



PLANNING & ZONING COMMISSION

Tuesday, March 28, 2023, 6:00 PM

EVENT CENTER 60 MORGAN'S POINT BOULEVARD

To View the meeting go to: www.MorgansPointResortTX.com/YouTube

Call to Order

Announcements and Citizens Comments

1. Presentations

2. Approval of Minutes

a. Discuss and Consider Minutes of February 28 2023

3. Regular Agenda

a. Discuss and Consider Estate Residential Zoning

b. Discuss and Consider changes to existing Garbage Ordinance

c. Discuss and Consider - Handicap Parking Requirements

d. Discuss and Consider - Obsolete signs

4. MPR Master Plan Update

5. Items for Future Agendas

6. Adjournment

I certify that a copy of the March 28, 2023 agenda of items to be considered by the Morgan's Point Resort was posted and could be seen on the City Hall bulletin board on the March 23, 2023 at 4:00PM and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting. I further certify that the following news media were properly notified of the above stated meeting: Belton Journal. The meeting facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 254 742-3206 for further information

Ophelia Rodriguez, City Secretary



PLANNING & ZONING COMMISSION
Tuesday, February 28, 2023, 6:00 PM
EVENT CENTER 60 MORGAN'S POINT BOULEVARD
MINUTES

Call to Order- Chairman Cooley called the meeting to order at 6:00PM

Roll Call – Chairman Becky Cooley, Vice Chair Ken Hobbs, Thomas Westmoreland, Eric Seeliger, Roxanne Stryker, Louis Guillaud. Commission member Nathan Kreutter was absent.

Announcements and Citizens Comments - None

Presentations

PUBLIC HEARING - PRELIMINARY PLAT - THE CLIFFS AT LAKE BELTON (PHASE II)

6:01PM Chairman Cooley open the floor for any comment in regard to Preliminary Plat of The Cliffs at Lake Belton Phase II, with no comment Chairman Cooley closed hearing at 6:02PM.

PUBLIC HEARING- ANNEXATION & ZONING - THE CLIFFS AT LAKE BELTON (PHASE II)

6:02PM Chairman Cooley open the floor for any comment in regard to the Annexation & Zoning of the Cliffs at Lake Belton Phase II, with no comment Chairman Cooley closed hearing at 6:03PM.

1. Approval of Minutes

- a. Discuss and Consider approval of minutes for January 24, 2023
Motion made to approve minutes by Commission member Thomas Westmoreland, and second motion by Commission Vice-chair Ken Hobbs. Vote 5 Ayes to 0 Nays.

2. Regular Agenda

- a. Discuss and Consider Reappointment of a P&Z Member to another term.
Motion made to approve reappointment of Rebecca “Becky” Cooley by Commission member Louis Guillaud with a second motion from Commission member Eric Seeliger. Vote was 5 Ayes to 0 Nays.
- b. Discuss and Consider - Preliminary Plat- The Cliffs at Lake Belton (Phase II)
Motion made to approve preliminary plat by Commission member Thomas Westmoreland and seconded by Commission member Roxanne Stryker. Vote was 5 Ayes to 0 Nays.
- c. Discuss and Consider - Annexation & Zoning - The Cliffs at Lake Belton (Phase II)
Motion made to approve Annexation & Zoning by Commission member Louis Guillaud and seconded by Commission member Thomas Westmoreland. Vote was 5 Ayes to 0 Nays.
- d. Discuss and Consider changes to existing garbage ordinance
Commission members discussed changes/additions in the ordinance they wish to see within the commercial side. City Staff and CTCOG will research other cities. No action required.
- e. Discuss and Consider Estate Residential Zoning

Discussion that the acreage be 2 acres and above. Uryan Nelson of CTCOG (*Central Texas Council of Governments*) will review the Zoning Ordinance. No action required.

f. Discuss and Consider Setback Line Regulations

Discussion that there needed to be consistency with setback lines within the city. It was agreed that this should be a City Staff project.

g. Discuss and Consider addition of Sign Ordinance

Commission members discussed adding to existing ordinance, temporary signs, commercial restrictions for new signs, heights, color intensity etc... City Manager Rice suggested, members continue research from other cities, submit recommendations to City Staff for CTCOG to prepare a draft for P&Z review. No action required.

3. MPR Master Plan Update- Meeting to be held on March 6, 2023, 5:00PM, at City Hall Library to review survey results.

4. Items for Future Agendas

Commission member Roxanne Stryker made motion to request for next meeting topic “Obsolete signs”. Seconded by Commission member Eric Seeliger.

Commission member Lou Guillaud request for meeting topic “Handicap”. Seconded by Commission member Roxanne Stryker

5. Adjournment: Motion made to adjourn by Commissioner Louis Guillaud and seconded by Thomas Westmoreland. Meeting adjourned at 7:56PM.

CITY OF MORGAN’S POINT RESORT, TEXAS

Rebecca Cooley, Chairman

ATTEST:

Ophelia Rodriguez, City Secretary

SINGLE-FAMILY ESTATE RESIDENTIAL DISTRICT

Section XX. - Estate Residential.

XX.1 General Purpose and Description. The single-family residential district is intended to provide for development of single-family detached dwelling units. Other uses, such as religious and educational facilities, and open spaces, will also be allowed to maintain a balanced, orderly, convenient and attractive residential area.

XX.2 Permitted Uses.

1. Single-family detached dwellings
2. Greenhouses and gardens, limited to the propagation and cultivation of plants, provided no retail or wholesale business is conducted on the premises except as allowed as a home occupation
3. The keeping of dogs, cats, and other normal household pets, according to Ordinance 14-7 [chapter 2 of the Code of Ordinances].
4. Real estate sales offices during the development of residential subdivisions in which the office is located
5. Temporary buildings for uses incidental to construction work on the premises, which said building shall be removed upon completion or abandonment of construction work, by order of the Building Official
6. Accessory buildings as established in Section 18 of this Ordinance
7. Telephone exchange, provided no public business and no repair or outside storage facilities are maintained
8. Swimming pool (private)
9. A temporary bulletin board or sign appertaining to the lease, hire or sale of a building premise or acreage
10. Utilities (public or private)
11. Family Home
12. Community Home
13. Three (3) "garage sales" per twelve-month period. New or used property acquired or consigned solely for the purpose of resale shall not be displayed or offered for sale or trade. Garage sales shall be conducted only during daylight hours and shall be limited to the hours of 7:00 a.m. and 7:00 p.m.
14. Such uses as may be permitted under the provision of Specific Use Permits, [section 15].

XX.3 Height Regulations.

- A. Maximum Height—Two and one-half (2-½) stories

XX.4 Lot Requirements:

- A. Lot Area- Minimum 2 acres (87,120 square feet)
- B. Minimum Lot Width - Two hundred fifty feet (250')
- C. Minimum Lot Depth - Two hundred fifty feet (250')
- D. Size of Yards:
 1. Minimum Front Yard - Fifty feet (50')
 2. Minimum Side Yard - Ten percent (10%) of the lot width, twenty-five feet (25') from a street right-of-way for a corner lot.

3. Minimum Rear Yard - Fifty feet (50') for the main building and any accessory buildings; ten feet (10') from a main building to an accessory building.
4. Maximum Lot Coverage: Twenty-Five percent (25%) by main buildings and accessory buildings.
5. Minimum Floor Area per Dwelling Unit: One thousand-two hundred and fifty (1,250) square feet.

