

ORDINANCE NO. 814

AN ORDINANCE AMENDING CHAPTER 19, ARTICLE II AND PROVIDING FOR ARTICLE II OF THE BIXBY CITY CODE BY RESTABLISHING THE SPECIAL THEME DISTRICT PROVISIONS; CREATING CORRIDOR APPEARANCE DISTRICTS ALONG CERTAIN MAJOR STREET FRONTAGES; CREATING A CENTRAL BUSINESS DISTRICT; DEFINING THE PURPOSES AND BOUNDARIES OF SAID CORRIDOR APPEARANCE AND CENTRAL BUSINESS DISTRICT; DEFINING EXEMPTIONS; ESTABLISHING CORRIDOR APPEARANCE DISTRICT GUIDELINES; ESTABLISHING CENTRAL BUSINESS DISTRICT GUIDELINES; REQUIRING DETAILED SITE PLAN APPROVALS AND DECLARING AN EMERGENCY.

WHEREAS, the City Council of the City of Bixby has heretofore adopted the Bixby City Code; and,

WHEREAS, on the 8th day of May, 2000, the City Council of the City of Bixby has adopted an ordinance establishing a special theme district in order to preserve, restore and enhance the historic resources within the City through the enforcement of alternative compliance methods and flexible appearance criteria; and,

WHEREAS, the City Council of the City of Bixby has determined that street frontages on U.S. Highway 64 from 101st street to Mingo Road and State Highway 64 from Bixby City Limits to Memorial Drive provide certain visually aesthetic and environmentally sensitive, and economically beneficial areas to the citizens of Bixby and visitors entering the City; and

WHEREAS, the City Council has determined that for purposes of promoting the public health, safety, and economic development of said street frontages within non-residential zoning districts, the use of appearance standards to achieve aesthetically pleasing and environmentally sensitive development areas, including landscaping, building material selection, structural design and color-scheme provision, sound reduction methods, improved air quality, and attractive sites for commercial development, the special theme district should be established to include certain corridor appearance districts along said U.S. Highway 64 and State Highway 67 and other major streets.

WHEREAS, the City Council of the City of Bixby has determined that for the purposes of promoting the redevelopment and expansion of existing business

in the downtown shopping district, and to encourage and attract a variety of new retail, service, and higher density residential developments, and to create an area to provide public attraction of educational, scientific, and cultural significance, a Central Business District should be included in the existing downtown shopping district.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BIXBY, OKLAHOMA, that Chapter 9, Article II of the Bixby City Code is hereby enacted to include new sections, to read as follow, to wit:

SECTION I. Corridor Appearance District

(A) Purposes

There is hereby created a Corridor Appearance District along Memorial Drive from 101st to 171st street South, as hereinafter defined, for the purpose of extending Appearance Review standards and guidelines to achieve aesthetically pleasing and environmentally sensitive development areas through alternative compliance methods, including landscaping, building material selection, structural design and color-scheme provisions, sound reduction methods, improved air quality, and to provide attractive sites for non-residential, commercial development, and industrial development to the benefit of Bixby's visitors and residents.

(B) Location

The Corridor Appearance District herein created is defined as follows: An area six hundred feet (600 feet) in width along and parallel to Memorial from 101st to 171st South, 131st at Memorial East to Bixby City Limits an area six hundred feet (600 feet) from center of 131st street; 151st street at Memorial west to Bixby City Limits an area six hundred feet (600 feet) from center line of 151st street; 171st at Memorial East to Bixby City Limits an area six hundred feet (600 feet) from center of 171st street any structures which may in whole or part be located herein, except those areas when bounded or falling within the boundaries of the Central Business District in which case the requirements of those districts shall prevail.

(C) Exemptions

Residential Zoning Districts; Planned Unit Developments (PUDs); Specific Use Permits, Central Business District, and other zoning

classification or districts with Restrictive Covenants and/or Development Test when determined at the time of zoning approval to meet the Corridor Appearance District Guidelines.

(D) Issuance of Building Permits in Corridor Appearance Districts

Prior to the construction or reconstruction of any structure, exterior remodeling, placement of exterior lighting or signs, or any proposed construction requiring the issuance of a building permit other than a small job permit, an application for Detailed Site Plan approval shall be made and shall be subject to the Corridor Appearance District Guidelines and approval of the Bixby Planning Commission as set forth in Chapter 19, of the Bixby City Code, which procedures are incorporated herein by reference as if fully set forth herein.

