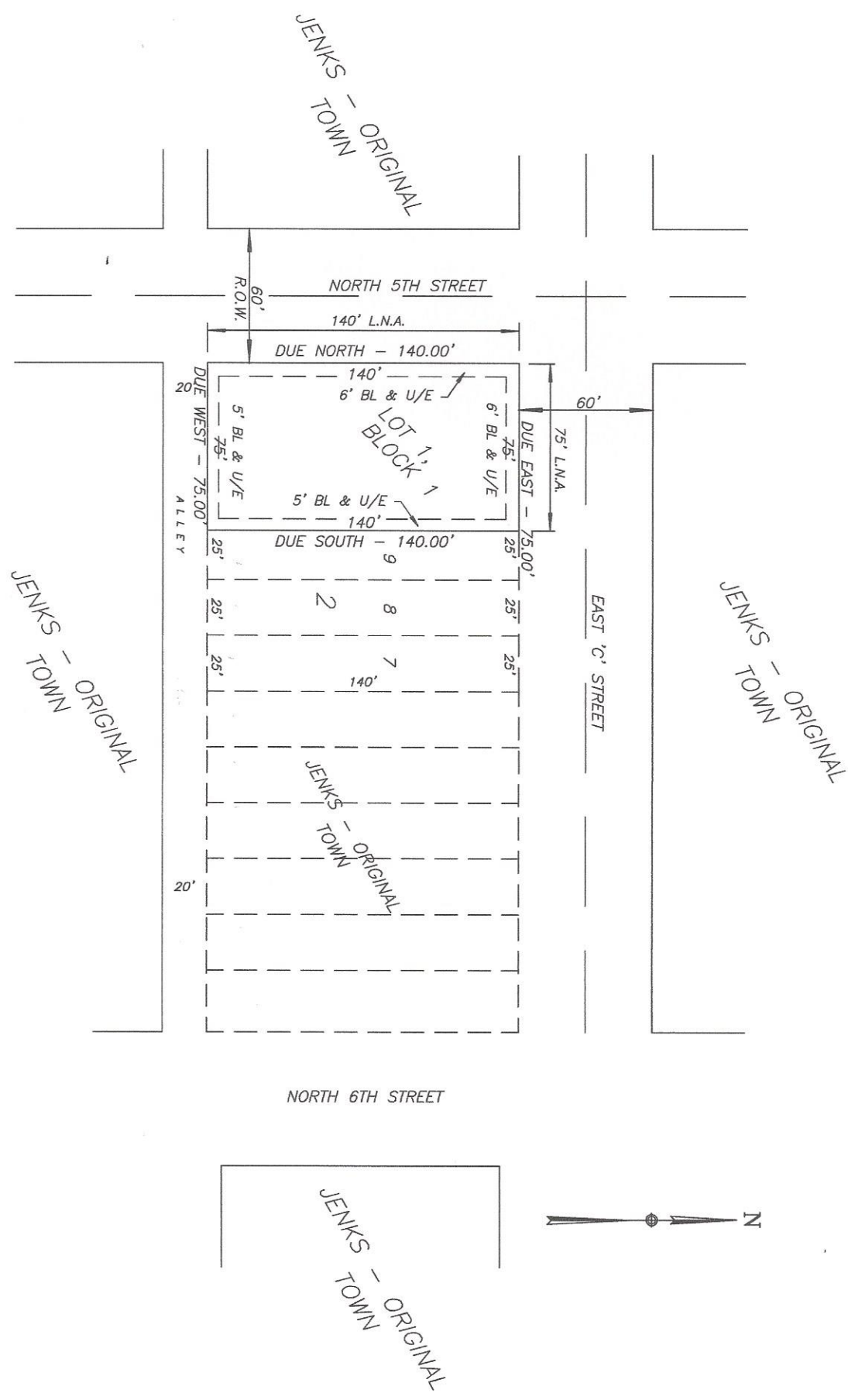
I. T.