XX.5 Special Requirements.

- A. Dwelling must be built on-site in all Sections except Sections 2, 10B, 14, 15, 18, 23, and the area adjacent to Section 10A.
- B. Sewerage must be approved prior to installation in all Sections.
- C. No building materials may be stored on-site, except during actual construction activities.
- D. Only one residence per building site. Accessory buildings are permitted according to Section 17 [18] of this Ordinance.
- E. Fencing is permitted according to the provisions of Section 20 of this Ordinance.

CONTAINER PADS AND ENCLOSURES FOR COMMERCIAL CONTAINERS

As of the effective date of this article, all commercial waste collection containers comply with the following standards for container pads and screening.

- (a) The use of a container for the removal of garbage, trash, and rubbish from a commercial establishment shall provide a readily accessible site for placement of container(s) on the establishment's property. Locating containers in streets, rights-of-way, the traveled portion of alleys, and intersection sight triangles is strictly prohibited. The site must have overhead clearance to allow pickup and emptying of containers by the collection services vehicles. The site location shall be subject to approval of the City Manager, or appointed designee.
- (b) Concrete pad and approach apron shall be constructed from concrete and shall be deemed to support the collection equipment. Pad shall be level with roadway or slope to roadway for easy access by collection vehicles.
- (c) The minimum dimensions of the approach apron shall be fourteen (14) feet wide and a depth of fifteen (15) feet. The approach drive shall not vary more than ten (10) degrees above or below the horizontal plane.
- (d) The minimum dimensions of the concrete pad, where a single container sits, shall be fourteen (14) feet wide and a depth of twelve (12) feet four (4) inches.
- (e) All pads shall be enclosed, at minimum height of six (6) feet, on at least three (3) sides. Screens shall be constructed of masonry block, wood, chain link fencing with slats, or similar material and color to compliment the façade of the main building. Doors are optional, but if installed, shall have features to secure doors in an open position while the collection vehicle is emptying the container.
- (f) All pads shall have two (2) six-inch diameter bollards eight feet long, filled with concrete, four (4) feet above slab, and four (4) feet deep below slab. Bollards shall be placed far enough back to allow the full depth of the anticipated dumpster bin and any additional space needed to prevent dumpster bin(s) from conflicting with any other requirements. Bollards shall be no more than five (5) feet apart from each other.
- (g) No parking shall be allowed in the maneuvering area.
- (h) Whenever, in the opinion of the City Manager, or designee, a dumpster or screen cannot be located upon a particular site so as to conform with these requirements, or there are special circumstances which make the requirements wholly impracticable, the City Manager or designee may designate a location for the dumpster which in their discretion is the most accessible and aesthetically appropriate or make exemptions from the requirements as necessary.

COMMERCIAL DUMPSTERS AND OWNER RESPONSIBILITY

- (a) Sides and doors of all containers shall be kept closed at all times except when the container is being filled or unloaded for disposal.
- (b) Spoilable waste shall be placed in disposable containers or plastic bags capable of preventing leaking. The disposable container with contents shall be placed unbroken, into the container, not outside.
- (c) It shall be unlawful to place any item in any dumpster that because of weight, size, or other physical property, could cause damage to the collection services vehicle. These items include, but are not limited to:
 - i. any one (1) item over three (3) feet in any dimension,
 - ii. any one (1) item weighing in excess of fifty (50) pounds,
 - iii. any concrete, masonry products, earthen materials, or
 - iv. furniture items.
 - v. Car parts including; tires, tire and wheel components, engines,
 - vi. dead animals, dead animal waste,
 - vii. lead acid batteries,
 - viii. paint,
 - ix. lawn mowers,
 - x. liquid or any hazardous waste of any kind,
 - xi. unbagged or unsealed spoilable waste
- (d) It shall be unlawful for any person to start a fire, burn any material in a city-owned solid waste container.
- (e) It shall be unlawful to paint or mark a waste container.
- (f) It shall be unlawful for any person, other than the owner or occupant of any premise that is paying for the collection service, to deposit any garbage, trash, or other material in any container.
- (g) Commercial businesses a container system for the removal of garbage, trash, and waste shall provide a readily accessible site for placement of container(s) on the establishment's property. Locating containers in streets, rights-of-way, the traveled portion of alleys, and intersection sight triangles is strictly prohibited. The site must have overhead clearance to allow pickup and emptying of containers by the city's collection vehicles. The site location shall be subject to approval of the solid waste director, or appointed designee.
- (h) Customers shall not paint, mark, abuse, damage, alter, or modify the container in any way. Only those decals authorized by the City Manager, or appointed designee, may be affixed to containers and the installation shall only be done following the receipt of written approval.
- (i) Maintenance and/or repair of containers is the responsibility of the commercial customer or service provider, dependent on contractual obligations.

[HOME](#) [SERVICES](#) [SERVICE AREAS](#) [ADA CODES](#)[FIRELANE CODES](#) [PAST PROJECTS](#) [CONTACT](#)

TEXAS ACCESSIBILITY STANDARDS PARKING LOT CODES

Everything You Need to Know About Texas Accessibility Standards

Texas Accessibility Standards – Handicap Accessible.

4.6 Parking and Passenger Loading Zones.

4.6.1 Minimum Number: Parking spaces required to be accessible by 4.1 shall comply with 4.6.2 through 4.6.5. Passenger loading zones required to be accessible by 4.1 shall comply with 4.6.5 and 4.6.6.

4.6.2 Location: Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities that do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility in buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.

4.6.3 Parking Spaces: Accessible parking spaces shall be at least 96 in (2440 mm) wide. Parking access aisles shall be part of an accessible route to the building or facility entrance and shall comply with 4.3. Two accessible parking spaces may share a common access aisle (see Fig. 9). Parked vehicle overhangs shall not reduce the clear width of an accessible route. Parking spaces and access aisles shall be level with

surface slopes not exceeding 1:50 (2%) in all directions.

4.6.4 Signage: Accessible parking spaces shall be designated as reserved by a sign showing the symbol of accessibility (see 4.30.7). Spaces complying with 4.1.2(5)(b) shall have an additional sign “Van-Accessible” mounted below the symbol of accessibility. Such signs shall be located so they cannot be obscured by a vehicle parked in the space.

4.6.5 Vertical Clearance: Provide minimum vertical clearance of 114 in (2895 mm) at accessible passenger loading zones and along at least one vehicle access route to such areas from site entrance(s) and exit(s). At parking spaces complying with 4.1.2(5)(b), provide minimum vertical clearance of 98 in (2490 mm) at the parking space and along at least one vehicle access route to such spaces from site entrance(s) and exit(s).

4.6.6 Passenger Loading Zones: Passenger loading zones shall provide an access aisle at least 60 in (1525 mm) wide and 20 ft (240 in)(6100 mm) long adjacent and parallel to the vehicle pull-up space (see Fig. 10). If there are curbs between the access aisle and the vehicle pull-up space, then a curb ramp complying with 4.7 shall be provided. Vehicle standing spaces and access aisles shall be level with surface slopes not exceeding 1:50 (2%) in all directions.

