



**ACCESS MANAGEMENT CONTROL ORDINANCE
MARCH 11, 2021**

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NOTE: ADDITIONAL FIGURES MAY BE FOUND IN THE INDOT ACCESS MANAGEMENT GUIDE.

Section 1.1 - Purpose and Intent

(A) The purpose of this Ordinance is to establish minimum regulations for access to property from road right-of-way. Standards are established for new roads, driveways, shared access, parking lot cross-access, and service roads. The standards in this Ordinance are intended to:

- Implement the Pendleton Comprehensive Plan and the Pendleton Thoroughfare Plan recommendations;
- Promote safe and convenient travel within the Town of Pendleton;
- Minimize disruptive and potentially hazardous traffic conflicts;
- Ensure safe access by emergency vehicles;
- Protect the substantial public investment in the transportation system by preserving capacity and avoiding the need for unnecessary and costly reconstruction which disrupts business and traffic flow;
- Separate traffic conflict areas by reducing the number of driveways;
- Provide safe spacing standards between driveways, and between driveways and intersections;
- Provide for shared access between abutting properties;
- Ensure reasonable access to properties, though not always by the most direct access
- Coordinate access decisions with the Indiana Department of Transportation (INDOT), as applicable.

(B) The intent of this Ordinance is to provide and manage access to lands as it develops, while preserving the regional flow of traffic in terms of safety, capacity, and mobility.

(C) To achieve this policy's intent, state and local thoroughfares have been categorized by function and classified for access purposes based upon their level of importance. The standards of this Ordinance are based on traffic analysis by the Town of Pendleton, Madison County, the Madison County Council of Governments (MCCOG), or INDOT, as applicable.

Section 1.2 - Applicability

(A) The standards in this Ordinance apply to private and public land along road rights-of-way that are under the jurisdiction of the Town of Pendleton or INDOT. The requirements and standards of this Ordinance shall be applied in addition to, and where permissible shall supersede, the requirements of INDOT or other Town Ordinances.

(B) The standards of this Ordinance shall be applied by the Planning Director or Plan Commission as part of site plan review or site development plan review, as applicable. The Plan Commission, with assistance from the Planning Director and Planning Staff, shall make findings of nonconformance, conformance, or conformance with conditions with the standards of this Ordinance prior to disapproving or approving a site plan per the requirements of this Ordinance. The Town of Pendleton shall coordinate its review of the access elements of a plan with the appropriate transportation authority prior to deciding on an application (see Subsection C below). The approval of a site plan does not negate the responsibility of an applicant to subsequently secure driveway permits from the appropriate authority, either Pendleton Planning Department, or INDOT (depending on roadway).

(C) To ensure coordination, applicants are required to submit a site plan or a primary plat to the Pendleton Planning Department and INDOT, as applicable. The Planning Director or Plan Commission may require submittal of a Traffic Impact Study. A Traffic Impact Study is based on the number of trips generated by the site, type and size of the development, and other development characteristics. Generally, the suggested baseline for requiring a Traffic Impact Study is when a development generates 100 new trips to the adjacent street network during the peak-hour. A Traffic Impact Study is described below:

(1) At a minimum, the Traffic Impact Study shall contain the following:

- (a) Analysis of existing traffic conditions and/or site restrictions using current data.
- (b) Projected trip generation at the subject site or along the subject service drive based on the most recent edition of the Institute of Transportation Engineers Trip Generation Manual. The Town of Pendleton may approve use of other trip generation data if based on recent studies of at least three (3) similar uses within similar locations in Indiana.
- (c) Illustrations of current and projected turning movements at access points. Include identification of the impact of the development and its proposed access on the operation of the abutting streets. Capacity analysis shall be completed based on the most recent version of the Highway Capacity Manual published by the Transportation Research Board (TRB) and shall be provided in an appendix to the Traffic Impact Study.
- (d) Description of the internal vehicular circulation and parking system for passenger vehicles and delivery trucks, as well as the circulation system for pedestrians, bicycles, and transit users, where applicable.
- (e) Justification of need, including statements describing how the additional access will meet the intent of this Section, will be consistent with the Pendleton Thoroughfare Plan and Pendleton Comprehensive Plan, will not compromise public safety, and will not reduce capacity or traffic operations along the roadway.
- (f) Qualifications and documented experience of the author, describing experience in preparing Traffic Impact Studies in Indiana. The author shall be either a registered traffic engineer (P.E.) or Professional Transportation Planner (P.T.P.) with experience preparing Traffic Impact Studies in Indiana. If the Traffic Impact Study involves geometric design, the study shall be prepared or supervised by a registered engineer with a strong background in traffic engineering.

(2) The Town of Pendleton may utilize its own traffic consultant to review the applicant's Traffic Impact Study, with the cost of the review being borne by the applicant per Section 1.9.

(D) Failure by the applicant to begin construction of an approved road, driveway, shared access, service drive, or other access arrangement within eighteen (18) months from the date of approval, shall void the approval and a new approval is required.

(E) The Planning Director or designated representative shall inspect the driveway as constructed for the conformance with the standards of this Ordinance and any approval granted under it, prior to issuing a Certificate of Occupancy. The Planning Director or designated representative shall coordinate with the appropriate INDOT construction inspector to avoid dual inspections on applicable facilities.

Section 1.3 - Roadways Subject to Access Management Regulations

(A) The access management regulations of this Ordinance apply to all property according to the roadway classification of the abutting public streets and roads within the Town of Pendleton. Roadway classification is described below and is illustrated in the Pendleton Thoroughfare Plan Map.

- (1) Application of the access location and design standards of this Ordinance requires identification of the functional classification of the street on which access is requested. After the identification of the functional classification has been determined, the appropriate spacing requirements (See Table 1.1) must be decided to apply the proper spacing between intersections and/or driveways. The roads of Pendleton are classified as follows and are further defined in the Pendleton Thoroughfare Plan Map:
 - (a) Local;
 - (b) Collector;
 - (c) Secondary Arterial;
 - (d) Primary Arterial; and
 - (e) Interstate
- (2) All unclassified public streets are local streets principally providing access to single family residences. The functional classification of any street in the Town of Pendleton not indicated as an arterial or collector on the Pendleton Thoroughfare Plan Map shall be determined using the functional street classification defined by the AASHTO "Green Book", A Policy on Geometric Design of Highway and Streets.

