

**AN ORDINANCE AMENDING A ZONING MATRIX OF THE CITY OF MARIETTA;
REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING
FOR SEVERABILITY; AND DECLARING AN EMERGENCY**

WHEREAS, it is in the best interest of the City and the general public to update the zoning matrix of the City of Marietta to provide locations for medical marijuana business and industry.

ORDINANCE

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF MARIETTA, OKLAHOMA:

SECTION 1. Matrix 2 of Appendix A to the Code of Ordinances of the City of Marietta is hereby amended as attached hereto as Exhibit A.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, repealed.

SECTION 3. If any section, sub-section, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 4. There exists an immediate necessity in order to provide proper regulation of property within the City of Marietta, and for the preservation of the peace, health, and safety of the citizens of said City, an emergency is hereby declared to exist whereby this Ordinance shall be in full force and effect from and after its passage, as provided by law.

PASSED by the City Council and **SIGNED** by the Mayor of the City of Marietta, Oklahoma on this 9th day of April 2019.

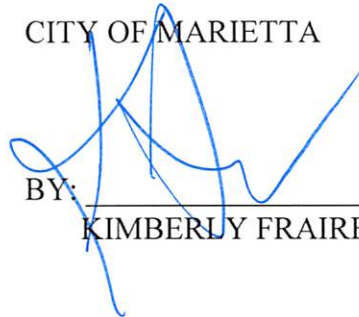
ATTEST:


DOTTIE GWIN, CITY CLERK



CITY OF MARIETTA

BY:



KIMBERLY FRAIRE, MAYOR

EXHIBIT A

MATRIX 2

Notes: None of the listed uses shall be permitted in the FD-zone flood district as shown on the zoning map as provided in section 5-11 of these regulations.

X = Uses permitted

R = Uses permitted only upon review of the Marietta planning and zoning commission.

Permitted Uses	Special Provisions		Residential Districts			Commercial Districts			Industrial Districts		
	Special Conditions, see sec.:	Parking Spaces Required	A-1	R-1	R-2	C-1	C-2	C-3	I-1	I-2	I-3
Accessory, uses incidental to those listed	None	None	X	X	X	X	X	X	X	X	X
Advertising signs or structures (on premises)	5-8	None				X	X	X			
Advertising signs or structures (off premises)	5-8	None	R				X	X		X	X
Agriculture: farming, dairying horticulture, animal and poultry husbandry, excluding the feeding of offal and garbage	None	None	X								
Agriculture: gardening, not commercial	None	None	X	X	X	X	X	X	X	X	X
Ambulance service, office or garage	None	1 per 150 sq. ft. gross floor area					X	X			
Amusement enterprises	None	1 per 50 sq. ft. gross floor area					X	X			
Artist supplies and hobby shop	None	1 per 100 sq. ft.				X	X	X			
Automobile repair, major	5-12-6.5	1 per 400 sq. ft.					R	R	X	X	X
Automobile repair, minor	5-12-6.5	1 per 400 sq. ft.					R	R	R	X	X
Automobile sales and service, new and used	None	1 per 150 sq. ft. gross floor area					X	X			
Automobile service station	5-12-5	1 per 300 sq. ft.				R	X	X			
Automobile wrecking and junkyards	5-12-6	1 per 300 sq. ft.								X	X
Bakery shop	None	1 per 200 sq. ft.				X	X	X			
Banks, saving institutions	None	1 per 200 sq. ft.				X	X	X			
Barber, beauty shops	5-2	1 per 200 sq. ft.				X	X	X			
Blacksmiths and welding shops	None	1 per 1,000 sq. ft. + 1 dock per 25,000 sq. ft.						X	X	X	X
Boat sales	None	1 per 150 sq. ft.					X	X			
Bookstore	None	1 per 150 sq. ft.				X	X	X			
Bottling works	None	1 per 3 employees + 1 dock per 25,000 sq. ft.								X	
Bowling alley	None	1 per 150 sq. ft.					X	X			
Building materials sales	None	1 per 1,000 sq. ft. + 1 berth per 25,000 sq. ft.					X	X	X	X	
Bulk fuel sales	5-9 5-12-5	1 per 1,000 sq. ft. + 1 dock per 25,000 sq. ft.								X	X

