

ORDINANCE NO. 24-_____

AN ORDINANCE AMENDING SECTION 18-2-1-212, DIVISION 18-2-1, ARTICLE 18-2; SECTION 18-4-1-413, DIVISION 18-4-1, ARTICLE 18-4; AND SECTIONS 18-8-1-804 AND 18-8-1-805, DIVISION 18-8-1, ARTICLE 18-8, ALL OF CHAPTER 18, LAWTON CITY CODE, 2015 PERTAINING TO PLANNING AND ZONING BY CHANGING THE WORD HANDICAP TO ADA COMPLIANT AND UPDATING THE ADA COMPLIANT PARKING SPACE DESIGN REQUIREMENTS, FIGURE 13, ALLOWING FOR TWO OPTIONS AND AMENDING THE ASSOCIATED CODE; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

ORDINANCE

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Lawton, Oklahoma, that:

Section 1. Section 18-2-1-212 is hereby amended to read as follows:

18-2-1-212 Variance defined.

A. A variance is defined as follows:

"A variance is a relaxation of the terms of the City's zoning ordinances excluding use when such variance will not be contrary to the public interest, and where, owing to the conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship."

B. Variances may be granted only in the following areas:

* * *

6. Other variances related to off-street parking may be granted only if they do not: allow parking and maneuvering on the public right-of-way; remove the requirement for the installation of barrier curbs separating the public right-of-way from private property; alter any of the requirements related to ~~handicap accessible~~ ADA compliant parking; violate the stormwater drainage regulations found in Chapter 19A of this Code; or have a negative impact on public safety in the opinion of the city engineer.

7. Variances related to the sign regulations provided such variance shall not alter or diminish any safety requirements or permit encroachments on public rights-of-way or street easements.

C. Except as otherwise provided in this article, the board of adjustment shall not have the power to vary the requirements of Article 7 of this chapter.

Section 2. Section 18-4-1-413 is hereby amended to read as follows:

18-4-1-413 Conversion of residential structures.

- A. Conversion of residential structures to professional, administrative, or governmental offices shall meet the following requirements:
1. Existing residential structures may be converted to professional, administrative, or governmental offices in the P-O Professional Office District or C-1 Local Commercial District with the approval of a use permitted on review by the planning commission. The use permitted on review procedure is set out in Section 18-1-1-113 of this code.
 2. Conversion of a residential structure to professional, administrative, or governmental office as a use permitted on review shall be subject to the following:
 - a. The applicant must demonstrate the existing structure is structurally suitable for conversion to a professional, administrative, or governmental office and will maintain its residential architectural character.
 - b. The applicant must provide information documenting any proposed structural modifications to the residential structure.
 - c. The applicant must submit a site plan showing all items required in Section 18-1-1-113 and the location of all sidewalks and ~~handicap~~ ADA compliant ramps if required.
 3. The planning commission may only approve conversion of a residential structure to professional, administrative, or governmental office as a use permitted on review at a public hearing subject to a binding site plan which will establish setbacks, number of off-street parking spaces, landscaping, and screening requirements, and any other requirements necessary for the protection of any adjacent residential property or district.
 4. Any modifications to the approved site plan shall require approval by the planning commission.
 5. The site plan requirements approved by the planning commission are in addition to any other applicable building code requirements accompanying the building permit process.
 6. No occupancy shall occur in the converted office structure until all applicable building code requirements are met and a certificate of occupancy has been issued.

Section 3. Section 18-8-1-804 is hereby amended to read as follows:

18-8-1-804 Design requirements for off-street parking and loading.

- A. For all buildings, except for one- and two-family dwellings, hereafter erected, reconstructed or enlarged so as to require additional parking spaces, adequate permanent off-street facilities shall be provided for the loading and unloading of merchandise and goods within or adjacent to the buildings, in such manner as not to obstruct the freedom of traffic movement on public right-of-way. Loading space shall be in addition to all vehicular parking required for such use.

- B. All off-street parking and loading shall be separated from a public right-of-way or easement by a concrete barrier curb or chainlink fence. Such barrier curbs or chainlink fence shall be placed on the property line. However, along arterial and expressway streets, barrier curbs shall be placed two and one-half (2½) feet inside the property line to prevent possible encroachment on public right-of-way by vehicles. Interior barrier curbs or tire stops shall be required on the property line for all loading and circulation areas using gravel surfacing under Section 18-804.F.3 of this code to prevent the migration of gravel onto the right of way. Open display uses may use tire stops, provided they are permanently secured to the ground. The traffic engineer must approve the design of such barrier, curb or tire stop. Suggested designs are shown in figure 12, Section 18-808 of this code.
- C. The size of parking spaces and parking lot design shall conform to the standards given in figure 9, Section 18-808 of this code, in addition all ~~handicapped~~ ADA compliant spaces shall also conform to figure 13, Section 18-808 of this code.
- D. The size of a loading space and maneuvering room shall conform to figure 10, Section 18-808 of this code, and the review and approval of the traffic engineer.
- E. Off-street parking and loading spaces shall be marked with a four-inch white paint or white plastic line or a row of white four-inch diameter buttons placed on two-foot centers on each side of the space or other designs acceptable to the traffic engineer, except for one- and two-family dwellings and ADA compliant parking spaces.

