

**ORDINANCE NO. ----**

**An ordinance amending Section 3.1.F (Table 3.1-1) Table of Allowed Uses, Section 3.2.C, Commercial Uses, and Section 10.3.D.4, Food and Beverage Service, of the City of Broken Arrow Zoning Ordinance to accommodate Micro Food and Beverage Production; repealing all ordinances or parts of ordinances in conflict herewith; and declaring an emergency.**

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

**SECTION I.** Section 3.1.F (Table 3.1-1), Table of Allowed Uses, of the Broken Arrow Zoning Code (No. 2931) is hereby amended to read as follows:

**F. Table of Allowed Uses**

TABLE 3.1-1 TABLE OF ALLOWED USES																	
P= Permitted; S=Specific Use																	
USE CATEGORY	USE TYPE	AG		RESIDENTIAL			MIXED USE				COMMERCIAL/ OFFICE			IND'L		SPECIFIC USE PERMIT STANDARDS	
		A1	RE	RS1 / R1 RS2 / R2 RS3 / R3	R D	R M	R M H	N M	C M	D M	D F	O N	C N	C G	C H		I L
<b>RESIDENTIAL USES</b>																	
<b>Household Living</b>	Dwelling, duplex				P	P											
	Dwelling, multi-family					P		P	P	P							
	Dwelling, single-family attached				P	P		P	P	P							
	Dwelling, single-family detached	P	P	P	P		P				P						
	Dwelling, mobile home	S					P										3.2.A.1.
	Dwelling, zero lot line				P			P			P						
	Mobile home park						P										
	Mobile home subdivision						P										
<b>Group Living</b>	Boarding, dormitory, and rooming house					P											
	Group home	P	P	P	P	P	P										
	Convalescent home, nursing home, or assisted living facility	S	S	S	P	P		P	P	P	P						3.2.A.2.
<b>PUBLIC/INSTITUTIONAL USES</b>																	
<b>Community Service</b>	Cemetery	S															3.2.B.3.
	Crematorium, without funeral parlor or public area	S													P	P	3.2.B.4.

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		A1	RE	RS1 / R1 RS2 / R2 RS3 / R3	R D	R M	R M H	N M	C M	D M	D F	O N	C N	C G	C H	I L	I H		
			Government administration and civic buildings	S	S	S	S	S	S	P	P	P	P	P	P	P	P		P
	Municipal or community recreation center	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	S	
	Places of assembly	S	S	S	S	S	S	S	S	S	S	P	S	S	S				3.2.B.6.
	Public safety facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Cultural Facility	Art gallery or museum, public	S	S	S	S	S		P	P	P	P		P	P	P				3.2.B.2.
	Library, public	S	S	S	S	S		P	P	P	P		P	P	P				3.2.B.5.

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Child Care Facility	Child care center	S	S	S	S	S	S			S	S	P	P	S				
	Day care center / nursery school	S	S	S	S	S	S			S	S	P	P	S				
	Home day care	P	P	P	P	P	P											
Education	College or university	S	S						S	S	S		S	P	P		3.2.B.7.	
	Elementary	S	S	S	S	S	S	P	P	P	P						3.2.B.7.	
	Middle school or high school	S	S	S	S	S	S	P	P	P	P						3.2.B.7.	
	Trade school	S	S	S	S	S	S	P	P	P	P	S	S	P	P	P	3.2.B.7	
Health Care Facility	Medical office or clinic							P	P	P	P	P	P	P	P			
	Hospital	S	S	S	S	S	S			S			P	P				
Parks and Open Space	Arboretum or botanical garden	P	S	S													3.2.B.1.	
	Campground	S																
	Community playfields and parks	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Telecom-munication Facility	Tower (including any facility with tower)			S	S	S	S	S	S	S	S	S	S	P	P	P	5.9	
	Broadcasting or recording studio, (no tower)							P	P	P	P	P	P	P	P	P		
	Transmitting station (no tower)											P	P	P	P	P		
Transportation Facility	Airport	S												S	S	S		
	Bus and passenger train terminal								P	S	S	S	P	P	P	P		
	Heliport	S											S	S	S	S		
Utility	Utility facility, major	S											S	S	S	P		
	Utility facility, minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		