EXHIBIT A

Permitted Uses	Special Provisions		Residential Districts			Commercial Districts			Industrial Districts		
	Special Conditions, see sec.:	Parking Spaces Required	A-1	R-1	R-2	C-1	C-2	C-3	I-1	I-2	I-3
Bus terminal	None	1 per 150 sq. ft.					X	X			
Canning, preserving factory	5-9	1 per 3 employees + 1 dock per 25,000 sq. ft.								X	X
Cemetery	5-12-3	None	X								
Child care center/day nursery ¹	5-12-8	1 per 150 sq. ft.				R	X	X			
Child care center/day nursery as part of religious facility	5-12-8	1 per 150 sq. ft.			R	R	X	X			
Church or other worship place	5-12-3	1 per 4 seats	X	R	R	X	X	X			
Clothing, wearing apparel store	None	1 per 200 sq. ft.				X	X	X			
Cold storage plants	5-9	1 per 500 sq. ft.							X	X	X
Commercial radio/television antenna towers and equipment	5-9	1 per 100 sq. ft. + loading berth per 25,000 sq. ft.	R						X	X	X
Compounding, processing, blending and storage of chemical products, not including explosives	5-9	1 per 3 employees + 1 loading berth per 25,000 sq. ft.								X	X
Convalescent, rest, or nursing home	None	1 per 6 beds + 1 each per 2 employees + 1 reserved for doctor			X	X	X	X			
Convenience store without sale of gasoline	None	1 per 150 sq. ft.				X	X	X			
Convenience store with sale of gasoline	None	1 per 150 sq. ft.				R	X	X			
Dairy products store	None	1 per 150 sq. ft.				X	X	X			
Dancehall	None	1 per 150 sq. ft.					X	X			
Delicatessen	None	1 per 150 sq. ft.				X	X	X			
Dental lab, supply house	None	1 per 150 sq. ft.				X	X				
Department store	None	1 per 150 sq. ft.				R	X	X			
Drive-in theater/restaurant	5-12-9	1 per 150 sq. ft.					X	X	R		
Drugstore	None	1 per 150 sq. ft.				X	X	X			
Dwelling, duplex (two-family) ²	None	1 per dwelling unit			X						
Dwelling, mobile home	4-6	See 4-6		R	R						
Dwelling, multifamily ²	None	1.5 per unit			R						
Dwelling, rooming, boarding houses and dormitories	None	1 per 2 guests, 0.75 per occupant			R						
Dwelling, single-family	None	1	X	X	X						
Feed store	None	1 per 150 sq. ft.					X	X	X	X	
Florist shop	None	1 per 150 sq. ft.				X	X	X			
Food store	None	1 per 150 sq. ft.				X	X	X			
Furniture store	None	1 per 300 sq. ft.					X	X			
Furniture repair and upholstery	None	1 per 150 sq. ft.					X	X	X		
Funeral parlor	None	1 per 150 sq. ft.					X	X			
Garden store	None	1 per 150 sq. ft.					X	X			