Section 1.4 - Driveways and Related Access Standards

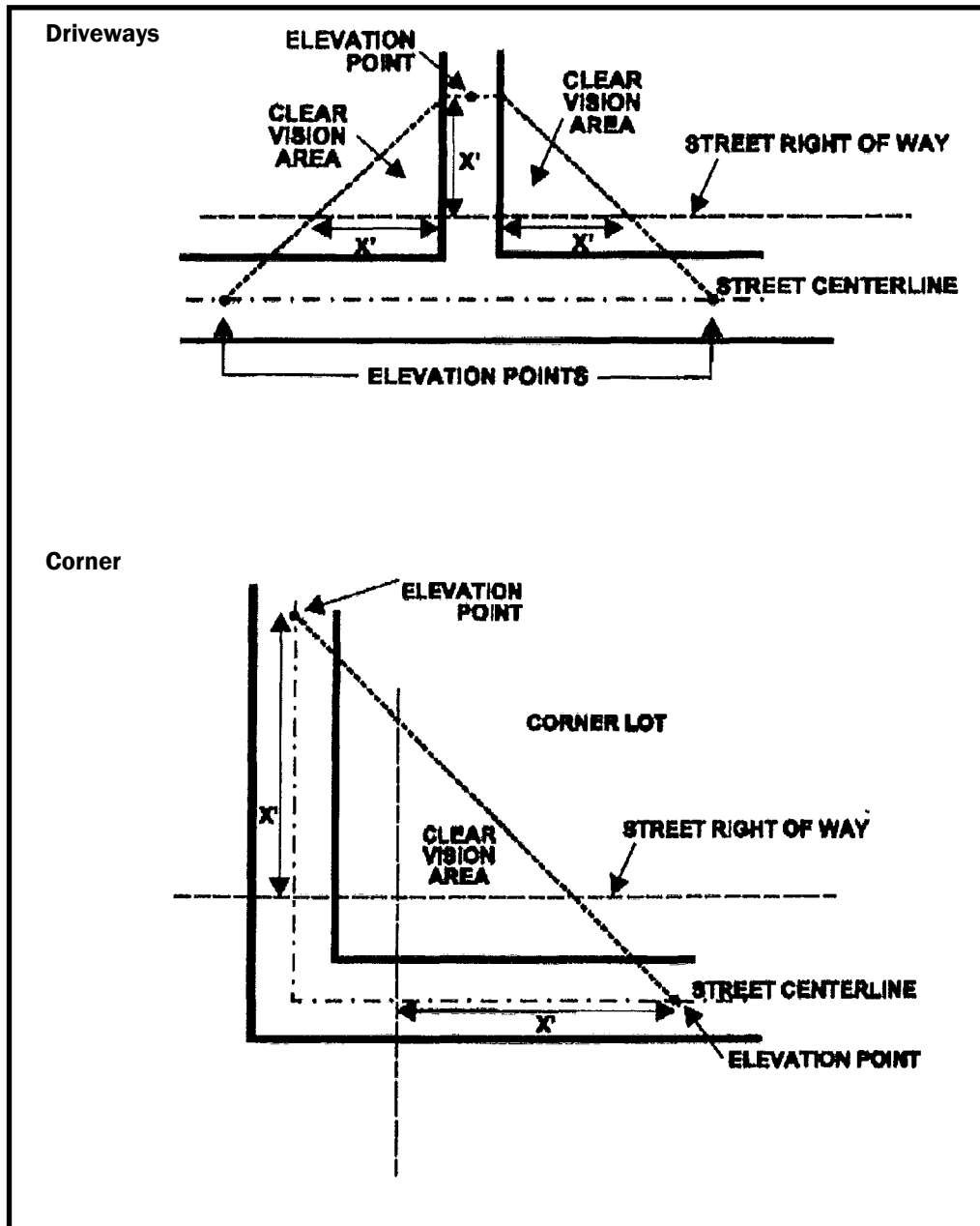
All lots hereafter created, and all structures hereafter constructed, altered, or moved on property with frontage on, or access to, a public road or street that is subject to regulation per Section 1.3, shall conform to the following requirements:

(A) General Standards

- (1) Access Approval Required- No road, driveway, shared access, parking lot cross access, service road, or other access arrangement shall be established, reconstructed, or removed without first meeting the requirements of this Section.
- (2) Frontage on a Public Road or Street - Any lot created after the effective date of this Ordinance shall have frontage upon a public street right-of-way or private road or have access by way of an access easement recorded with the County Recorder that meets the requirements of this Ordinance. Contiguous properties under one ownership will be considered one parcel for the purposes of this Ordinance.
- (3) Clear Vision -All access points shall maintain clear vision as illustrated in Figure 1.
- (4) Street Structures - No driveway shall interfere with municipal facilities such as streetlight or traffic signal poles, signs, fire hydrants, crosswalks, bus loading zones, utility poles, fire alarm supports, drainage structures, or other necessary street structures. The Planning Director is authorized to order and effect the removal or reconstruction of any driveway that

is constructed in conflict with street structures. The cost of reconstructing or relocating such driveways shall be at the expense of the property owner.

FIGURE 1 - Clear Vision at Driveways (Figure A2-1)



Note: The dimension of "x" is variable depending on local conditions and must be specified in the local zoning ordinance.

Note: The value of "x" for Clear Vision can be found in the Unified Development Ordinance (UDO).

Graphic by: John Warbach, Planning & Zoning Center, Inc.

(B) Access Location Standards

- (1) Access Point Approval - No access point shall connect to a public street or road without first receiving approval of the location and cross-section specifications from the Planning Director when on a town street, or INDOT when on a state highway. When the Town approves a Primary Plat, the location of an access point will be decided. Only after this approval can the applicant seek approval from INDOT on the requested access point and document this using the Secondary Plat. No access point shall connect to a private road unless approved by the Plan Commission and by the parties with an ownership interest in the private road.
- (2) Factors on Location of Driveway Access -At a minimum, the following factors must be considered prior to deciding on the location of a driveway or other access point:
 - (a) The characteristic of the proposed land use;
 - (b) The existing traffic flow conditions and the future traffic demand anticipated by the proposed development on the adjacent street system;
 - (c) The location of the property;
 - (d) The size of the property;
 - (e) The orientation of structures on the site;
 - (f) The minimum number of driveways or other access points needed to accommodate anticipated traffic based on a traffic analysis, as determined by the community and road agency. Such finding shall demonstrate traffic operations and safety along the public street would be improved (or at least not negatively affected), and not merely that another access point is desired for convenience;
 - (g) The number and location of driveways on existing adjacent and opposite properties;
 - (h) The location and functional classification of abutting streets or roads and the carrying capacity of nearby intersections;
 - (i) The proper geometric design of driveways;
 - (j) The spacing between opposite and adjacent driveways and from any nearby intersection;
 - (k) The internal circulation between driveways and through parking areas;
 - (l) The size, location, and configuration of parking areas relative to the driveways; and
 - (m) The speed of the adjacent roadway
- (3) Access Point Location - Each access point location shall conform to access management plans or corridor improvement plans that have been adopted by the Town of Pendleton or INDOT, as applicable.
- (4) Access Points within Right-of-Way- Driveways including the radii, but not including right-turn lanes or passing lanes and tapers, shall be located entirely within the right-ofway frontage of the property gaining access, unless otherwise approved by the road agency and upon written certification from the adjacent land owner agreeing to such encroachment.

