



CITY OF LAWTON PLANNING DIVISION

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EXPLANATION OF AMENDMENT TO THE 2030 LAND USE PLAN AND REZONING PROCEDURES

PURPOSE

The purpose of the 2030 Land Use Plan is to provide assistance to the Planning Commission and the City Council in making decisions which affect the metropolitan area. The City Charter provides for the development and administration of a comprehensive land use plan which will provide for the careful and thoughtful integration of residential, commercial, industrial, public, and other elements to achieve and preserve social purposes, economic values, and aesthetic quality of the neighborhoods and of other areas of the city. The 2030 Land Use Plan sets forth the policy recommendations of the Planning Commission to bring about orderly coordinated, physical development in accordance with the present and future needs of the community. Oklahoma Statutes grant municipalities the power to establish or amend zoning districts which regulate the use, placement, spacing, and size of buildings and land. Zoning regulations are made in accordance with a comprehensive plan, and the 2030 Land Use Plan is a part of the comprehensive plan.

PROCEDURE

1. Applications for an amendment to the 2030 Land Use Plan and/or rezoning are available in the Planning Division.
2. Application shall consist of:
 - a. Completed application form(s). (All questions must be answered to process the application(s).)
 - b. Proof of ownership or power of attorney to make application on behalf of the property owner.
 - c. Certified ownership list of property owners within 300 feet of the request.
 - d. Fee as set out in Appendix A, Schedule of Fees and Charges, Lawton City Code.
 - e. A site plan is required for all rezoning requests except for A-1, A-2, R-E and R-1. Please refer to the Application for Rezoning to determine if a basic site plan or a detailed site plan is required.
3. From the legal description the Planning Division will prepare the location map showing the requested area and the area 300 feet around the requested area. This location map will be given to the applicant. The map should be taken to a bonded abstractor, registered professional engineer, registered land surveyor, attorney, or the county assessor who will furnish the applicant a certified list of property owners within the notification area. The ownership list must be prepared no more than 60 days prior to submission. The fee for the list will be the responsibility of the applicant.
4. The site plan, whether basic or detailed, must be drawn to scale and indicate the required information shown on the Application for Rezoning.
5. Once the applicant has submitted the completed application forms, proof of ownership, certified ownership list of property owners within the notification area, filing fee, and site plan to the Planning Division, the Planning Staff will schedule the public hearing before the Planning Commission. Oklahoma Statutes and the Lawton City Code require letters be mailed at least 20 days prior to the Planning Commission meeting date to property owners within the notification area advising them of the public hearing to consider the request and notice of public hearing be published in *The Lawton Constitution* at least 15 days prior to the Planning Commission meeting date.

6. At the Planning Commission meeting the Planning Staff will provide background information concerning the request and a recommendation for approval or disapproval. The Chairman will open the public hearing to allow anyone to speak for or against the request.

Once the public hearing is closed, the Planning Commission will make a motion to recommend approval or disapproval of the request to the Lawton City Council. A letter will be sent to the applicant stating the Planning Commission's recommendation.

7. After the Planning Commission has made its recommendation to the City Council, the Planning Staff will advertise a second public hearing before the City Council. Oklahoma Statutes and Lawton City Code require letters be mailed at least 20 days prior to the City Council meeting date to property owners within the notification area advising them of the second public hearing to consider the request and that an additional notice of public hearing be published in *The Lawton Constitution* at least 15 days prior to the City Council meeting date.
8. Any petitions for or against a request must be submitted to the City Clerk at least three days prior to the City Council meeting. If a petition against a request is submitted to the City Clerk at least three days prior to the City Council meeting signed by owners of at least 20% of the property in the requested area or by the owners of at least 50% of the property within 300 feet of the requested area, the Council must have a favorable vote of three-fourths of the members to approve the change of zoning.
9. At the City Council meeting the Planning Staff will provide background information on the request and the Planning Commission recommendation. The Mayor will open the public hearing to allow anyone to speak for or against the request. Once the public hearing is closed, the City Council will make a motion to approve or disapprove the request. A letter will be sent to the applicant stating the City Council's action.
10. If the City Council approves the request, the Official Zoning Map and/or Land Use Plan Map will be amended to reflect the new zoning and/or land use classification. If a detailed site plan is required, the site plan will become part of the ordinance and all construction must be in accordance with the site plan.
11. If the City Council denies a rezoning request, there is a 6-month waiting period before another request can be submitted for the property. The 6-month waiting period can be waived if: 1) the requested rezoning is to a more restrictive zoning classification than originally requested; 2) the applicant submits documentation showing the public interest will be served by approval of requested change or significant changes have occurred since the prior application, i.e., the granting of a rezoning or use permitted on review of a more intensive nature for property within 300 feet of the request, a change in classification to major collector of a street abutting the property in question; or 3) the new applicant is a party at interest who demonstrates that his interest was not in any way considered in the previous application.
12. The legislative action of the City Council is final unless appealed to a court of competent jurisdiction.