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Permitted Uses	Special Provisions		Residential Districts			Commercial Districts			Industrial Districts		
	Special Conditions, see sec.:	Parking Spaces Required	A-1	R-1	R-2	C-1	C-2	C-3	I-1	I-2	I-3
Gift shop	None	1 per 150 sq. ft.				X	X	X			
Gold course or country club for recreation, commercial activity accessory. Excludes driving range, pitch and putt and miniature.	None	1 per 150 sq. ft.	X	R	R						
Golf course, miniature or practice range	None	1 per 150 sq. ft.					X	X			
Hardware store	None	1 per 250 sq. ft.					X	X			
Heating and plumbing sales and service	None	1 per 150 sq. ft.					X	X			
Home occupations	5-2	None		R	R						
Hospital	None	1 per 4 beds; 1 per doctor on staff; 1 per 3 employees + emergency vehicle space					X	X			
Hospital, small animals	5-12-2	1 per 150 sq. ft.						X	X	X	X
Hotel, motel	None	1 per 150 sq. ft.					X	X			
Ice cream production and distribution	5-9	1 per 3 employees + 1 dock per 25,000 sq. ft.							X	X	
Ice plant, frozen food locker	None	1 per 150 sq. ft.					X	X	X		
Interior decorating store	None	1 per 150 sq. ft.					X	X			
Kennel	5-12-1	1 per 150 sq. ft.					X	X			
Key shop	None	1 per 150 sq. ft.					X	X			
Laundry and dry-cleaning pickup stations	None	1 per 200 sq. ft.				X	X	X			
Laundry, self-service	None	1 per 200 sq. ft.				X	X	X			
Library	None	1 per 50 sq. ft.					X				
Liquor store	None	1 per 200 sq. ft.					X	X			
Lodges, service institutions ³	None	1 per 50 sq. ft.				R	X	X			
Machinery rental, sales and service, new and used	5-9	1 per 2 employees + 1 dock per 25,000 sq. ft.					X	X	X	X	
Machine shops, tool and dye shops, metal products manufacture, excluding use of automatic screw machines, drop forgers or riveting machines	5-9	1 per 2 employees + 1 dock per 25,000 sq. ft.							X	X	
Mail order house	5-9	1 per employee + 1 dock per 25,000 sq. ft.					X		X	X	
Manufacturing and assembling textile and other products excluding raw material processing	5-9	1 per employee + 1 dock per 25,000 sq. ft.							R	X	X
Manufacturing and assembling electrical and electronic products and equipment	5-9	1 per employee + 1 dock per 25,000 sq. ft.							X	X	X

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Permitted Uses	Special Provisions		Residential Districts			Commercial Districts			Industrial Districts		
	Special Conditions, see sec.:	Parking Spaces Required	A-1	R-1	R-2	C-1	C-2	C-3	I-1	I-2	I-3
Medical facility, clinic or office	None	6 per doctor + 1 per 2 employees					X	X			
<u>Medical marijuana cultivation</u>	<u>Ch. 7 Code of Ord.</u>	<u>1 per employee + 1 dock per 25,000 sq. ft.</u>							X	X	X
<u>Medical marijuana dispensary</u>	<u>Ch. 7 Code of Ord.</u>	<u>1 per 250 sq. ft.</u>				X	X	X			
<u>Medical marijuana processing</u>	<u>Ch. 7 Code of Ord.</u>	<u>1 per employee + 1 dock per 25,000 sq. ft.</u>							X	X	X
Milk bottling and distributing	5-9	1 per 400 sq. ft.								X	X
Mobile home park/court	4-5	1 per stand + 1 per 4 additional stands			R						
Monument stone cutting	5-9	1 per 1,000 sq. ft. + 1 dock per 25,000 sq. ft.								X	X
Motor freight terminal	5-9	1 per 1,000 sq. ft. + 1 dock per 25,000 sq. ft.						R		X	X
Music, radio, television shop and repair	None	1 per 150 sq. ft.					X	X			
Nightclub	None	1 per 150 sq. ft.					X	X			
Novelty shop	None	1 per 150 sq. ft.					X	X			
Offices, general and administrative	5-8	1 per 300 sq. ft.					X	X	X	X	X
Parking lot	5-3	as required for use		R	R	R	R	R	R	R	R
Parks, playgrounds, forest preserves operated not for profit	None	None	X	X	X	R	R	R			
Pattern shop	5-9	1 per 1,000 sq. ft. + 1 dock per 25,000 sq. ft.								X	X
Pawnshop	None	1 per 150 sq. ft.					X	X			
Pet store	None	1 per 150 sq. ft.					X	X			
Pharmacy	None	1 per 250 sq. ft.				X	X	X			
Plant nursery, retail excluded	None	None	X	R	R			X			
Police and fire stations	None	None	X			X	X	X			
Printing shop	None	1 per 150 sq. ft.					X	X	X		
Printing and binding plant	5-9	1 per 1,000 sq. ft. + 1 berth per 25,000 sq. ft.					X		X	X	X
Processing, meat and vegetable products	5-9	1 per 1,000 sq. ft. + 1 dock per 25,000 sq. ft.								X	X
Public garage or parking	5-3	1 per 250 sq. ft.					X	X	X		
Public health center	None	6 per doctor + 1 per 2 employees					X	X			