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<b>COMMERCIAL USES</b>																			
<b>Agriculture</b>	Agriculture	P																	
<b>Animal Sales and Services</b>	Animal pet shop, retail								S					P	P	P			
	Animal training school	S													S	P		3.2.C.1.	
	Kennel	S													S	P		3.2.C.1.	
	Veterinary clinic/animal hospital	S							S					S	P	P		3.2.C.1.	
	Veterinary clinic, large animal	S																3.2.C.1.	
<b>Financial Service</b>	Financial institution, with drive-thru								S	P	P	S	S	P	P	P			
	Financial institution, without drive-thru								P	P	P	P	P	P	P	P			
<b>Food and Beverage Service</b>	Bar/Nightclub									P	P				P	P			
	Catering service								P	P		P		P	P	P			
	Fruit and vegetable market										P	P		P	P	P			
	Restaurant, drive-in														P	P			
	Restaurant, without drive-thru								P	P	P	P		P	P	P			
	Restaurant, with drive-thru													S	P	P			
	Micro food and beverage production								S	S	S	S		S	S	S	P	P	3.2.C.2
<b>Office</b>	Office, business or professional								P	P	P	P	P	P	P	P	P		
	Research laboratory															P	P		
<b>Recreation and Entertainment, Outdoor</b>	General outdoor recreation	S														P	S		3.2.C.4.
	Golf course or driving range, unlighted	P	P	P	P	P	P												3.2.C.4.
	Golf course or driving range, lighted	S														P			3.2.C.4
	Major entertainment facility	S														P	S		3.2.C.4
	Race track (auto, dog, or horse)	S														S			3.2.C.4
	RV campground/ park															S			3.2.C.3.
	Shooting range	S																	3.2.C.4

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	Zoo	S																3.2.C.4
Recreation And Entertainment Indoor	Art gallery or museum, private								P	P	P	P	P	P	P			
	Fitness and recreational sports center	S						S	P	P	P	S	S	P	P	S		
	General indoor recreation								P	S			P	P	P	S		
	Major entertainment facility									S	S			S	P	P		
	Movie theatre								P	S	S			P	P			
Personal Services	Dry cleaning and laundry service								P					P	P	P		
	Funeral services								P				P	P	P			
	General personal services							P	P	P	P		P	P	P			
	Instructional services								P		P	S	P	P	P			
Retail (Sales)	Alcoholic beverages, retail sale								P	P			P	P	P			
	Convenience store with gas sales								P				P	P	P			
	Horticulture nursery sales	S											P	P				
	Open-air market or flea market									S			S	S				
	Retail, general							P	P	P	P		P	P	P			
	Retail, large													P	P			
	Sexually oriented business														P			
Vehicles and Equipment	Boat and/or RV storage														S	P	P	
	Car wash														P	P		
	Gasoline sales												P	P	P			
	Parking structure							P	P	P	P			P	P	P	P	
	Vehicle sales and rental														S			3.2.C.4.
	Vehicle service and repair, major				S	S										P	P	
	Vehicle service and repair, minor								P					P	P	P	P	
Visitor Accommodation	Bed and breakfast	P			S	S		S	S	P	S			P	P			
	Hotel or motel								P	P	S			P	P			

**INDUSTRIAL USES**

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		A1	RE	RS1 / R1 RS2 / R2 RS3 / R3	R D	R M	R M H	N M	C M	D M	D F	O N	C N	C G	C H	I L	I H	
		<b>Industrial Service</b>	Fossil fuel storage															
	General industrial service															P	P	
<b>Manufacturing and Production</b>	Assembly, light									S						P	P	3.2.D.1
	Manufacturing, light															P	P	
	Manufacturing, heavy																P	
<b>Mining and Processing</b>	Minerals and raw materials	S															S	
	Oil and gas	S															S	
<b>Warehouse and Freight Movement</b>	Mini-storage													S	P	P		3.2.D.3.
	Motor freight terminal														P	P		
	Office warehouse												S	P	P			
	Storage yard														P	P		
	Warehouse														P	P		
	Wholesale establishment														P	P		
<b>Waste and Salvage</b>	Auto salvage yard															S		3.2.D.4.
	Scrap operations															S		
	Recycling center (outdoor or indoor)												S	P	P			
	Solid waste disposal	S														S		3.2.D.2.

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

**C. Commercial Uses**

**1. Animal Hospitals, Animal Training School, Kennel, and Veterinary Clinic**

All such uses shall have their principal entrance and exit on an arterial street and if serving large animals shall be located on land no less than five (5) acres.

## **2. Micro Food and Beverage Production**

Applications for micro food and beverage production shall provide information regarding building square footage, site development, hours of operation, odor expectations, truck deliveries and pick ups, production quantities, distribution expectations, and number of employee projections.