4.1.2 Accessible Sites and Exterior Facilities: New Construction. An accessible site shall meet the following minimum requirements:

- (1) At least one accessible route complying with 4.3 shall be provided within the boundary of the site from public transportation stops, accessible parking spaces, passenger loading zones if provided, and public streets or sidewalks, to an accessible building entrance.
- (2) At least one accessible route complying with 4.3 shall connect accessible buildings, accessible facilities, accessible elements, and accessible spaces that are on the same site.
- (3) All objects that protrude from surfaces or posts into circulation paths shall comply with 4.4.
- (4) Ground surfaces along accessible routes and in accessible spaces shall comply with 4.5.
- (5) (a) If parking spaces are provided for self-parking by employees or visitors, or both, then accessible spaces complying with 4.6 shall be provided in each such parking area in conformance with the table below. Spaces required by the table need not be provided in the particular lot. They may be provided in a different location if equivalent or greater accessibility, in terms of distance from an accessible entrance, cost and convenience is ensured.

Total Parking in Lot	Required Minimum Number of Accessible Spaces
1 to 25	1

26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2 percent of total
1001 and over	20, plus 1 for each 100 over 1000

Except as provided in (b), access aisles adjacent to accessible spaces shall be 60 in (1525 mm) wide minimum.

(b) One in every eight accessible spaces, but not less than one, shall be served by an access aisle 96 in (2440 mm) wide minimum and shall be designated “van accessible” as required by 4.6.4. The vertical clearance at such spaces shall comply with 4.6.5. All such spaces may be grouped on one level of a parking structure.

EXCEPTION: Provision of all required parking spaces in conformance with “Universal Parking Design” (see appendix A4.6.3) is permitted.

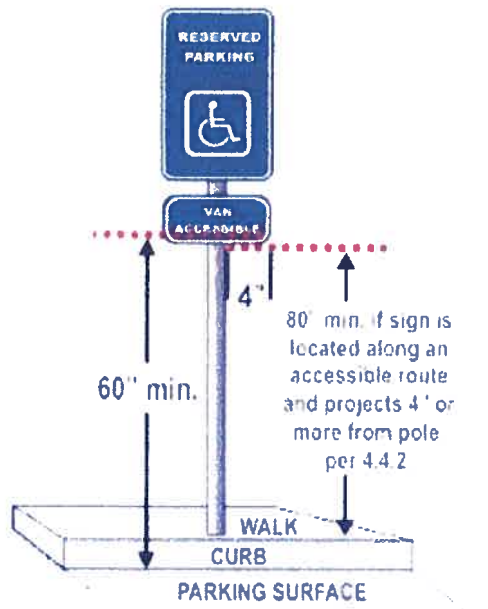
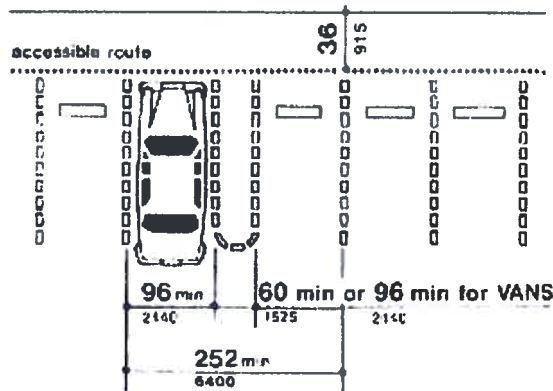
(c) If passenger loading zones are provided, then at least one passenger loading zone shall comply with 4.6.6.

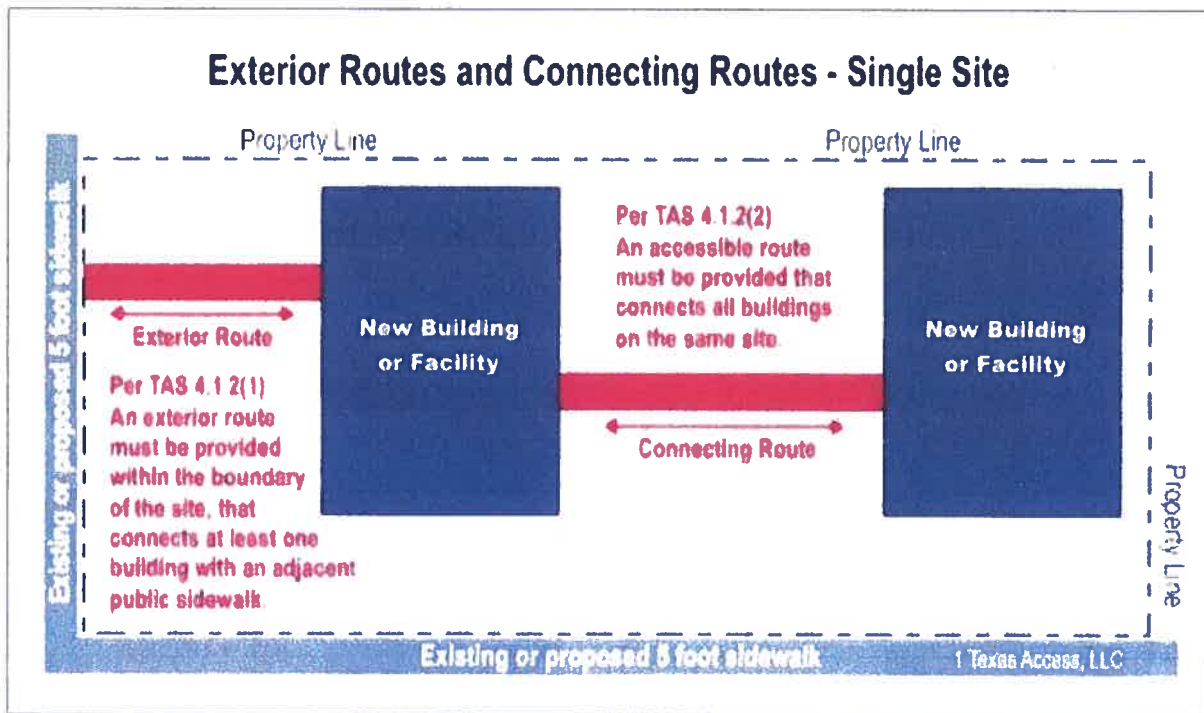
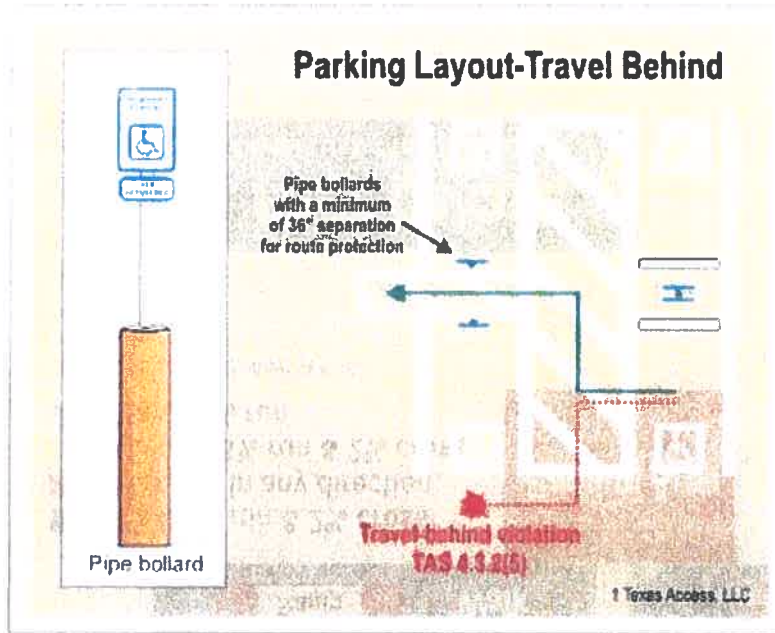
(d) At facilities providing medical care and other services for persons with mobility impairments, parking spaces complying with 4.6 shall be provided in accordance with 4.1.2(5)(a) except as follows:

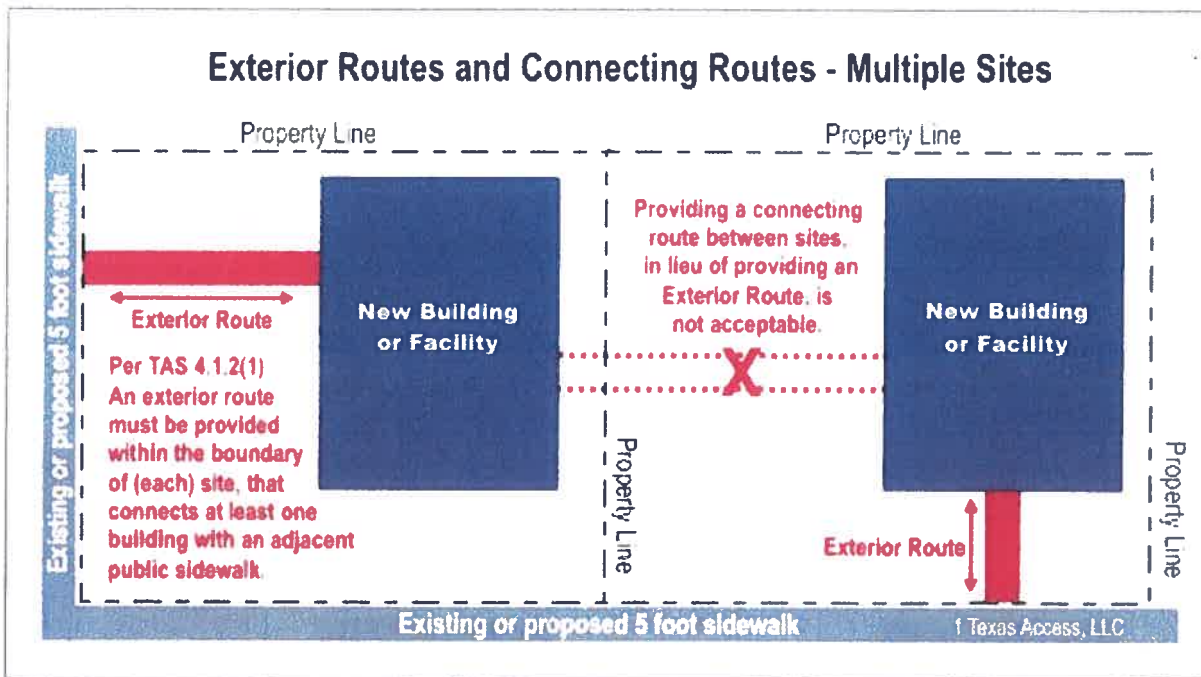
(i) Outpatient units and facilities: 10 percent of the total number of parking spaces provided serving each such outpatient unit or facility;

(ii) Units and facilities that specialize in treatment or services for persons with mobility impairments: 20 percent of the total number of parking spaces provided serving each such unit or facility.

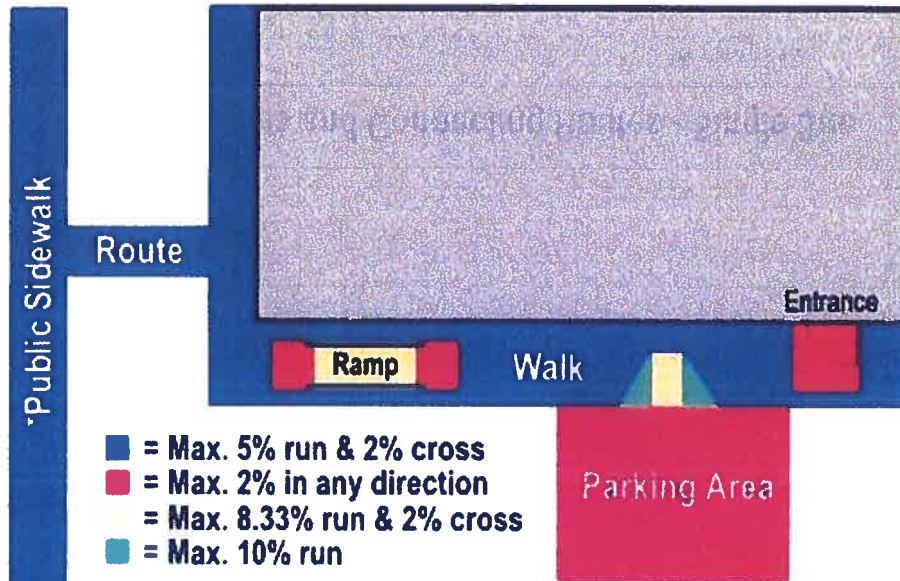
(e)* Valet parking: Valet parking facilities shall provide a passenger loading zone complying with 4.6.6 located on an accessible route to the entrance of the facility. Paragraphs 5(a), 5(b), and 5(d) of this section do not apply to valet parking facilities.







Maximum Exterior Slopes



*Except as permitted under §68 102

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All counties in Southeast Texas, including: Harris, Brazoria, Fort Bend, Waller, Montgomery, Liberty, Chambers, Galveston, Matagorda, Wharton, Colorado, Austin, Washington, Burleson, Brazos, Grimes, Walker, San Jacinto, Polk, Hardin, Jefferson.

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**ADA.gov**U.S. Department of Justice
Civil Rights Division

Accessible Parking Spaces



When state or local governments, businesses and non-profit organizations provide parking lots or garages, accessible parking spaces complying with the Americans with Disabilities Act (ADA) must be provided.

Accessible parking spaces are different than traditional parking spaces. They have specific features that make it easier for people with disabilities to access your programs, goods or services.