- (5) Backing-up from Parking or Loading Area onto a Public Street or Service Drive - Driveway access to arterials shall not be permitted for any parking or loading areas that require backing maneuvers in a public street or road right-of-way. Driveway access to collector streets, local streets, or service drives for commercial, office, industrial, or multi-family developments shall not be permitted for parking or loading areas that require backing maneuvers in a public street right-of-way or onto a public or private service drive. can the applicant seek approval from INDOT on the requested access point and document this using the Secondary Plat. No access point shall connect to a private road unless approved by the Plan Commission and by the parties with an ownership interest in the private road.
- (6) Relationship to Lot Line - No part of a driveway shall be located closer than five (5) feet from a lot line unless it is a common or shared driveway as provided in Section I.4F. This separation is intended to help control stormwater runoff, permit snow storage on site, and provide adequate area for any necessary on-site landscaping.
- (7) Existing Driveways - Except for shared driveways, existing driveways that do not comply with the requirements of this Ordinance shall be closed when an application for a Change of Use Permit is required, or Site Plan requiring approval per the requirements of this Ordinance is submitted and once approval of a new means of access under this Ordinance is granted. A closed driveway shall be graded and landscaped to conform to adjacent land, sidewalks/multi-use paths should be added to join to any existing sidewalks/multi-use paths, and any curb cut shall be filled in with curb and gutter per the standards of the applicable road authority. See also Section 1.7.
- (8) Intersection Sight Distance - Driveways shall be located so as not to interfere with safe intersection sight distance as determined by the appropriate road authority.
- (9) Adequate Corner Clearance - Driveways shall be located so as to not interfere with safe intersection sight distance as determined by Table 1.2 as long as that distance is beyond any clear vision area owned by the road authority.
- (10) Maintain Functional Classification Hierarchy - Driveways shall be located with functional classification in mind to maintain the balance of mobility and access. Where applicable, a driveway shall align with other functionally classified driveways to allow for efficient flow of traffic and support necessary future intersection safety improvements. A driveway classified as local shall never abut a primary or secondary arterial road, unless determined appropriate by the Planning Director. A driveway classified as collector is preferred to connect to primary or secondary arterial roads.
- (11) Traffic Signals - Access points on arterial and collector streets may be required to be signalized to provide safe and efficient traffic flow. Any signal shall meet the spacing requirements (See Table 1.1) of the applicable road authority. A development shall be responsible for all or part of any right-of-way, design, hardware, and construction costs of a traffic signal if it is determined that the signal is warranted or expected to become warranted due at least in part to the traffic generated from the development. The procedures for signal installation and the percent of financial participation required of the development in the installation of the signal shall be in accordance with the criteria of the road authority.

(C) Number of Driveways Permitted

- (1) Access for an individual parcel, lot, or building site (or for contiguous parcels, lots, or building sites under the same ownership) shall consist of either one (1) two-way driveway or a paired system wherein one driveway is designed, and appropriately marked, to accommodate ingress traffic and other egress traffic.
- (2) One driveway shall be permitted for each single-family and two-family residential lot or parcel use.
- (3) A temporary access permit shall be issued for field entrances per Section 1.6, for cultivated land, timber land, or undeveloped land, as well as for uses at which no one resides or works such as cellular towers, water wells, pumping stations, utility transformers, and similar uses. Field-entrance and utility-structure driveways will be reviewed on a case-by-case basis. The review shall consider the proximity of the adjacent driveways and intersecting streets as well as traffic volumes along the roadway.
- (4) For a parcel, lot, or building site with frontage exceeding six-hundred (600) feet, or where a parcel, lot, or building site has frontage on at least two streets, an additional driveway may be allowed, provided that a Traffic Impact Study is submitted by the applicant showing that conditions warrant an additional driveway and all the driveways meet the spacing requirements.
- (5) Certain developments generate enough traffic to warrant consideration of an additional driveway to reduce delays for exiting motorists and improve non-motorized connectivity. Where possible, a second access point should be located on a side street or service drive, or shared with adjacent uses, or designed for right-turn-in, rights-turnout only movements, and shall meet the spacing requirement of this Ordinance. In order to be considered for a second driveway on an arterial or collector street, combined approach volumes (entering and existing) of a proposed development shall exceed 100 directional trips during peak hour traffic and a Traffic Impact Study shall be performed. Uses where a second driveway could be considered are influenced by the trip generation characteristics of uses and the volumes of adjacent roadways. Determination for a second driveway shall require the completion of a Traffic Impact Study as explained in Section 1.2-C.
- (6) When alternatives to a single, two-way driveway are necessary to provide reasonable driveway access to property fronting on an arterial street, and shared access or a service drive are not a viable option, the following progression of alternatives should be used.
 - (a) One (1) standard, two-way driveway;
 - (b) Additional ingress/egress lanes on one (1) standard, two-way driveway;
 - (c) Two (2) one-way driveways;
 - (d) Additional ingress/egress lanes on two (2), one-way driveways;
 - (e) Additional driveway(s) on an abutting street with lower functional classification;
 - (f) Additional driveway on an arterial street. Note: Restricted turns and roadway modifications will be considered in conjunction with alternative driveway designs.

(D) Access Point Spacing Standards

(1) Separation from Other Driveways

- (a) The minimum spacing between unsignalized driveways and other access points shall be determined based upon posted speed limits along the parcel frontage (see Table 1.1), unless the appropriate road authority approves less based on the land use and restricted turns in the driveway design. The minimum spacings indicated below are measured from the centerline of one driveway to the centerline of the other driveway. For sites with insufficient frontage to meet the table below, the Plan Commission shall require one of the following: construction of the driveway along a side street, a shared driveway with an adjacent property, construction of driveway along the property line farthest from the intersection, or a service drive as described in Section 1.5. The Plan Commission may grant temporary access approval (see Section 1.6) until such a time that minimum spacing requirements can be met, or alternative access meeting the requirements of this ordinance is approved.

TABLE 1.1 - Minimum Access Spacing Between Adjacent Access Points

Posted Speed Limit (mph)	Minimum Spacing between Adjacent Access Points
25	130
30	185
35	245
40	300
45	350
50	455

Note: These values in Table 1.1 are considered minimums, based on the distances required to avoid conflicts between vehicles and turning right or left from adjacent driveways.

- (b) In the case of expansion, alteration, or redesign of an existing development where it can be demonstrated that pre-existing conditions prohibit adherence to the minimum driveway spacing standards, the Plan Commission shall have the authority to modify the driveway spacing requirements or grant temporary access approval until such time that minimum spacing requirements can be met, or alternative access meeting the requirements of this ordinance is approved. Such modifications shall be the minimum amount necessary, but in no case shall driveway spacing of less than sixty-five (65) feet be permitted by the Plan Commission.

(2) Access Point Separation from Intersections

- (a) All single-family and two-family driveways shall be separated from the nearest right-of-way of an intersection street by at least fifty (50) feet.
- (b) Driveways for all other land use shall be separated from the nearest right-ofway of an intersecting street, according to Table 1.2 below.
- (c) Access Point Spacing from intersections shall be measured from the centerline of the

driveway to the extended edge of the travel lane on the intersecting street, as shown in Figure 2 unless otherwise noted.