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	Special Conditions, see sec.:	Parking Spaces Required	A-1	R-1	R-2	C-1	C-2	C-3	I-1	I-2	I-3
Public buildings, or those used in public interest, including art galleries, post office, libraries, museums, stadiums, auditoriums, arenas, armories	5-12-9	1 per 200 sq. ft.	X			X	X	X			
Public utility and service uses ⁴	5-12-11	1 per 400 sq. ft.	X	R	R	X	X	X	X	X	X
Railroad yards and switching areas, including lodging facilities	5-9	1 per 3 employees								X	X
Recreation center, community	5-12-10	1 per 50 sq. ft.	X				X				
Recreation center, private	None	1 per 50 sq. ft.					X	X			
Research laboratories	5-9	1 per 2 employees + 1 dock per 25,000 sq. ft.					X	X	X	X	
Restaurants, service in autos	None	1 per 50 sq. ft.					X	X	R		
Restaurants, no service in autos	None	1 per 100 sq. ft.				R	X	X			
Roller skating rink	None	1 per 50 sq. ft.					X	X			
Sanatorium	None	1 per 6 beds + 1 per staff + 1 per 2 employees					X	X			
School, public and private	None	1 per employee + 1 per classroom + 1 per 50 sq. ft. assembly area									
Elementary		See above	X	X	X						
Mid-high, junior high		See above	X	4	4						
Senior high		See above	X	4	4						
Shoe repair	None	1 per 200 sq. ft.				X	X	X			
Sign painting	5-9	1 per 150 sq. ft.					X	X			
Soldering and welding	5-9	1 per 2 employees + 1 dock per 25,000 sq. ft.								X	X
Spray painting and mixing	5-9	1 per 1,000 sq. ft. + 1 dock per 25,000 sq. ft.								X	X
Sporting goods store	None	1 per 150 sq. ft.					X	X			
Stockbroker	None	1 per 150 sq. ft.					X	X			
Tailor shop	None	1 per 200 sq. ft.					X	X			
Tavern	None	1 per 100 sq. ft.				R	X	X			
Temporary building, construction phase only	None	None	X	R	R	X	X	X	X	X	X
Temporary bulletin board, sign	5-8	None		R	R	X	X	X	X	X	X
Theater	5-12-9	1 per 4 seats					X	X			
Toy store	None	1 per 150 sq. ft.					X	X			
Travel trailer park and sales	5-5 and 5-6	1 per 150 sq. ft.						X			
Utility service installation	5-12-11	1 per 400 sq. ft.					X	X	X	X	X
Variety store	None	1 per 150 sq. ft.				R	X	X			

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	Special Conditions, see sec.:	Parking Spaces Required	A-1	R-1	R-2	C-1	C-2	C-3	I-1	I-2	I-3
Veterinarian clinic	5-12-1	1 per 200 sq. ft.						X		X	X
Warehouse and storage	5-9	1 per 1,000 sq. ft. + 1 dock per 25,000 sq. ft.						R	X	X	X
Water filtration plant	5-9	1 per 3 employees + 1 berth per 25,000 sq. ft.							X	X	X
Wholesale distributing center	None	1 per 150 sq. ft.					X	X	X	X	X

¹Minimum lot size 10,000 sq. ft. plus principal access on major street.

²No garage apartments on same lot as two-family dwellings.

³Minimum lot size one acre, frontage on major street.

⁴Provided major street frontage available.

(Ord. No. 1985-4, § 1, 5-7-85; Ord. No. 1992-4, § 1, 7-7-92; Ord. No. 1995-4, § 1, 11-7-95)