Features

Location

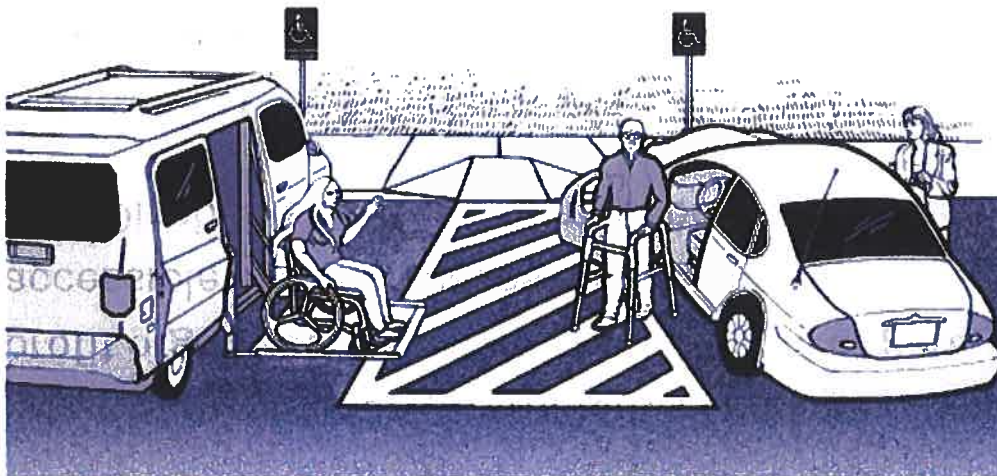
In parking lots or garages, accessible parking spaces must be located on the shortest accessible route to the accessible entrance. An accessible route is the path a person with a disability takes to enter and move through a building or facility.

Access Aisles

Accessible parking spaces must have access aisles. Access aisles provide a designated area for people who use wheelchairs or other mobility devices to get in and out of their car or van. Mobility devices allow people with disabilities to move about independently. They include walkers, canes, crutches, braces, manual or power wheelchairs, Segways, and electric scooters.

Access aisles must be:

- ✓ Marked (to discourage drivers from parking in them)
- ✓ The same length as the space
- ✓ Level with the parking space



Two accessible parking spaces can share an access aisle with the access aisle between the two parking spaces (except in angled parking).

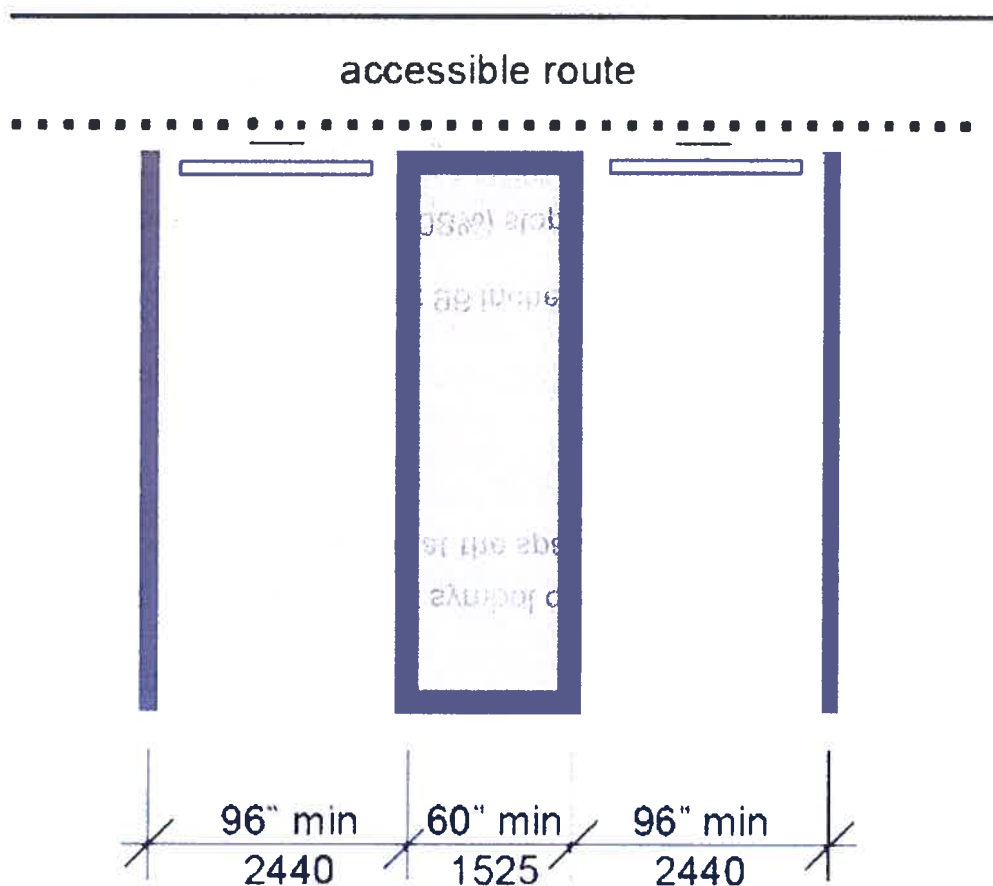
An access aisle can be placed on either side of the parking space (except in angled parking where it must be located on the passenger side of the parking space).

Parking Spaces

Accessible parking spaces must be provided for cars and vans.

Car accessible spaces must:

- ☑ Be at least 96 inches wide
- ☑ Have an access aisle at least 60 inches wide
- ☑ Have no more than a 1.48 (2.08%) slope in all directions
- ☑ Have a surface that is firm, stable, and slip-resistant
- ☑ Have a sign with the international symbol of accessibility on it, mounted at least 60 inches above the ground (measured to the bottom of the sign)



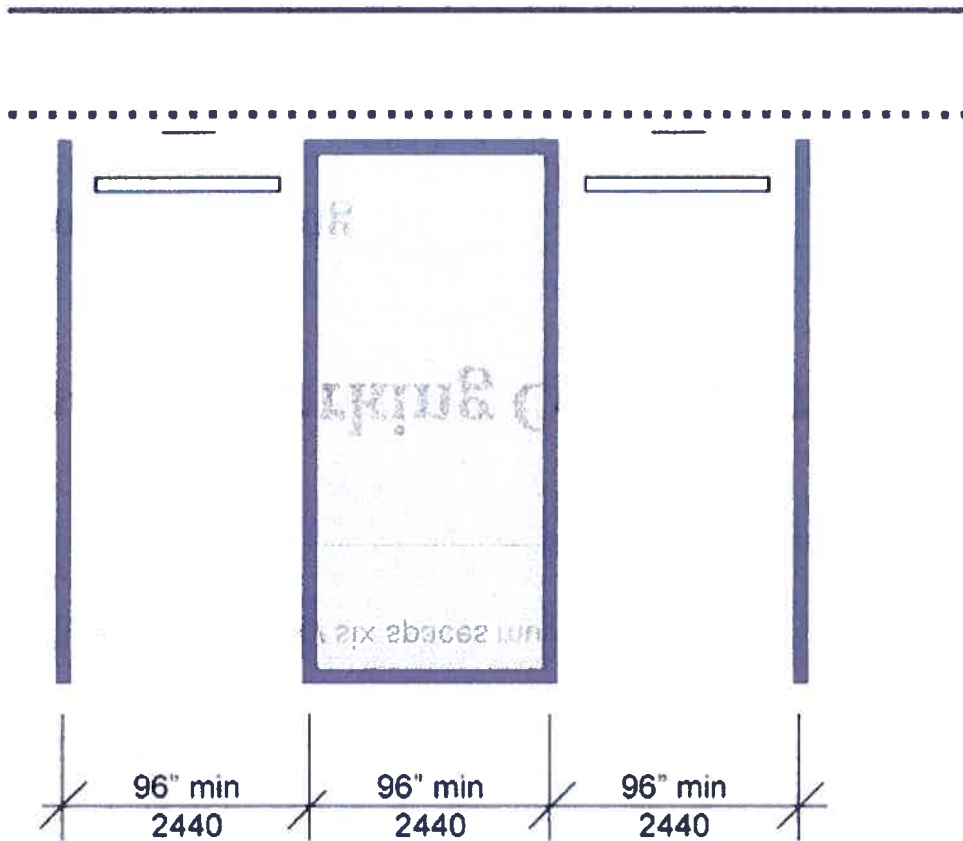
Van accessible spaces must (pick option #1 or #2)