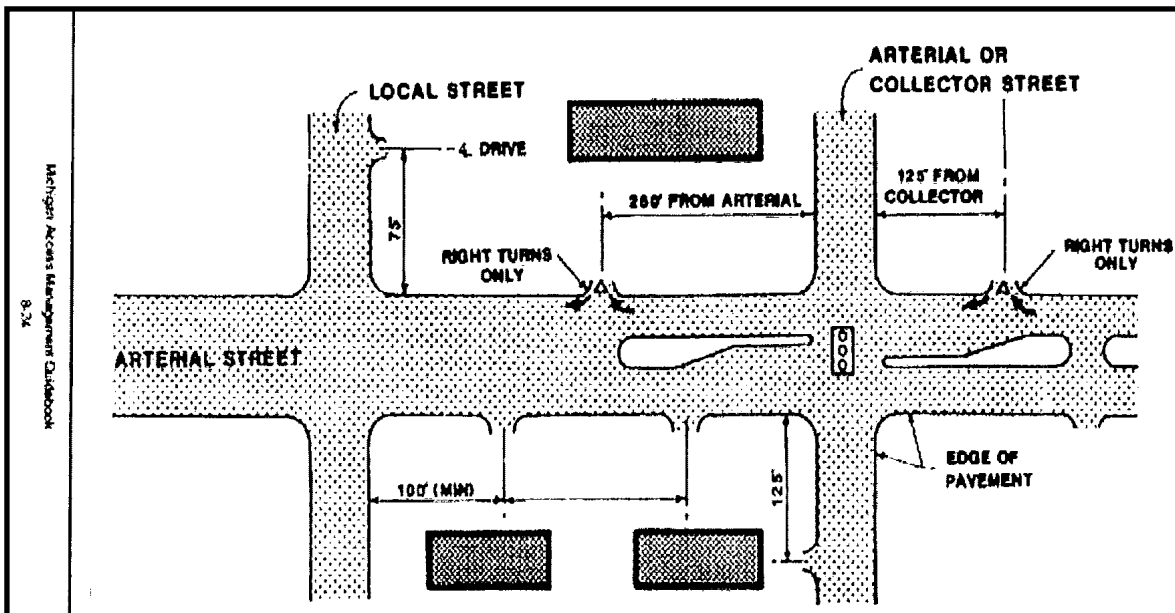
- (d) The minimum distance between an access point and an intersecting street shall be based on Figure 2.
- (e) If the amount of lot frontage is not sufficient to meet the above criterion, the driveway shall be constructed along the property line farthest from the intersection to encourage future shared use, and/or a frontage road or rear services drive shall be developed as described in Section 1.5.
- (f) For parcels on which an alternative means of access (shared driveway, frontage road, service drive or connected parking lots) is not feasible due to parcel size or existing adjacent development, the Plan Commission may allow a nonchannelized, full movement driveway provided that:
 - (i) The driveway is spaced no closer to the intersection than the minimum spacing allowed for a right-turn-in, right-turn-out driveway; and
 - (ii) A traffic study conducted by a registered traffic engineer shows a rightturn-in, right-turn-out driveway does not provide reasonable access or desired safety; and
 - (iii) A traffic study conducted by a registered traffic engineer provides substantial justification that the driveway operation will not create safety problems at the adjacent intersection.

TABLE 1.2 - Minimum Access Point Spacing from Streets and Other Intersections

Access Point	Minimum Spacing for a Full Movement Driveway or other Access Point (feet)	Minimum Spacing for Driveway Restricting Left-turns (Channelized for right-turn-in and right-turn-out only) (feet)
Along arterial or from; o Interstate Ramps o Railroad crossings o Bridges o Median openings	500	500
	INDOT determination	INDOT determination
	100	100
	75	75
Along an arterial or from another intersecting arterial	300	125
Along an arterial intersecting a collector or local street	200	125
Along a collector	125	75
Along a local street or private road	75	50

Note: Arterials and collectors are classified in the Pendleton Thoroughfare Plan Map. A Petitioner or the Town of Pendleton may need to contact INDOT for site-specific determination regarding railroad crossings along arterials.

FIGURE 2 - Typical Driveway Spacings (Figure A2-2) (Example from Delta Township, Michigan)



Note: The spacing on this example is tailored to fit local conditions and is different from the spacing in Table 2.2-3 or MDOT's guidelines on Figure 3-16. Local driveway spacing standards need to be established to fit local conditions.

- (3) Access Alignment- In order to prevent left-turn conflicts, two-way driveways shall not be across from an interstate ramp and shall be either:
 - (a) Offset in accordance with the minimum spacing standards in Table 1.2, or
 - (b) Perpendicular to the existing public street or an approved private road and shall line up with existing or planned driveways on the opposite side of the road wherever facing lots are not separated by a median, unless doing so in a particular case is substantially demonstrated by a registered traffic engineer to be unsafe.

(E) Driveway Design and Construction Standards

- (1) Driveway or Throat Width
 - (a) No single-family or multi-family driveway shall have a width of less than nine (9) feet or more than eighteen (18) feet at the public road right-of-way. Where a driveway supports more than a 2-bay garage, the maximum width shall be no more than twenty-four (24) feet at the public road right-of-way. Driveway tapers, including flares, shall be five (5) feet.
 - (b) The typical commercial driveway design shall include one ingress lane and one egress lane with a combined maximum throat width of thirty (30) feet, measured from curb face to curb face.
 - (c) Where exiting traffic volumes are expected to exceed one-hundred (100) directional trips per peak hour, or in areas where congestion along the arterial may create significant

delays, as determined by the Planning Director, two exit lanes shall be required. The total width of such a driveway shall be between thirty-seven (37) and thirty-nine (39) feet, with one (1) fifteen (15)-foot wide ingress lane and two (2) eleven (11)- to twelve (12)-foot wide egress lanes (see Figure 3). A four- to ten-foot (4-10) wide landscaped median with salt tolerant species shall separate the ingress and egress lanes.

- (d) For access systems, which include a pair of one-way driveways, each driveway shall be a minimum of sixteen (16) feet wide, measured perpendicularly (see Figure 4)
- (e) As an alternative to (d), the driveway may be designed with a fully curbed median dividing the ingress and egress driveways, with a maximum median width of ten (10) feet. The radii forming the edges of the median shall be designed to accommodate the largest vehicle that will normally use the driveway. Where median or boulevard driveways are located across the street from each other, the left-turn egress lanes shall be aligned directly across from one another to minimize left turn conflicts (see Figure 5). Median/boulevard driveways should not be constructed at existing or future traffic signal locations unless there is a left-turn lane where the median/boulevard meets the road right-of-way. Ground or monument signs shall not be permitted in boulevards if they would block motorist vision or otherwise create an unsafe condition. The Plan Commission may require landscaping in the median/boulevard. Such landscaping shall use salt tolerant species.

FIGURE 3 - Typical Configurations for High-Use Driveway (Figure A2-3)

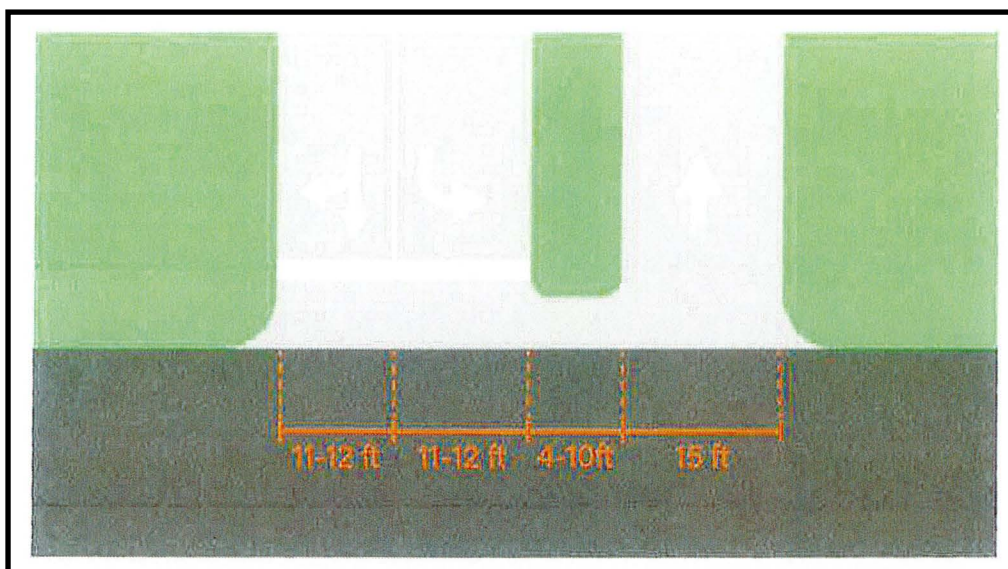


FIGURE 4 - One-Way Driveways (Figure A2-3)