SCALE 1"=400'



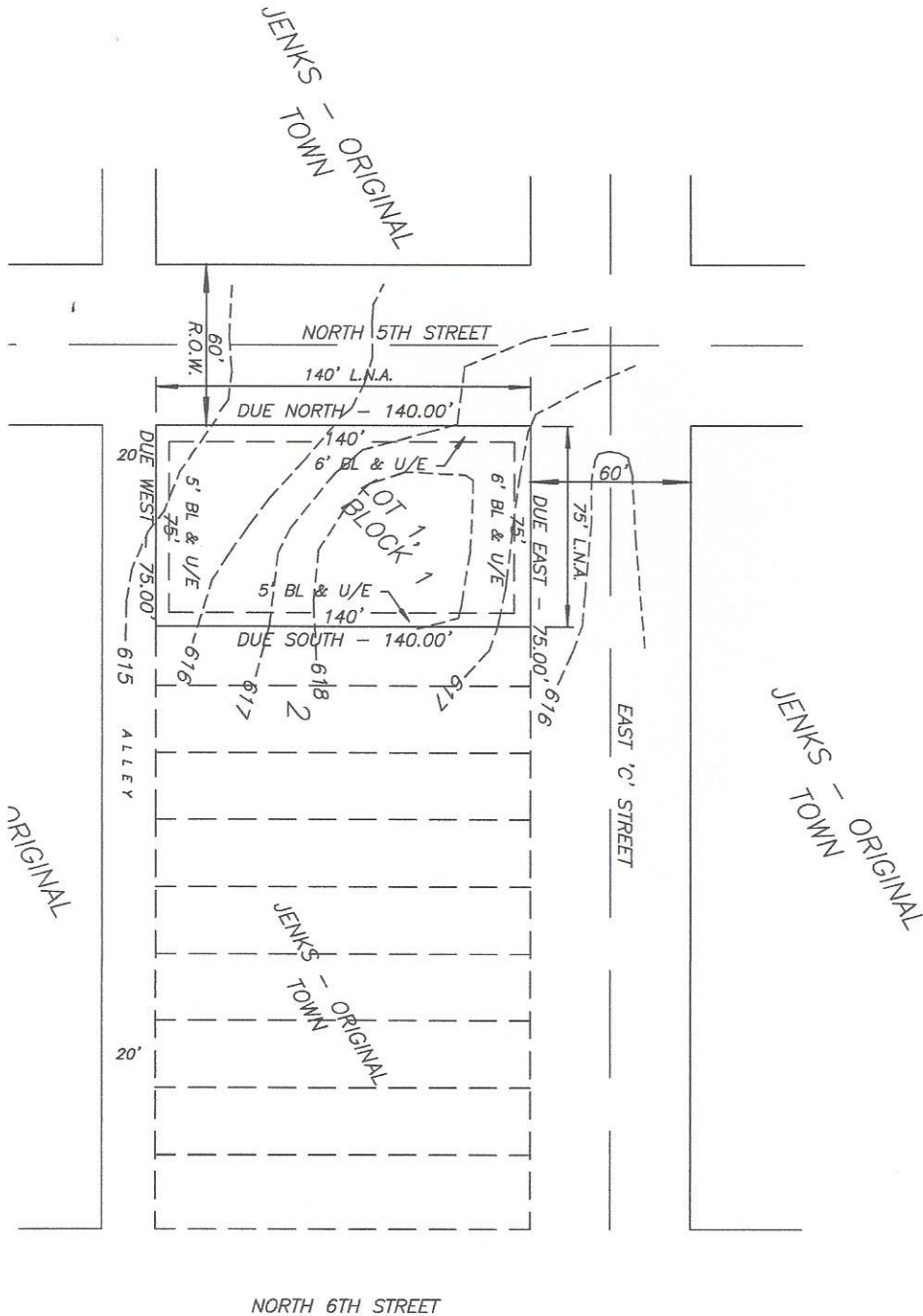
THE GARDENS on C STREET

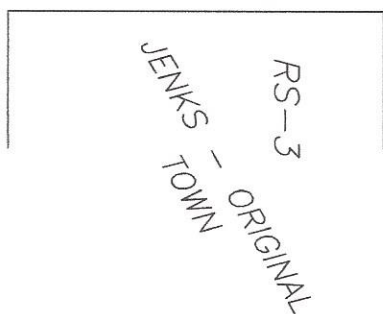
A SUBDIVISION TO THE CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA, BEING A RE-SUBDIVISION OF LOTS 10 THRU 12, BLOCK 2, JENKS - ORIGINAL TOWN, ACCORDING TO THE RECORDED PLAT THEREOF.