Option #1

- ☑ Be at least 132 inches wide
- ☑ Have an access aisle at least 60 inches wide
- ☑ Have no more than a 1:48 (2.08%) slope in all directions
- ☑ Provide at least 98 inches of vertical clearance (van height) for the parking space, access aisle, and vehicular route
- ☑ Have a surface that is firm, stable, and slip-resistant
- ☑ Have two signs, mounted at least 60 inches above the ground (measured to the bottom of the sign)
 - First sign: international symbol of accessibility
 - Second sign: stating that the space is van accessible

Option #2

- ☑ Be at least 96 inches wide
- ☑ Have an access aisle at least 96 inches wide
- ☑ Have no more than a 1:49 (2.08%) slope in all directions
- ☑ Provide at least 98 inches of vertical clearance for the parking space, access aisle and vehicular route
- ☑ Have a surface that is firm, stable and slip-resistant
- ☑ Have two signs, mounted at least 60 inches above the ground (measured to the bottom of the sign)
 - First sign: international symbol of accessibility
 - Second sign: stating that the space is van accessible



Calculating Accessible Parking Spaces

The number of accessible parking spaces must be considered separately for each parking structure (lot or garage), not based on the total number of parking spaces provided on a site.

The chart below shows the number of accessible spaces required by the 2010 ADA Standards for Accessible Design.

Total Number of Parking Spaces Provided in a Parking Lot or Facility	Minimum Number of Accessible Parking Spaces Permitted
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Total Number of Parking Spaces Provided in a Parking Lot or Facility	Minimum Number of Accessible Parking Spaces Permitted
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2 percent of total
1001 and over	20, plus 1 for each 100, or fraction thereof, over 1000
At least one of every six spaces must be van accessible.	

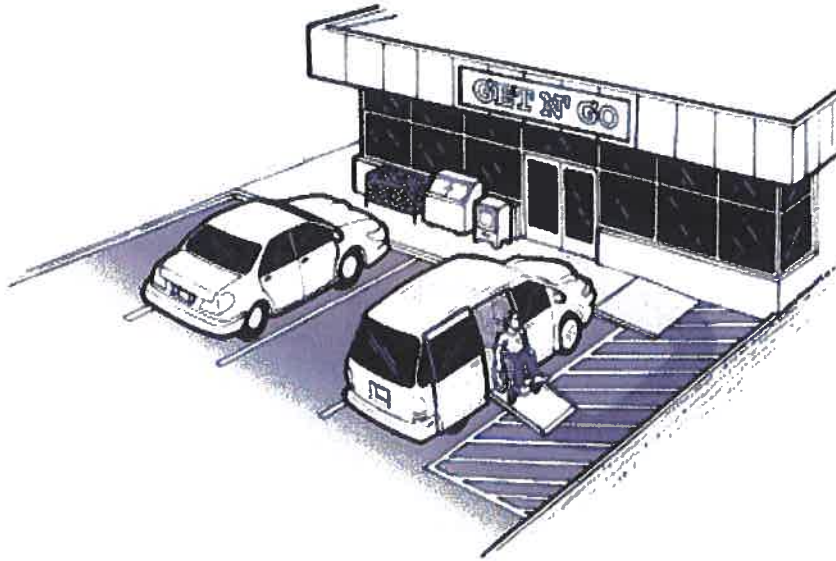
Special Parking Conditions

Limited Parking

Where parking spaces are limited to four or fewer spaces:

- ☑ One van accessible parking space must be provided

- ⊗ A sign identifying the accessible space is not required



Parking at Hospital Facilities

Hospital Outpatient Facilities

- ❗ Ten percent of patient and visitor parking must be accessible. At least one of every six accessible parking spaces must be van accessible.

Rehabilitation Facilities

- ❗ Twenty percent of patient and visitor parking must be accessible. At least one of every six accessible parking spaces must be van accessible.

Outpatient Physical Therapy Facilities

- ❗ Twenty percent of patient and visitor parking must be accessible. At least one of every six accessible parking spaces must be van accessible.

Learn More About the ADA and Accessible Parking

You might find the links below helpful:

- [ADA Update: Primer for Small Businesses](#)
- [ADA Update: A Primer for State and Local Governments](#)
- [ADA Compliance Brief: Restriping Parking Spaces](#)

Related Content

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The Ultimate Guide to ADA-Compliant Parking Lots

BY ASPHALTPRO STAFF



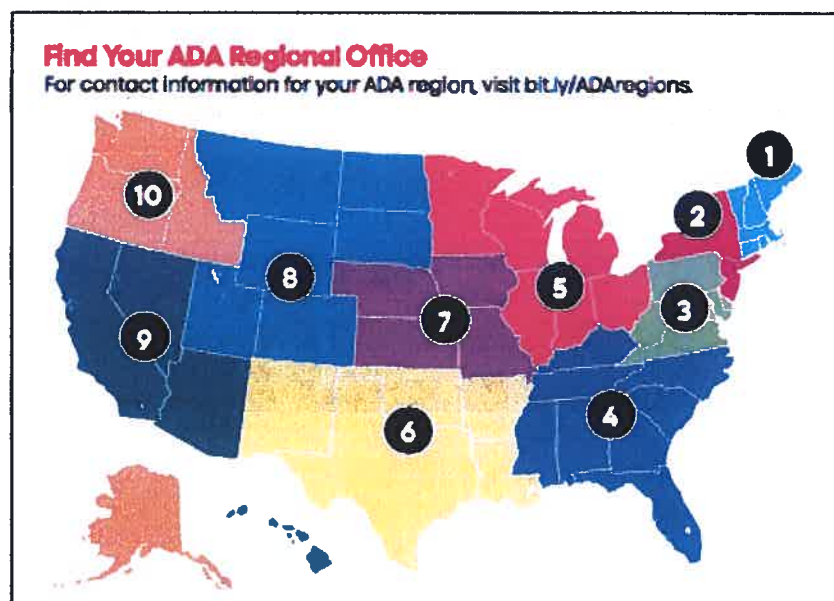
More than 25 years after the birth of the ADA, compliance with the law can still be confusing. Here's how to stripe a lot that meets ADA requirements and local codes to keep your lots compliant and your customers out of the courthouse.

In 1990, Congress passed the Americans With Disabilities Act. Similar to the Civil Rights Act of 1964, which made discrimination based on race, religion, sex, national origin and other characteristics illegal, the ADA afforded people with disabilities protection from discrimination based on their disabilities.



Unlike the Civil Rights Act, the ADA also began requiring employers to provide reasonable accommodations to employees with disabilities and required all public accommodations to meet certain accessibility requirements.

Despite the law being more than 25 years old, there is still some confusion as to what is required and by whom. And it affects you, pavement contractors, who must make sure the lots you pave and stripe comply with the law.