## **3. Recreational Vehicle Campground/Park**

Applications for recreational vehicle campgrounds/parks shall comply with and show the method of complying with the following standards:

- a. No trailer, RV, or other similar vehicle shall be allowed for more than fourteen (14) days.
- b. No trailer, RV, or other similar vehicle will be parked for sale or display.
- c. Only hard-surfaced roads shall be used throughout the grounds
- d. Each campground shall provide facilities for the appropriate disposal of waste water, trash, and related items.
- e. The following items shall be graphically shown on the application:
  - i. All RV pad locations.
  - ii. Pathways,
  - iii. Provisions for utility hookups.
  - iv. Parking facilities.
  - v. Restroom facilities
  - vi. Water/wastewater treatment facilities.
  - vii. Dumpster locations and provisions for other trash receptacles.
  - viii. Playground facilities.
  - ix. Compliance with ADA guidelines.
  - x. Landscaping.
  - xi. Lighting.
  - xii. Signage.
  - xiii. Storm water detention.

## **4. Recreation and Entertainment, Outdoor**

All uses of this type requiring a specific use permit shall abut an arterial or collector street.

## **5. Vehicle Sales and Rental**

Applications for vehicle sales and rental shall comply with the following standards:

- a. The minimum lot size shall be 2.5 acres, and the site shall have a minimum of 200 feet street frontage.

- b. Landscaping shall meet or be upgraded to meet the landscape requirements of Section 5.2. Particular attention shall be given to installing landscape material that does not attract birds. No parking of vehicles shall be allowed within landscape areas.
- c. Such uses shall be located a minimum of 200 feet from any residential district, school, hospital, park, government office, or place of public assembly.
- d. No outdoor speakers shall be allowed within 500 feet of a residential area.
- e. Colored metal or wrought iron gates designed to enhance the appearance of the facility are encouraged. The use of chain link or barbed wire within 200 feet of a public street right-of-way is prohibited.
- f. Vehicle sales and rental are discouraged in multi-tenant commercial areas.
- g. The exterior of all buildings shall meet the requirements of Section 5.8.G.

**SECTION III.** Section 10.3.D.4, Foot an Beverage Service, of the Broken Arrow Zoning Code (No. 2931) is hereby amended to read as follows:

**4. Food and Beverage Service**

Food and Beverage Service businesses serve prepared food or beverages for consumption on or off the premises. Accessory uses may include food preparation areas, offices, and parking. Specific use types include, but are not limited to:

- a. ***Bar/Nightclub***  
A structure or part of a structure used primarily for the sale or dispensing of alcoholic beverages or liquor by the drink. Dancing and musical entertainment are permitted.
- b. ***Catering Service***  
An establishment that prepares food for service at a remote site.
- c. ***Fruit and Vegetable Market***  
A building, structure, or tract of land which may include open air stands that is used for the primary purpose of retail sales of fresh fruits, vegetables, flowers, herbs, or plants. This definition may also include the accessory sales of other unprocessed foodstuffs, home processed food products, baked goods, and homemade handicrafts.
- d. ***Restaurant, Drive-In***  
A restaurant where customers purchase and consume prepared food on the premises in their automobiles.
- e. ***Restaurant (without Drive-Through)***  
An area or structure in which the principal use is the preparation and sale of food and beverages. Operations may or may not include outdoor seating areas or outdoor food service, but the operation does not include a drive-through or drive-in facility.



**f. *Restaurant (with Drive-Through)***

An eating/drinking establishment in which the principal business is the sale of foods or beverages to the customer in a ready-to-consume state and in which the design or method of operation of all or any portion of the business allows food or beverages to be served directly to the customer in a motor vehicle without the need for the customer to exit the motor vehicle.

**g. *Micro Food and Beverage Production***

An establishment that produces, bottles, and/or distributes small quantities of food or beverages that are not part of a restaurant type use. Typical examples include but are not limited to microbreweries, nanobreweries, brewpubs, wine blending, and limited food production.

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

**SECTION V.** An emergency exists for the preservation of the public health, peace, and safety, and therefore this ordinance shall become effective from and after the time of its passage and approval.

**PASSED AND APPROVED** and the emergency clause ruled upon separately this 6<sup>th</sup> day of June, 2016.

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MAYOR

ATTEST:

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(Seal) CITY CLERK

APPROVED:

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CITY ATTORNEY