(E) Corridor Appearance District Development Guidelines

The Planning Commission shall adopt Corridor Appearance District Development Guidelines pursuant to this Ordinance. The guidelines are designed to be flexible in nature and provide alternative compliance methods while providing cohesive, non-intrusive standards for residential, commercial, and industrial developments along identified major thoroughfares. Architectural designs, color schemes, building materials, building location, off-street parking facilities, and landscaping features contributing to the overall appearance of structures within the Corridor Appearance Districts shall show overall compatibility with the nearby neighborhoods. The Corridor Appearance District Guidelines and specific conditions emanating therefore are to be measured in the context of (1st) Economic Viability, (2nd) Livability, and (3rd) Compatibility.

(F) Detailed Site Plan Approval Required

A Detailed Site Plan in conformance with the Corridor Appearance District Guidelines shall be required. Evaluation of the conformance will be contingent upon compliance with the Guidelines or approved alternatives for the following appearance criteria:

- (1) Appearance/Design
- (2) Building Materials
- (3) Landscaping
- (4) Fencing
- (5) Signage
- (6) Lighting

SECTION II. Bixby Central Business District

(A) Purposes

There is hereby created a Central Business District for the purpose of promoting the redevelopment and expansion of existing businesses in the downtown shopping district, and to encourage and attract a variety of new retail, service, and higher density residential uses, and to create an area to provide residential, commercial and public attractions of educational, scientific, and cultural significance as stated in the approved and adopted Central Business District.

(B) Location

The Central Business District as herein created is defined as follows: The "Downtown Area" of Bixby to include the areas adjoining Needles, Dawes and Breckinridge Streets from Memorial Drive to "F" Avenue and Charlie Young Park shall be known as the "Central Business District.

(C) Exemptions

Residential Zoning Districts; Planned Unit Developments (PUDs); Specific Use Permits, and other zoning classifications or districts with Restrictive Covenants and/or Development Text when determined at the time of zoning approval to meet the Central Business District Guidelines.

(D) Issuance of Building Permits in the Central Business District

Prior to the construction or reconstruction of any structure, exterior remodeling, placement or exterior lighting or signs, or any proposed construction requiring the issuance of a building permit other than a small job permit, an application shall be made and be subject to the Central Business District Guidelines and approval of the Bixby Planning Commission as set forth in Chapter 19 inclusive of the Bixby City Code, which procedures are incorporated herein by reference as if fully set forth herein.

(E) **Central Business District Development Guidelines**

The Planning Commission shall adopt Central Business District Development Guidelines pursuant to this Ordinance. The Guidelines are designed to accommodate those of the downtown Special Theme District. Architectural design, color schemes, building materials, building location, off-street parking facilities, and landscaping features contributing to the overall appearance of structures within the Central Business District shall show overall compatibility with the nearby neighborhoods. The Central Business District Guidelines and specific conditions emanating therefrom are to be measured in the context of (1st) Economic Viability, (2nd) Livability, and (3rd) Compatibility.

(F) **Detailed Site Plan Approval Required**

A Detailed Site Plan in conformance with the Central Business District shall be required. Evaluation of the conformance will be contingent upon compliance with the guidelines or approved alternatives for the following appearance criteria:

- (1) Appearance/Design
- (2) Building Materials
- (3) Landscaping and/or Water Features
- (4) Fencing
- (5) Signage
- (6) Lighting
- (7) Storage/Outbuildings

APPROVED this 8th day of May, 2000.

CITY OF BIXBY, OKLAHOMA

By: [Signature]
Mayor

Attest:

[Signature]
City Clerk

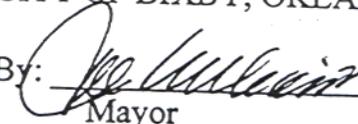
Approved as to Form:

[Signature]
City Attorney

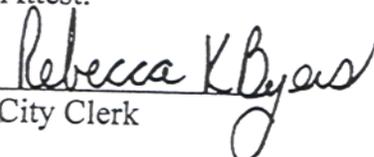
Since the immediate operations of the provisions of this Ordinance is necessary for the preservation of public health, welfare, and safety, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the City Council.