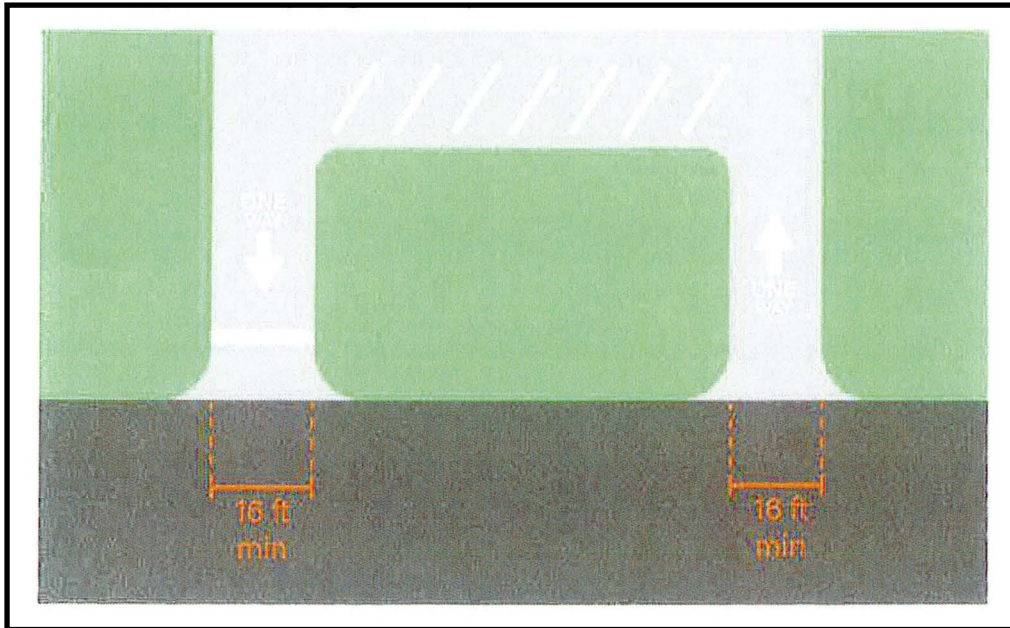
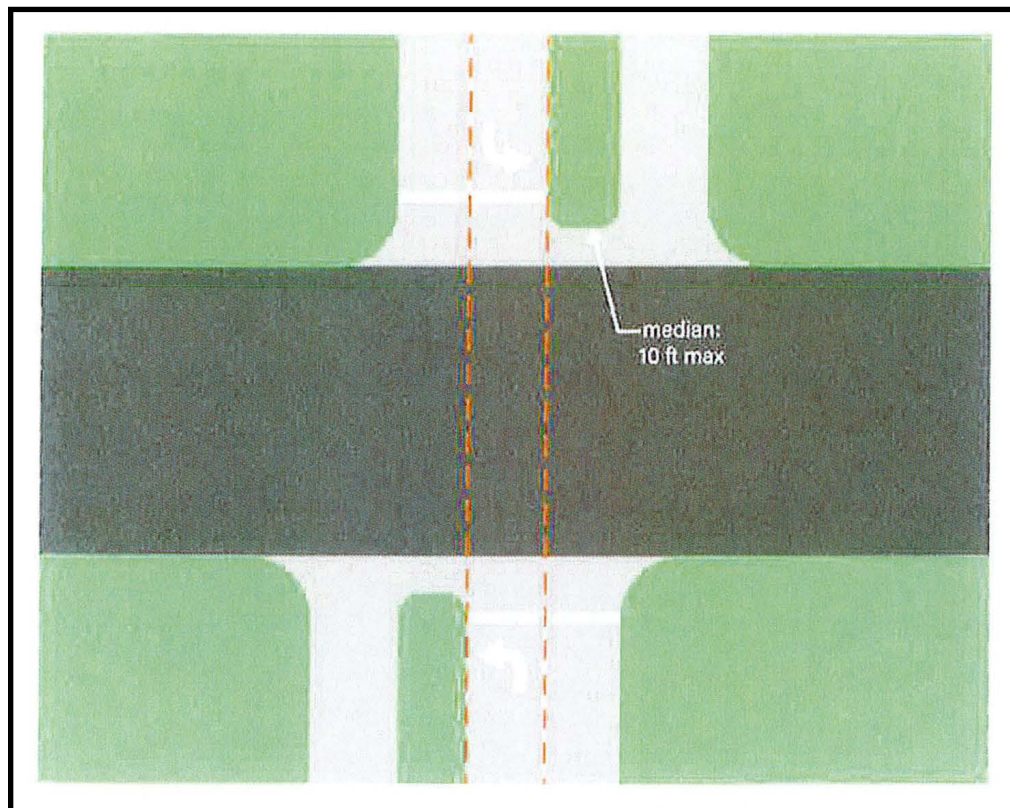
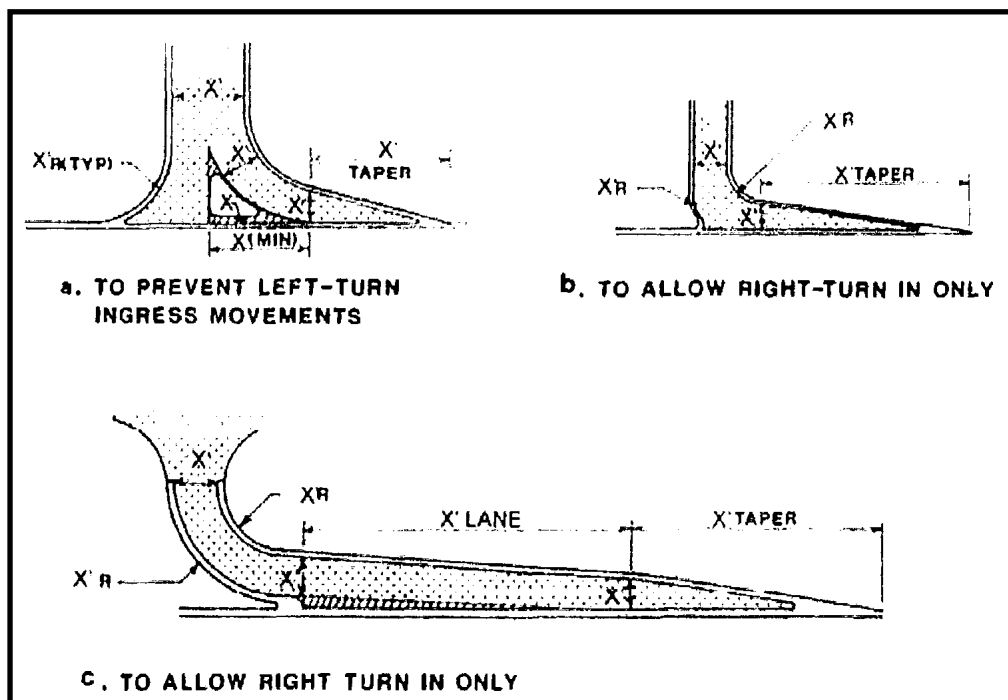


