

RESOLUTION: R - 6
ORDINANCE: UDO - 76
AN ORDINANCE AMENDING THE
DEKALB COUNTY UNIFIED DEVELOPMENT ORDINANCE

WHEREAS, The General Assembly of the State of Indiana granted powers to the counties to adopt unified development ordinances for their jurisdiction according to IC 36-7-4-600 series; and

WHEREAS, The County of DeKalb, Indiana adopted the DeKalb County Unified Development Ordinance which became effective on January 1, 2009, and has had subsequent amendments to the DeKalb County Unified Development Ordinance; and

WHEREAS, The General Assembly of the State of Indiana granted powers to counties to amend the text of an adopted unified development ordinance according to IC 36-7-4-602 (b), and Section 9.05 of the DeKalb County Unified Development Ordinance allows for the amendment of said Ordinance; and

WHEREAS, The DeKalb County Plan Commission held a public hearing on April 18, 2018, on the proposed textual amendments to the DeKalb County Unified Development Ordinance regarding Article 5, Section 5.09: ED-01: Entrance and Drive; General and all related sections, if applicable;

WHEREAS, The DeKalb County Plan Commission did send a favorable recommendation for the text amendments to the DeKalb County Board of Commissioners; and

WHEREAS, The DeKalb County Board of Commissioners believes there is merit in amending the Ordinance, in order to promote the public health, safety, comfort, morals, convenience and general welfare of the community; now therefore, be it

ORDAINED by the DeKalb County Board of Commissioners of DeKalb County, Indiana, as follows:

SECTION 1: That the DeKalb County unified Development Ordinance be amended according to the amendments, as follows:

ORDINANCE SECTION: Article 5: Development Standards: 5.09 ED-01: Entrance and Drive; General

PROPOSED LANGUAGE CHANGE:

This Entrance and Drive Standards section applies to the following zoning districts:

OP, A1, A2, A3, A4, RE, R1, R2, R3, M1, M2, MP, IN, C1, C2, C3, C4, I1, I2, I3, HI, AP1, AP2, AP3

The following entrance and drive standards apply:

- A. Classification: All classification of streets shall be based on the Thoroughfare Plan as found and maintained in the DeKalb County Comprehensive Plan.
- B. Single Entrance: No entrance or drive shall be permitted to be installed on a parcel or lot until first receiving approval from the DeKalb County Highway Superintendent or The Indiana Department of Transportation and:
 1. Within 150 feet of any intersecting street if along an arterial or collector street (see "A" below in the illustration).
 2. Within 100 feet of any intersecting street if along a local street (see "A" below in the illustration).
 3. If the parcel is not large enough to achieve the required separation, then the drive shall be installed at a location farthest from the intersection.
 4. The distances shall be determined by measuring from the intersection right-of-way line to the back of curb or edge of pavement (whichever is less) of the entrance or drive.
 5. Under no circumstances shall an entrance or drive be allowed within 60 feet of any intersection.

- C. Multiple Entrances: Two or more entrances or drives shall not be permitted to be installed on a parcel or lot until first receiving approval by the DeKalb County Highway Superintendent and the DeKalb County Commissioners or The Indiana Department of Transportation and:
1. Within 100 feet of one another if along an arterial or collector street (see "B" below in the illustration).
 2. Within 50 feet of one another if along a local street (see "B" below in the illustration).
 3. The distances shall be determined by measuring from the back of curb or edge of pavement to the back of curb or edge of pavement (whichever is less) of each entrance or drive.
 4. Entrances and driveways may be shared in order to meet the above listed requirements. However, an easement shall be established and recorded applicable to both properties. Further, no more than two properties may share a single entrance or driveway.
- D. Maximum Width: No entrance or drive shall exceed the following pavement widths for two-way traffic. If the entrance or driveway is one-way, the measurements shall be one-half of the below requirements.
1. Twelve (12) feet per lane with a maximum of three lanes (two out and one in), if from a non-single family residential lot (e.g. multiple-family residential, commercial, or industrial lot) onto an arterial, collector, or local street.
 2. Ten feet per lane with a maximum of two lanes (i.e. 20 feet), if from a single family residential lot onto any type of street.
 3. The distances shall be determined by measuring from the back of curb or edge of pavement to the back of curb or edge of pavement (whichever is greater) of each entrance or drive.
- E. Driveway Location: Driveways shall be located off of internal streets whenever possible.
- F. Viability of Driveway: All driveways shall have a viable means of connecting to the public right-of-way and that location shall be fully on the subject property and shall be accurately shown on the site plan. Theoretical alignments shall not be permitted (e.g. alignments that traverse an existing lake).
- G. Site Improvements: Acceleration lanes, deceleration lanes and/or passing blisters may be required by the highway department.
- H. Materials: All entrances and drives shall consist of asphalt, concrete or gravel unless another durable material is approved by the Zoning Administrator.

SECTION 2: That this amendment be in full force and effect upon its passage by the DeKalb County Board of Commissioners.

DULY PASSED AND RESOLVED this _____ day of _____ 2018.

Donald D. Grogg, President

Randall J. Deetz, Vice President

Jacqueline R. Rowan, Member

Attest, Jan Bauman, Auditor

Prepared by: Chris Gaumer "I affirm under the penalties of perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law."

**A DEKALB COUNTY PLAN COMMISSION
CERTIFICATION OF A PROPOSED TEXTUAL AMENDMENT TO THE UNIFIED
DEVELOPMENT ORDINANCE TO THE DEKALB COUNTY COMMISSIONERS**

WHEREAS, The General Assembly of the State of Indiana granted powers to the counties to adopt zoning ordinances and zone maps for their jurisdiction according to IC 36-7-4-600 series; and

WHEREAS, DeKalb County adopted the DeKalb County Unified Development Ordinance which became effective on January 1, 2009; and

WHEREAS, The General Assembly of the State of Indiana granted powers to counties to amend the text of an adopted zoning ordinance according to IC 36-7-4-602(b), and Section 9.05 of the DeKalb County Unified Development Ordinance allows for the amendment of said Ordinance; and

WHEREAS, The DeKalb County Plan Commission, in accordance with law, held a public hearing on April 18, 2018 and did consider the textual amendments to Section(s) 5.09: Entrance and Drive in the DeKalb County Unified Development Ordinance; and now, therefore be it

RESOLVED, That in accordance with IC 36-7-4-605, the DeKalb County Plan Commission certifies with a ✓ favorable, _____ unfavorable, _____ no recommendation for the attached text amendment(s) to the County Commissioners of DeKalb County, Indiana.

Certified this 18th day of April 2018.

DEKALB COUNTY PLAN COMMISSION

Timothy B Griffin
Signed

DeKalb County Plan Commission Official

TIMOTHY B GRIFFIN
Print

William O Van Wye
Signed

DeKalb County Plan Commission Official

William O Van Wye
Print

Caeli Hixson
Attest, Secretary

DeKalb County Plan Commission

Caeli Hixson
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