Emergency Clause voted on separately and approved this 8th day of May, 2000.

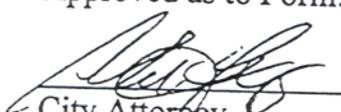
CITY OF BIXBY, OKLAHOMA

By: 
Mayor

Attest:


City Clerk

Approved as to Form:


City Attorney

CORRIDOR APPEARANCE DISTRICT GUIDELINES

I. APPEARANCE/DESIGN

- A. Building Design and Site plan details should be so designed to provide building exterior walls and structure facades of "non-institutional" style in order to minimize the impact of proposed new buildings and uses on adjacent and nearby properties. Exterior walls of building visible from the fronting street(s) must provide an aesthetic pleasing appearance utilizing design features, landscaping, color schemes, and other architectural treatments to eliminate monotone or monolithic exterior walls or structural facades in order to be compatible and complementary to adjacent and nearby properties within the Corridor Appearance District.
- B. In addition to aesthetically pleasing exterior wall design and building materials, the use of building setbacks, screening fences, landscaping, signage, lighting, and other site specific amenities should be used to increase compatibility of the building any outdoor storage areas and outbuildings with adjacent and nearby properties. It is recognized that each individual building site has its own existing specific environmental character. The design of new structures or alteration of existing structures should be responsible to the character of its environment and the adjacent neighborhood.
- C. Insofar as possible, the design of buildings and site improvements for particular piece of land should take into consideration the physical location, size, topography, existing zoning, including adjacent and abutting properties, and the intensity of land use as specified in the Bixby Comprehensive Plan.
- D. Use of Planned Unit Developments (PUD's) are encouraged for development and redevelopment of properties within the District in order to minimize the impact of proposed uses and to increase compatibility of uses with adjacent and nearby low intensity land uses while providing a greater degree of design flexibility.

II. BUILDING MATERIALS

- A. The design of new structures and of additions to existing structures, including new site improvements, should take into account the architectural style, general design, arrangement, texture, material and

color of other structures and premises in the adjacent neighborhood. Designs for new structures, additions to existing structures or remodels may be allowed so long as such construction is compatible with the essential form and integrity of other structures in the adjacent neighborhood.

- B. All new structures and all reconstruction or remodeling of existing structures within the Corridor Appearance Districts should utilize exterior materials such as masonry, face brick, stone, wood or metal. Use of materials, such as aluminum or other metals, fiberglass, and plastics for exterior surfaces should contribute to the preservation of enhancement of traditional materials and the overall integrity and appearance of the structure.
- C. Traditional color schemes and combinations of those colors that are aesthetically pleasing should be used for all exterior wall coverings in keeping with the Corridor Appearance Corridor theme.

III. LANDSCAPING

- A. Parking
 - 1. Off-street parking areas/off-street loading areas should conform to the design, lighting, and improvements as requires by the Bixby Zoning Code.
 - 2. Lighting used to illuminate off-street parking areas shall be by constant light and shall be so arranged as to direct the light away from abutting properties within a Residential Zoning District.
 - 3. Unenclosed off-street parking areas shall be surfaced with a dust-free all weather material.
 - 4. Parking and internal traffic circulation should be established within each separate development in a way that will result in a substantial reduction in the number of existing and new public street and private drive access points to the major arterial street frontages.
- B. Landscaping
 - 1. Street frontages within the Corridor District should provide a sense of open-space and should be buffered from the streets

by landscaped drives and lawns. Preservation of existing large trees, water ways and other natural physical or scenic features should be given high priority during the initial development phases.

2. Trees and shrubbery utilized for landscaping purposes should conform to the species recommended and approved.
3. Location along or near to the proposed routes of the Bixby Trail System should be encouraged to provide for pedestrian, bicycle access to the System.
4. Commercial, Industrial, and other non-residential uses within the Corridor Appearance District should provide minimum landscaped open space as follows:
 - (1) Office Use 15% of lot area
 - (2) Commercial Uses 15% of lot area
 - (3) Industrial Uses 15% of lot area