FIGURE 5 - Boulevard Driveways (Figure A2-3)



- (2) Restricted Access Driveway - Left-turn and right-turn movements on and off roadways typically have the greatest impact on traffic flow and crash frequency. Therefore, where driveways are to be located in a segment identified through adopted corridor studies or similar analysis as having a high crash rate or significant traffic congestion/delays, or where left-turn access is available through alternative means of access, the Plan Commission shall require driveway design and signing which discourages certain turning movements. Where driveways are intended to control specific left-turn and/or rightturn ingress and egress, the design shown in Figure 6 shall apply. Similar designs shall be accepted, provided that they are approved by the Plan Commission or INDOT, if applicable.

FIGURE 6 - Channelization Island Options for Controlling Turns (Figure A2-4)



Note: The dimension of “x” is variable depending on site conditions, speed, number of vehicles and the design needs of the vehicles to use it. The local ordinance must specify what these dimensions are. (See MDOT Traffic and Safety Division Notes #7.3 and #7.5 and Design Guide V11-650c in Appendix D)

Source: Adapted from Delta Township Zoning Ordinance. See also MDOT Design Guide Code V11-600 and V11-650 in Appendix D.

- (3) Throat Length or Vehicle Stacking/Storage Space -There shall be minimum of twenty (20) feet of throat length for entering and exiting vehicles at the intersection of a driveway and pavement of public road or service drive, as measured from the pavement edge. For driveways serving between one-hundred (100) and four hundred (400) vehicles in the peak hour (two-way traffic volumes), the driveways shall provide at least sixty (60) feet of throat length. For driveways serving over four-hundred (400) vehicles per peak hour (two-way traffic volume) and for all driveways controlled by a traffic signal, adequate throat length shall be determined by a Traffic Impact Study. In areas where significant pedestrian/bicycle travel is

expected, the ingress and egress lanes should be separated by a four- to ten- (4-10) foot wide median with pedestrian refuge area. In the absence of adequate traffic volume data, application of the commonly used values in Table 1.3 is appropriate.

TABLE 1.3 - Minimum Driveway Throat Length

Land Use	Building Site	Minimum Throat Length (Feet)	
		Collector	Arterial
Apartments	<100 Units	25	50
	100-200 Units	50	75
	>200 Units	75	125
Office	<50,000 sqft	25	50
	50,01 - 100,000 sqft	25	75
	100,001 - 200,000 sqft	50	100
	200,001 - 500,000 sqft	100	150
	>500,000 sqft	125	250
Retail	<30,000 sqft	25	50
	>30,000 sqft	25	75
Shopping Center	<250,000 sqft	25	50
	250,001 - 500,000 sqft	50	75
	500,001 - 750,000 sqft	75	200
	>750,000 sqft	125	250
Supermarket	<20,000 sqft	50	75
	>20,000 sqft	75	125
Restaurant	<15,000 sqft	25	50
	>15,000 sqft	25	75
Drive-In Restaurant	<2,000 sqft	25	75
	>2,000 sqft	50	100
Hotel/Motel	<150 Rooms	25	75
	>150 Rooms	25	100
Light Industrial	<100,000 sqft	25	50
	100,001 - 500,000 sqft	50	100
	>500,000 sqft	50	200

(4) Construction Standards

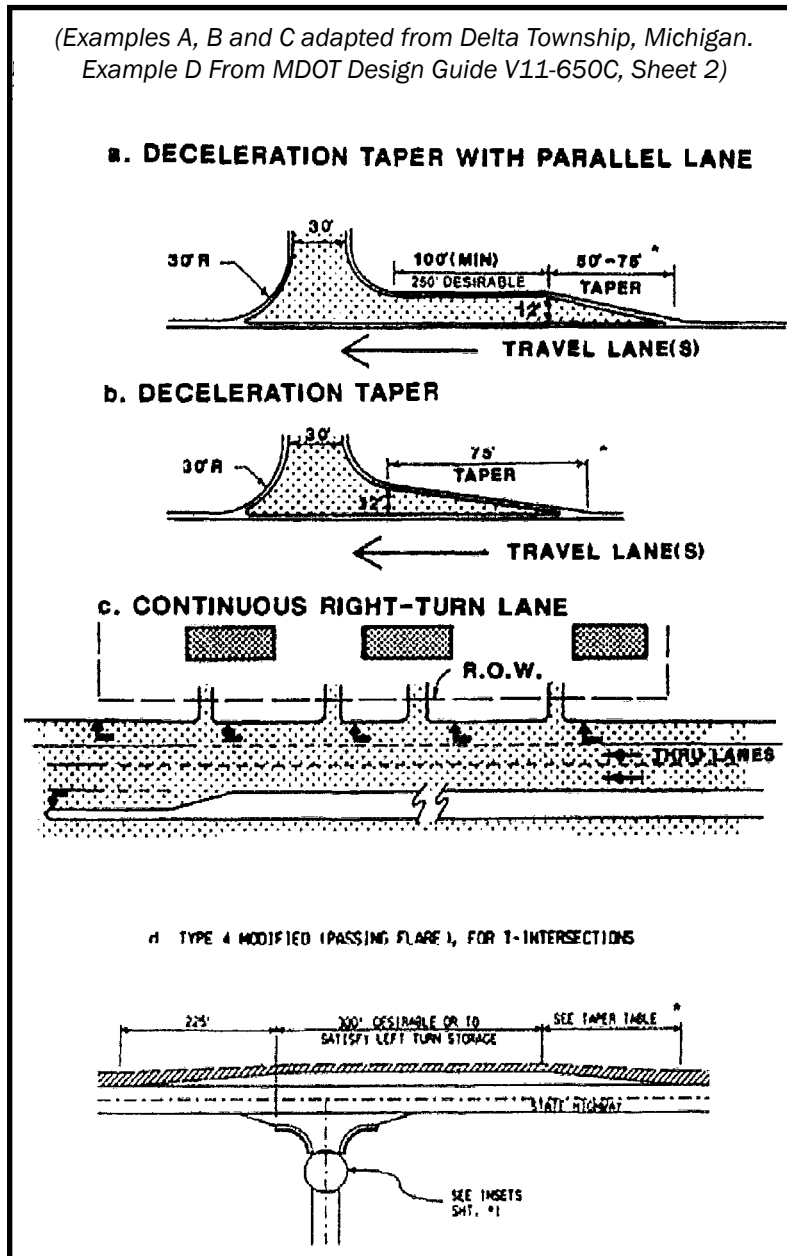
(a) Curb radii:

- (i) Driveways shall be designed with minimum twenty-five- (25) foot radii where primarily passenger vehicle traffic is expected.
- (ii) For sites where truck traffic is expected, the driveways shall be designed with a minimum thirty (30) foot radii unless traffic analysis by a qualified traffic engineer reveals another radii is more appropriate for the vehicles expected to use the driveway.
- (iii) Special care should be taken to ensure that the combination of curb radii and signage requirements does not result in situations that encourage motorists to stop beyond stop sign placement. This combination can increase pedestrian conflicts and reduce overall safety

(b) Deceleration lanes and tapers:

- (i) Where it can be demonstrated that driveway volumes are expected to exceed one hundred (100) peak hour directional trips per hour, a rightturn taper, deceleration lane and/or left-turn bypass lane shall be required unless approved by the Planning Director.
 - a. For driveways on local roadways deceleration lanes and tapers are not permitted because the likelihood of pedestrian conflicts and reduce overall safety, the Planning Director may recommend alternative designs.
- (ii) Where site frontage allows and a right-turn lane is warranted, a taper between fifty(50) and two-hundred twenty-five (225) feet shall be required. See examples in Figure 7.
- (iii) Where the amount of frontage precludes the construction of a deceleration lane and taper combination entirely within the property lines of a parcel, the applicant shall purchase the additional right-of-way from the owner of the adjacent parcel to allow the installation of a right-turn bay and taper which extends beyond the property line. If right-of-way cannot be purchased from the adjacent property owner for an extension onto that parcel, a taper of at least seventy-five (75) feet shall be constructed as shown in Figure 7.
- (iv) A continuous right-turn lane, as shown in Figure 7, shall be required where driveway spacing requirements restrict the use of consecutive turn bays and tapers and a traffic engineer concludes it can be constructed without being used as a thru lane.
- (v) For driveways located along streets without an exclusive left-turn lane, a bypass lane shall be required as illustrated in Figure 7. Such a lane shall be designed to INDOT standards.

FIGURE 7 - Deceleration and Bypass Lane Examples (Figure A2-5)



Note: * Indicates all taper lengths should be based on posted speeds, see MDOT Design Guide V11-650C.

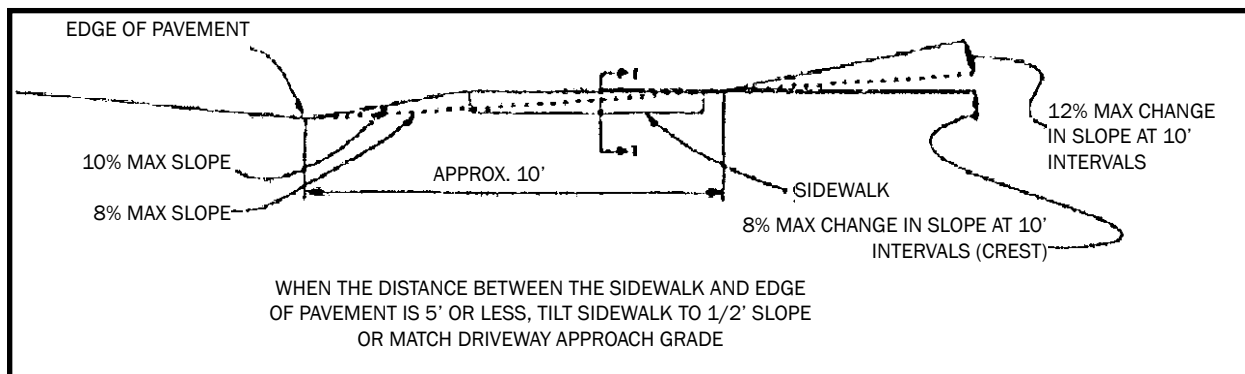
(c) Acceleration lanes:

- (i) Generally, acceleration lanes are not permitted. However, where site frontage allows and large semi-trucks and other slow-moving vehicles routinely access an arterial, an acceleration lane may be required in consultation with the applicable road authority.
- (ii) The acceleration lane shall be designed by a traffic engineer to meet the needs of vehicles using it, topography, sight distance, and other relevant factors.
- (iii) Driveways shall not be permitted within an acceleration lane.

(d) Grades and drainage:

- (i) Driveways shall be constructed such that the grade for the twenty-five (25) feet nearest the pavement edge or shoulder does not exceed one and one-half percent (1.5%: one and half foot vertical rise in one hundred feet of horizontal distance) whenever feasible. Where not feasible, grades shall conform to Figure 8.

FIGURE 8 - Low Volume Commercial or Residential Driveway Slopes (Figure A2-6)



Source: MDOT, Design Guide V11-630A, Sheet 3.

- (ii) Vertical curves with minimum length of fifteen (15) feet shall be provided on driveway approaches at a change in grade of four percent (4%) or more.
- (iii) Driveways shall be constructed such that drainage from impervious areas located outside of the public right-of-way, which are determined to be in excess of existing drainage from these areas, shall not be discharged into the roadway drainage system absent the approval of the responsible agency. Storm drains or culverts, if required, shall be of a size adequate to carry the anticipated storm flow and be constructed and installed pursuant to the specifications of the responsible road authority.
- (e) **Surface and Curb Construction** - Commercial and all other nonresidential driveways shall be constructed of a permanent asphalt or concrete material sufficient to provide the bearing capacity needed to carry the anticipated traffic loads as determined by the appropriate road authority unless the road authority approves use of another material. Where a driveway connects with a curbed road, it shall be paved and curbed from the edge of pavement to either the right-of-way line or point of curvature of the radius returns. All soil erosion and sedimentation requirements shall be met.
- (f) **Directional Signs and Pavement Markings** - In order to ensure smooth traffic circulation on the site, directional signs and pavement markings shall be installed at the driveway(s) in a clearly visible location as required by the Plan Commission as part of the site review process and approved by INDOT, as applicable, and shall be maintained on a permanent basis by the property owner. Directional signs and pavement markings shall conform to the standards in the Indiana Manual on Uniform Traffic Control Devices.

(F) Shared Access - Shared access is strongly encouraged, and in some cases may be required as determined by the Planning Director. When required, one or more of the following options, the standards of Section 1.5, apply:

- (1) **Shared Driveways** - Sharing or joint use of a driveway by two or more property owners shall be encouraged. In cases where access is restricted by spacing requirements of Section 1.4D, "Access Point Spacing Standards", a shared driveway may be the only access design allowed. The shared driveway shall be constructed along the midpoint between the two properties unless a written easement is provided which allows traffic to travel across one parcel to access another, and/or access the public street.
- (2) **Frontage Roads** - In cases where a frontage road exists, it is recommended access shall be provided via such frontage road, rather than by direct connection to the abutting arterial street.
- (3) **Rear Service Drives** - Rear service drives shall be encouraged, especially in locations where a connection to a side street is available. In addition to access along the rear service drive, direct connection(s) to the arterial street may be allowed, provided that the driveways meet the requirement of Section 1.4C and 1.4D.

(G) Parking Lot Connections - Where a proposed parking lot is adjacent to an existing parking lot, there shall be a vehicular connection between the two parking lots where physically feasible, as determined by the Plan Commission. For developments adjacent to vacant properties, the site shall be designed to provide for a future connection. A written access easement signed by both landowners shall be presented as evidence of the parking lot connection prior to the issuance of any final approval.