* * *

Section 4. Section 18-8-1-805 is hereby amended to read as follows:

18-8-1-805 Amount of spaces required.

- A. Off-street parking and loading facilities shall be provided in all districts in accordance with the following requirements with the following exceptions:

* * *

F. ~~Handicapped~~ ADA compliant parking

- 1. The number of required ~~handicapped~~ ADA compliant spaces shall be included within the total otherwise required and be provided as follows:

Total Parking in Lot	Required Number of <u>ADA Compliant Accessible Handicapped</u> Spaces
1—25	1
26—50	2
51—75	3

76—100	4
101—150	5
151—200	6
201—300	7
301—400	8
401—500	9
501—1,000	2% of total
Over 1,000	20
Plus, for each 100 over 1,000	1

2. One in every eight accessible spaces, but not less than one, shall be served by an ADA compliant van accessible parking space in accordance with Figure 13 ~~with a minimum eight (8) foot wide access aisle~~ and shall be designated by a sign as "van accessible".
3. ~~Handicap~~ ADA compliant parking shall be located on the shortest accessible route of travel from adjacent parking to an accessible building entrance. Accessible routes shall have walks, ramps, slopes, and dimensions which comply with the American National Standard for Accessible and Usable Buildings and Facilities (ICC/ANSI A117.1), as periodically revised.

* * *

Section 5. Severability. If any section, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, said portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this ordinance.

Section 6. Effective Date. The provisions of this ordinance shall become effective thirty (30) days after its passage.

ADOPTED and APPROVED by the Council of the City of Lawton, Oklahoma this _____ day of _____, 2024.

STANLEY BOOKER, MAYOR

ATTEST:

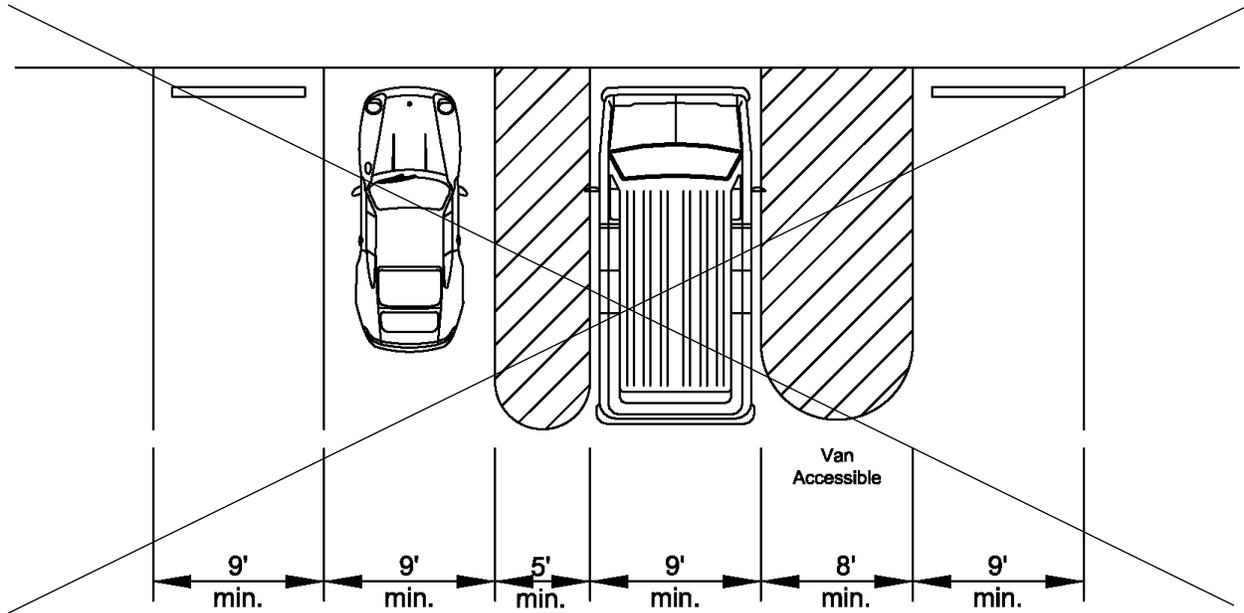
DONALYNN BLAZEK-SCHERLER, CITY CLERK

APPROVED as to form and legality this _____ day of _____, 2024.