ADA-Compliant Versus Code-Compliant

Oftentimes, people use the phrase “ADA-compliant” when what they really mean is building code compliant. The ADA’s accessibility requirements are a set of federal standards that must be met nationwide. But each state and even municipalities has the right to set requirements above and beyond the 2010 ADA Standards for Accessible Design, the current guiding document. That means an ADA-compliant parking lot might still be out of local compliance and subject to complaints, fines and even lawsuits.

Some states, like California, have extensive additional requirements for accessible parking lots. Other states may have very few. For this reason, compliant accessible parking in Missouri might look nothing like compliant parking in New York or California.

For example, signage in Florida should read, “Parking By Disabled Permit Only,” but should say “Permit Parking Only—Tow Away Zone” in Georgia and “Handicapped Parking—Permit Required” in Pennsylvania. Many states prohibit the use of the word “handicapped” on signage entirely.

According to Julie Brinkhoff, project director at the Great Plains ADA Center, the best option for contractors looking to fulfill state and local requirements is to check your state’s building code and ask local code enforcement officials. But some states may not have a state building code. For example, Missouri outlines its additional requirements in the state parking code.

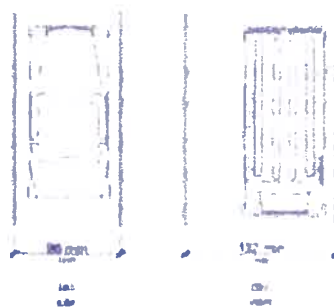
Another option is to call your local pavement marking distributor. For example, Titan Tool, based in Plymouth, Minnesota, provides select ADA-compliant stencils through pavement marking distributors, according to Tom Heine, Titan markings division sales manager. He also recommends thoroughly investigating your state’s accessibility specifications.

“This will increase your overall knowledge within the category,” Heine said. “It will also ensure compliance and earn the trust of your customer.”

For Calvin Bell, owner of Pavement Stencil Company in Roanoke, Virginia, maintaining up-to-date

Sharing an Access Aisle

Two spaces can share an access aisle. Just be sure that van spaces are at least 8 feet wide and adjacent to an access aisle at least 8 feet wide (16 feet total), and car spaces are at least 8 feet wide and adjacent to an access aisle at least 5 feet wide (13 feet total). You can also use a combination to ensure you have an equivalent outcome, such as an 11-foot space and 5-foot access aisle for a van-accessible parking space, like you see in this image.



Source: 2010 ADA Standards of Accessible Design

stencils of this new symbol from New York, Pennsylvania, Massachusetts and North Carolina. For more information on this icon, read the sidebar accompanying this article.

What Makes a Parking Lot ADA Compliant?

Current ADA standards are outlined in the 2010 ADA Standards for Accessible Design, and all physical construction and alterations are now subject to these requirements. Here are some of the key points related to ADA-compliant parking lots.

Accessible parking should be located at the shortest acceptable route to the building. This might not necessarily mean the parking spaces physically closest to the building, but rather the spaces that offer the easiest access to the building entrance.

For a parking lot with fewer than 25 spaces, at least one space—even if the lot only has one space—must be accessible. For every additional 25 spaces, one more accessible space is required. For lots with 501 to 1,000 spaces, accessible spaces should make up 2 percent of the total. For lots with 1,001 spaces or more, 20 spaces need to be accessible, plus one for each 100 spaces (or fraction of 100 spaces) beyond 1,000. These numbers are determined lot by lot, so even if there are three separate parking lots on one site, each lot is considered individually.

At least one of every six accessible parking spaces needs to be van-accessible. If your client's lot only requires one accessible parking space, it must be van-accessible.



A van-accessible space must be 8 feet wide and adjacent to an 8-foot access aisle for a total of 16 feet. A car-accessible space must be a minimum of 8 feet wide, as measured from the middle of each boundary stripe and will require an access aisle of at least 5 feet, for a total width of 13 feet. You can also use a combination to ensure you have an equivalent outcome, such as an 11-foot space and 5-foot access aisle for a van-accessible parking space. Access aisles also need to extend the full length of the parking space.

Access aisles can also be shared between two spaces. For example, an 8-foot access aisle can

accommodate two van-accessible parking spots—one on each side of the aisle. An exception is for angled van parking, where the access aisle should be located on the passenger side of the parking space. To be as considerate as possible, the ADA standards suggest that, if one access aisle is shared by a van-accessible and a car-accessible space, that the van space be positioned so the access aisle is available on the passenger side. All access aisles should be marked in a way that “discourages parking” in that area.

Parking surfaces within the accessible spaces and access aisles must be firm, stable and slip-resistant, and include no changes in level. Up to a 1:48-inch slope is acceptable, but the ADA suggests checking the slope of multiple spaces to ensure you meet this requirement.

Ideally, each access aisle would connect directly to a standard curb ramp leading onto the sidewalk or entranceway of the building, though not required. It’s also encouraged not to have accessible routes that lead behind vehicles. But if the parking lot requires such a path, the pedestrian route also has to be marked with contrasting paint.

The ADA doesn’t specify what color of paint to use, but does require you to use a paint that contrasts from the parking surface. Some states and municipalities might require specific colors, like blue or yellow, or even a particular shade of a color. ADA guidelines also don’t enforce a specific width of the parking stripes.

It’s also required that each accessible parking space be marked with appropriate signage, with one sign per accessible space. Every sign should include the international symbol of accessibility, and van spaces also require a van-accessible sign. The sign needs to be 5 feet above the surface of the marking space, including the height of the curb.

In lots with fewer than four total parking spaces, identification of the accessible space isn’t required. For residential facilities where parking spaces are assigned to specific residences, identification of accessible spaces is also not required.

Another feature often included is the international symbol for accessibility painted within the parking space. ADA guidelines only require this symbol on the sign, but many states do require it to be painted within the parking space, as well.

Parking spaces should also be designed so cars parked in the spaces can’t “protrude into the accessible route,” making it more difficult for individuals using those routes to pass through. The ADA suggests the use of parking stoppers to solve this potential issue.

It's also important to note that some parking areas are exempt from these rules, including spaces used exclusively for buses, trucks and other delivery vehicles, law enforcement vehicles or vehicle impound.

There are also some situations in which the ADA has set different standards. For example, at least 10 percent of patient and visitor parking at hospital outpatient facilities should be accessible. For rehabilitation and outpatient physical therapy facilities, that number increases to 20 percent.



At a post office in southwest Florida, you can see where the team had to re-lay out the row of parking spaces to accommodate the increased number of ADA spaces required for the size of lot this business has. When the crew has to restripe for any reason, the use of black paint or sealer can cover the old markings, or someone may need to use a pavement scarifier to grind paint off the surface.

The Striping Process

No matter what your state and local regulations might be, it's important to do your research and ensure you only have to do the job once.

"It's along the same lines of best practice for carpentry, 'Measure twice, cut once,'" Heine said.

"Following the blue prints, or specifications documents is what you need to do to ensure the pavement

Following the blue prints or specification documents is rule no. 1 when it comes to pavement marking.”

In the case that a striping contractor does make a mistake painting an accessibility-compliant parking lot, there are ways to remove the paint, from products to remove the paint to grinding it off or painting the entire pavement black and restriping, but the best option is to get it right the first time by thoroughly reviewing the 2010 ADA standards and checking with local code enforcement officials.