THE GARDENS on C STREET

A SUBDIVISION TO THE CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA, BEING A RE-SUBDIVISION OF LOTS 10 THRU 12, BLOCK 2, JENKS - ORIGINAL TOWN, ACCORDING TO THE RECORDED PLAT THEREOF.





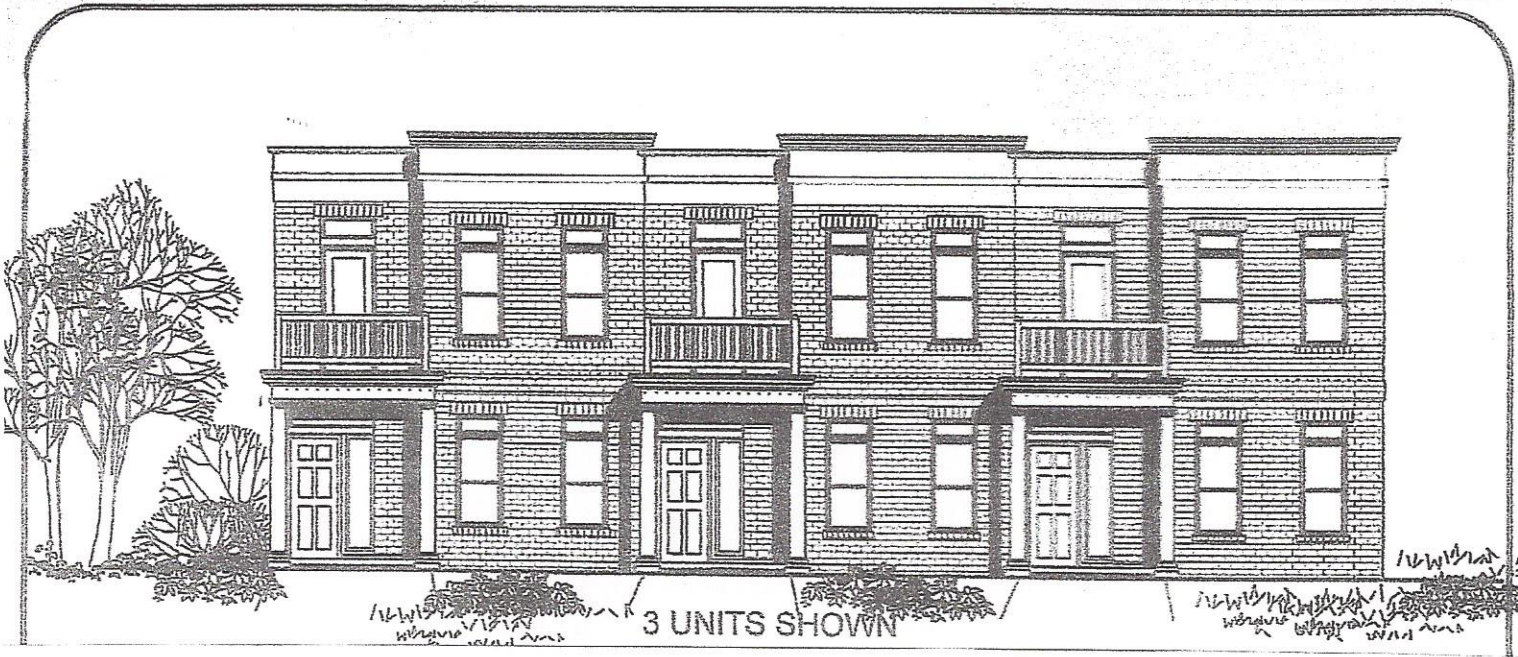


Exhibit 8.

II. Development Standards, Development Area "A" - Lot 1, Block 1

Gross land area

0.241 acres

BULK AND AREA REQUIREMENTS IN RESIDENTIAL MULTIFAMILY DISTRICTS

	RS-2	PUD 134	RTH	RM-2
Lot Width (min. ft.)	75	20.5	20	20
Lot Area (min. sq. ft.)	9,000	10,500	1,800	1,800
Land Area of development Per D.U. (min. sq. ft.)	10,875	17,850/6=2,975 2,420/code	3,630	2,420
STRUCTURE HEIGHT (Max. Ft.)	35	35	35	35
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Rear Yards (min. ft.) Alley	25	5	20	10
Side Yards (min. ft.)	NA	NA	NA	NA
—One side yard East	10	5	10	10
—Other side yard	5	5	10	10
A minimum of three townhouse lots.				