JOHN R. ANDREW, CITY ATTORNEY

EXISTING

FIGURE 13



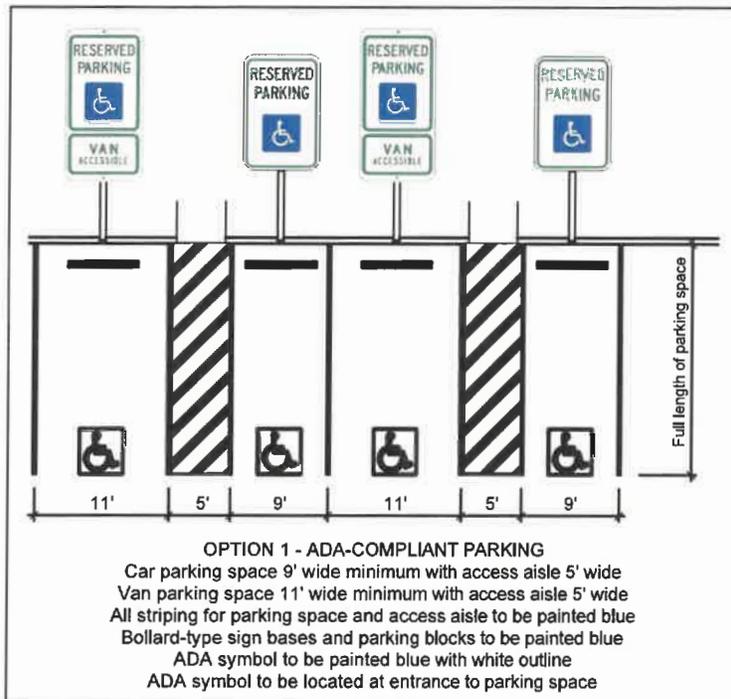
Typical Detail

Space Requirement for Handicapped Parking

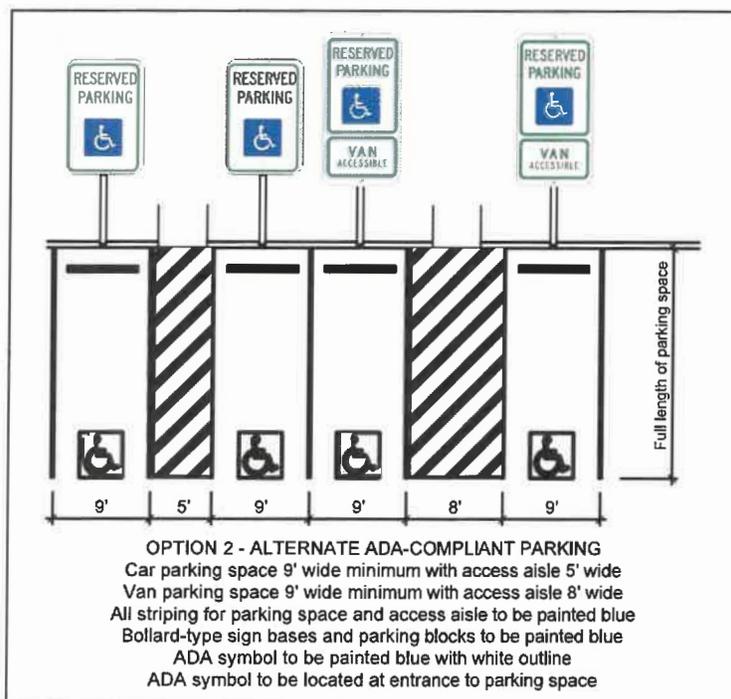
PROPOSED

FIGURE 13

Dimensions (all dimensions are minimums): ADA-compliant parking spaces are nine (9) feet wide; van-accessible spaces are eleven (11) feet wide. Access aisles for either type of space are five (5) feet wide. These adjacent aisles, which can be shared between two spaces, provide room for individuals to deploy vehicle-mounted wheelchair lifts and/or unload and use mobility devices such as wheelchairs, walkers, etc. An alternate design allows a van-accessible space to be nine (9) feet wide if the adjacent access aisle is eight (8) feet wide.



Option 1 shows the additional width for the van-accessible parking space included within the width of the parking space itself.



Option 2 includes the additional width for the van-accessible parking space in the access aisle adjacent to the parking space.

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Brief Gist

This ordinance changes the word handicap to ADA compliant in Sections 18-2-1-212, 18-4-1-413, 18-8-1-804 and 18-8-1-805, all within Chapter 18, Lawton City Code, 2015, and updates the ADA compliant parking space design requirements referenced as Figure 13 along with updates the associated code sections that reference the design requirements; providing for severability. If approved, this ordinance will become effective thirty (30) days after passage.

ADOPTED and APPROVED by the Council of the City of Lawton, Oklahoma, this _____ day of _____, 2024.

STANLEY BOOKER, MAYOR

ATTEST:

DONALYNN BLAZEK-SCHERLER, CITY CLERK

(Published in The Lawton Constitution this ____ day of _____, 2024)