IV. FENCING

- A. Development and redevelopment within the Corridor District should include adequate screening and buffering to avoid negative impact on adjacent areas.
- B. Screening should be wooden fencing, masonry, or brick walls providing visual barriers, or combination thereof. Screening fences shall be solid and no chain-link fences shall be allowed.
- C. When the provision of the Zoning Code or Corridor Appearance District Guidelines require the construction of a screening wall or fence as condition for the initiation and subsequent continuance of a use, the screening wall or fence:
 1. Should be constructed, designed and arranged to provide visual separate of uses, irrespective of vegetation or landscaping;
 2. Should not be less than six (6) feet in height;

3. Should be constructed with all braces and supports on the interior except when both sides are of the same design and appearance;
4. Should be erected within thirty (30) days following the occupancy of the building or initiation of the use required to be screened;
5. Should be of the type of materials compatible with the surrounding area;
6. Screening walls or fences shall be maintained by the owner or occupant of the lot containing the use required to construct the screening.

V. SIGNAGE

- A. All signs, as defined in the Bixby City Code, should be designed to be compatible with and complementary to adjacent neighborhood. All signs should be designed and erected in compliance with the Bixby City Code and in addition to Zoning Code and Sign Code without the necessity of variances. Variances of height, size, setback, and other Code requirements should not be supported within the Corridor Appearance Districts.
 1. Ground Signs or pole signs should not generally exceed 30 feet in height.
 2. Outdoor advertising signs and billboards should not be allowed in Corridor Appearance Districts.
 3. Signs that emit either a flashing light or project either spot light or concentrated beam or beacon of light in any manner are prohibited by the Bixby City Code.
 4. Portable signs may be allowed in accordance with Bixby City Code provisions for one-time 30 day permit, or 14 day permit with 14 day interval between the use of portable signs, up to a maximum number of 5 times or 10 weeks per year.

VI. LIGHTING

- A. Outbuilding and accessory structures should be of the same architectural style, material and color scheme as the principal building or building on the lot. Within the Central Business District (Turn-of-the-Century), the provision of the Central Business District shall be applicable.
- B. Outside storage buildings and outside open areas, other than retail product display allowed by the Zoning Code, should be screened by visual barriers located on the rear and side portions of the site.
- C. No outside storage areas should extend beyond the building setback lines into setback areas. Outside storage or warehousing shall not be permitted as a principal use in Corridor Districts. No use shall be allowed which requires outside warehousing or storage of recyclable materials or product.
- D. No waste material or refuse shall be dumped upon or permitted to remain upon any part of property outside of the building proper. Occupants shall maintain solid waste disposal service with the City of Bixby licensed hauler at all times. Trash or garbage collection areas shall be screened from streets and from abutting properties by an approved sight-proof barrier, and receptacles for such purpose when placed outside a building shall be closed type containers. Collection and disposal of all solid waste shall comply with the City of Bixby solid waste ordinance. Applicants should show proof of solid waste service and detail location and type of solid waste disposal facilities on the subject property.

VII. STORAGE & USE OF YARDS AND OUTBUILDINGS

- A. Outbuildings and accessory structures should be of the same architectural style, material and color scheme as the principal building or buildings on the lot. Within the Central Business District (Turn-of-the Century District), the provisions of the Central Business District shall be applicable.

- B. Outside storage buildings and outside open areas, other than retail product display allowed by the Zoning Code, should be screened by visual barriers located on the rear and side portions of the site.
- C. No outside storage areas should extend beyond the building setback lines into setback areas. Outside storage or warehousing shall not be permitted as principal use in Corridor districts. No use shall be allowed which requires outside warehousing or storage of recyclable materials or products.
- D. No waste materials or refuse shall be dumped upon or permitted to remain upon any part of property outside of the building proper. Occupants shall maintain solid waste disposal service with a City of Bixby licensed hauler at all times. Trash or garbage collection areas shall be screened from streets and from abutting properties by an approved sight-proof barrier, and receptacles for such purpose when placed outside a building shall be closed type containers. Collection and disposal of all solid waste shall comply with the City of Bixby solid waste ordinance. Applicants should show proof of solid waste service and detail location and type of solid waste disposal facilities on the subject property.

Note: The above Corridor Appearance District Guidelines may be amended or changed as they are administered in the future and revisions are made by the Planning Commission. The Planning Commission will also be considering from time to time Special Studies of selected areas authorized by the City and will reconcile any differences between the approved Guidelines and provisions of a particular Special Study.