Minimum Lot Width:	20.5 ft.
Minimum Lot Size:	1435 sq.ft.
Maximum Building Height:	35 ft.
Minimum Setbacks	
From the north property line	6 ft.
From the south property line	28 ft.
From the east property lines	5 ft.
From the west property lines	6 ft.

Facade Material: masonry units, brick or EFIS /stucco .

Other Bulk and Area Requirements	As provided within an RM-2 District
Off-street parking	As required by the applicable Use Unit of the City of Jenks Zoning Code
On-site Mutual Access will be a part of the platting process	

III. Access and Circulation

On-site vehicular access shall be derived from North 5th Street and the alley. Vehicular access to the site will be derived from the private drive lane in the alley. Pedestrian foot traffic will utilize sidewalks to each unit. Off street parking will be provided along North 5th Street.

IV. Utilities and Drainage

Utilities are available at the development boundaries or will be provided by customary extension adjacent to the Site. Storm water drainage will be collected and routed to the west into the storm water storm sewer system. Storm water will not be diverted into adjacent properties and the discharge will not create erosion issues. The utilities and drainage will meet or exceed the comments from the City Engineer and the City Fire Marshal.

V. Site Plan Review

For the purposes of site plan review requirements, the detailed site plan will be submitted to the City of Jenks Planner and Planning Commission for review.

VI. Platting and Restrictive Covenants; Enforcement

The site will follow the Jenks Subdivision Regulation procedures for property platting. Restrictive covenants will be adopted and recorded for the project. The project owner will be required by the covenants to keep and maintain the project in a clean and professional manner (the "maintenance covenant"). The Maintenance Covenant will be enforced by the owner of the project.

VII. Expected Schedule of Development

Development of the project is expected to commence within 6 months and to be completed as market conditions permit.

VIII. Trash, Mechanical and Equipment Areas

There shall be no storage of recyclable materials, trash or similar material outside a screened receptacle. All trash, mechanical and equipment areas, including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level. The trash container will be in a screened area.

IX. Lighting

Lighting used to illuminate Development Area 'A', shall be so arranged as to shield and direct the light away from adjacent residential areas. Shielding of such light shall be designed so as to prevent the light-producing element or reflector of the light fixture from being visible to a person standing in the adjacent residential areas. No light standard or building-mounted light shall exceed 20 feet or the height which complies with the standard stated in the preceding sentence, whichever is lower.

X. Screening

A 6'-0" privacy screening fence will be constructed along the east property line.

XI. Legal Description

Lots 10, 11, 12, Block 2, Jenks-Original Town, Tulsa County, State of Oklahoma.



CITY OF JENKS

211 NORTH ELM STREET • P.O. BOX 2007
JENKS, OKLAHOMA 74037-2007
PHONE (918) 299-5883 • FAX (918) 299-4489

NOTICE OF A PUBLIC HEARING ON A PROPOSED PLANNED UNIT DEVELOPMENT & ZONE CHANGE LOCATED IN THE CITY OF JENKS, OKLAHOMA

JZ 22 PUD 134

Notice is hereby given that a public hearing will be held before the Jenks Planning Commission, in Jenks City Hall, Council Chambers, 211 North Elm Street, Jenks, Oklahoma, at 6:00 p.m. on 03 March 2022, in consideration of the following:

An application to approve a Request by JR Donelson for approval of a Planned Unit Development and a zone change to RM2 (Residential Multi-family) for the purpose of building townhomes.

Legal Description: Lots 10, 11, 12, Block 2, Jenks-Original Town, Tulsa County, State of Oklahoma.

General Location: 504 E "C" St

All persons interested in this matter may appear at these hearings and present their objections to or arguments for any of the above matters.

Dated at Jenks Oklahoma on 7 February 2022.

Marcae Hilton, Secretary
Jenks Planning Commission