“All the options to re-do the lots are expensive and take up time,” Bell said. “Make sure it’s right before you put it down.”

Complaint striping can be done using standard paint, thermoplastic and MethalMethacralate coating applications, each of which “have excellent benefits within their respective segments,” Heine said. “Using paint—cold applied—is quick, easy and very effective in most applications, but requires more upkeep as it typically wears faster (when applied at 15 to 20 mils) than thermoplastic and MMA markings,” Heine said. “Thermoplastic—hot applied—requires a little more expertise and patience, goes on thicker (90 mils on average) and is great for high-traffic areas, like crosswalks, stop bars and intersections.

“MMA—cold applied—is another excellent coating/technology that is hitting the streets in most major markets,” Heine continued. “This coating is ‘bullet proof’ 110 mph NHL-slap-shot-tested (it’s the main component in the ‘plexi-glass’ you see in hockey arenas).” It averages 30 to 60 mils thick and works well in high traffic areas, like crosswalks, stop bars and intersection work, Heine said.

Ennis-Flint, based in Thomasville, North Carolina, produces 4-inch-wide linear blue preformed thermoplastics often used in accessibility striping, as well as accessibility markings. Its standard accessibility marking is a 40-inch blue square with a white international accessibility symbol inside, but is also available in a variety of sizes. The company also makes a preformed thermoplastic with truncated domes on the surface to help people with visual impairments recognize the boundary between vehicle and pedestrian areas.

“Our standard offering is based on Federal Highway Administration designs,” Zina Brooks, vice president of marketing and customer support for Ennis-Flint, said. “However, we can manufacture specific sizes.”

Pavement Stencil Co. offers accessibility stencils for painting, which are made of plastic, and

thermoplastics, which are made of aluminum.



The striping crew needs to have proper stencils on the truck before heading out to the job. This example of an accessible parking stall in a Southwest Florida parking lot might get the point across, but it is not in compliance with Lee County codes. You can bet this parking lot did not pass inspection. A striping crew will have to cover these markings with either black paint or sealer to “hide” them before painting the appropriate markings to bring the parking lot up to code. That means not only a call-back on the job, but additional materials that probably weren’t included in the original bid. This is wasted time and additional product that comes out of the striping contractor’s pocket. Photo courtesy of Sandy Lender.

What About the Money, Honey?

It’s also worth mentioning to prospective clients that a special tax credit of up to \$5,000 per year is available to help smaller employers make accommodations required by the ADA. Any business can also take a full tax deduction of up to \$15,000 per year for expenses of removing qualified architectural or transformational barriers.

It’s also important to make sure responsibilities to meet ADA and local requirements are outlined in the contract. Note who will be held financially responsible for restriping in the event that requirements aren’t met—the client, the contractor, or the subcontractor.

What Happens If Someone Complains About My Client’s Lot?

Anyone who feels they have been discriminated against based on disability in public accommodations can file a

"It's not always the case 100 percent of the time, but if the striping contractor doesn't perform his or her duties to ADA/local code specification and/or their customer's specifications, he or she will usually be held responsible for correcting the work," Heine said.

If a parking lot doesn't meet requirements, the business owner could be required to repair it, pay a fine, and could even be sued. Enforcement of accessible parking requirements is administered by a variety of agencies, depending on state and municipality.

A complaint can only be made to the U.S. Department of Justice if the lot doesn't fulfill federal ADA requirements. Otherwise, the complaint will be made at the local or state level.

"Some people choose just to tell the business owner directly," Brinkhoff said. "Others might file a grievance with the local authorities, or take it to the state human rights commission."

...complaint to the Department of Justice. The complaint will include the name of the potentially offending business, and the date and description of the act. The DOJ also requests photos, videos, diagrams and other illustrations showing the suspected violation, where possible. Complaints will be considered and both complainant and violator will be informed of forthcoming actions, including potential litigation.



It's also worth knowing that small businesses have limited protection from lawsuits. Except with respect to new construction and alterations, no lawsuit can be filed regarding acts occurring prior to July 26, 1992, by businesses with 25 or fewer employees and gross receipts of less than \$1,000,000, or Jan. 26, 1993, by businesses with fewer than 10 employees and gross receipts less than \$500,000.

Ultimately, Bell said, it's important to run each and every requirement by the customer and give them the final say. But the most important factor?

"Don't forget what we're doing this job for—to make things more accessible to everyone," Bell said. "You have to think from the perspective of the people that need these markings. Keep the end result in mind and make sure you're remembering *that* bottom line."

A More Active Symbol of Access

The International Symbol of Access isn't so international anymore.

Some states and municipalities have opted instead for a new standard symbol of access—a more active symbol of access.

The first state to adopt the new symbol was New York in 2014, but the search for a new symbol began in 2010 when artist Sara Hendren started collecting images of accessibility icons she felt represented persons with disabilities more accurately.

Along with Brian Glenney, she began to design a more active icon of accessibility, posting decals of their icon over existing access icons. By 2011, the current active icon was born. The new icon shows a person in a wheelchair, leaning forward as if in motion. Or, as Hendren calls it on the project's website, the "italicized" version of the old accessibility symbol.

As their project gained momentum, people began asking Hendren and Glenney for a formal icon to replace the existing symbol. With the help of designer Tim Ferguson Sauder, the accessible icon and the Accessible Icon Project were born.

The final icon is white within a blue square. The head, arm and leg are positioned to imply motion, and the limbs are rounded rather than squared, as they are in the existing International Symbol of Access. The wheel has two cutouts, both to emphasize motion and make stenciling easier.

If you ask Hendren, she'll tell you that the project is so much more than the symbol that has stamped and stenciled its way onto streets and signs in hundreds of cities and a handful of states. It's an activism project that aims to change the way we think about people with disabilities.



The Accessibility Project's symbol of access utilizes angles to imply motion.

Replace a Worldwide Standard

The International Symbol of Access is one of many internationally recognized logos maintained by the International Organization of Standardization. Other symbols include symbols for explosive or poisonous materials, slippery floors and trip hazards. The purpose is, regardless of where you are in the world, you'll have key information to stay safe. In fact, the International Symbol of Accessibility is probably one of the most recognized international symbols of all, due to its presence in nearly every place we go.



The current International Symbol of Access was designed in 1968.

The symbol was chosen during a design contest in 1968. The winning symbol was created by

Susanne Koefed, a Danish designer, and did not have a head. Within a decade, a head was added to the design and ISO and the United Nations adopted the logo. And in 1990, Congress passed the Americans With Disabilities Act.

As Slate reported in February 2014, "The presence of this single, attractive logo to signify a universal right for access helped create an atmosphere in which the world could begin to adapt to new building parameters and regulations. In many ways, the adoption of the international accessibility icon is a success story of a simple design changing the world for the better."

To date, the Department of Justice, which enforces ADA specifications, has not made an official statement about whether or not the new symbol is considered equivalent facilitation.

The symbol is still up for debate with ISO, which claims it may not be representative of all disabilities of individuals in wheelchairs—particularly with the arm motion included in the active symbol—but Hendren and her collaborators attest that the icon is a symbol, not a literal representation. The goal is to encourage people to rethink disability.

The active accessibility icon is free and available to all on the public domain.