(H) Access Easements - Shared driveways, connected parking lots, and service drives shall be recorded as an access easement and shall constitute a covenant running with the land. Operating and maintenance agreements for these facilities shall be recorded with the deed.

(I) Medians and Median Openings:

- (1) The type, location, and length of medians on public roads shall be determined by the entity having jurisdiction over such roads. This determination will be made in consultation with the Plan Commission and will be based on existing and projected traffic conditions; the type, size, and extent of existing and projected development and traffic generated by development; traffic control needs; and other factors.
- (2) The minimum spacing between median openings shall be as shown in Table 1.4.
- (3) Median openings intended to serve development must meet or exceed the minimum median opening spacing standards and must also be justified by a Traffic Impact Analysis approved by the entity having jurisdiction over such roads, in consultation with the Plan Commission. The cost for preparation of the Traffic Impact Analysis and construction of the median opening or openings, including installation and operation of signals and other improvements, where warranted, shall be borne by the applicant.

TABLE 1.4 Minimum Directional Median Opening Spacing

Location	Directional Crossover Spacing (Feet)
Urban	360
Suburban	900
Rural	1,320

Note: Urban and Suburban contexts are defined within the Town of Pendleton Thoroughfare Plan Map.

Section 1.5 - Service Drives and Other Shared Access Standards

(A) The use of shared access, parking lot connections, and service drives - in conjunction with driveway spacing - is intended to preserve traffic flow along major thoroughfares and minimize traffic conflicts, while retaining reasonable access to the property. Where noted above, or where the Plan Commission determines that restricting new access points or reducing the number of existing access points may have a beneficial Impact on traffic operations and safety while preserving the property owner’s right to reasonable access, the access from a side street, a shared driveway, a parking lot connection, or service drive connecting two or more properties or uses may be required instead of more direct connection to the arterial or collector street. However, where traffic safety would be improved and the driveway spacing requirements of this Ordinance can be met, then direct connection to the arterial or collector street may be allowed in addition to a required service drive.

- (1) Shared access, service drives, or a connection between abutting land uses may be required in the following cases:
 - (a) Where the driveway spacing standards of this section cannot be met.

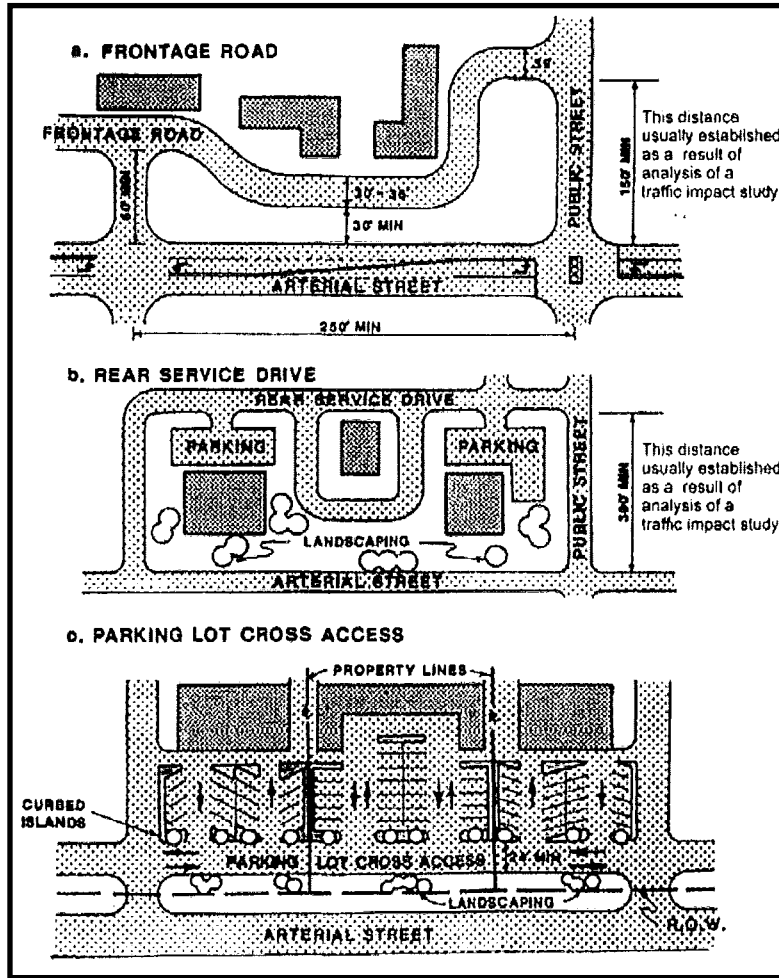
- (b) Where recommended in the Thoroughfare Plan and/or other corridor or sub • area plans of the Comprehensive Plan.
 - (c) When the driveway could potentially interfere with traffic operations at an existing or planned traffic signal location.
 - (d) The site is along a collector or arterial with high traffic volumes, or along segments experiencing congestion pr a relatively high number of crashes.
 - (e) The property frontage has limited sight distance.
 - (f) The fire (or emergency services) department recommends a second means of emergency access.
- (2) In areas where frontage roads or rear service drives are recommended but adjacent properties have not yet developed, the site shall be designed to accommodate a future road/facility adhering to the standards of this Ordinance. The Plan Commission may approve temporary access points where a continuous service drive is not yet available, and a performance bond or escrow shall be accepted to assure elimination of temporary access when the service road is constructed (see Section 1.6).

(B) Notwithstanding the requirements of the Pendleton Unified Development Ordinance, the standards for all service drives shall be as follows:

- (1) Site Plan Review - The Plan Commission shall review and approve all service drives to ensure safe and adequate continuity of the service drive between contiguous parcels as part of the site plan review process in the Pendleton Unified Development Ordinance.
- (2) Front and Rear Service Drives - A front or rear service drive may be established on property that abuts only one public road. The design of a service road shall conform with national design guidelines such as those identified in the National Access Management Manual by Transportation Research Board (TRB), the American Association of State Highway and Transportation Officials (AASHTO) “Green Book”, and National Cooperative Highway Research Program (NCH RP) Report 348: Access Management Guidelines to Activity Centers and Report 420: Impacts of Access Management Techniques.
- (3) Location - Service roads shall generally be parallel to the front property line and may be located either in front of or behind principal buildings and may be placed in required yards. In considering the most appropriate alignment for a service road, the Plan Commission shall consider the setbacks of existing and/or proposed buildings and anticipated traffic flow for the site.
- (4) Width and Construction Materials-A service drive shall be within an access easement permitting traffic circulation between properties. The easement shall be recorded with the County Recorder. This easement shall be at least forty (40) feet wide. A service drive shall have a minimum pavement width of twenty-six (26) feet, measured face to face of curb with an approach width of thirty-six (36) feet at intersections. The service drive shall be constructed of a paved surface material that is resistant to erosion and shall meet the appropriate road authority standards for base and thickness of asphalt or concrete, unless the community has more restrictive standards.

- (5) Snow Storage and Landscaping Area - A minimum of fifteen (15) feet of snow storage/ landscaping area shall be reserved along both sides of the service drive. Frontage roads shall have a minimum setback of thirty (30) feet from the right-of-way, with a minimum of sixty (60) feet of storage at the intersection for entering and exiting vehicles as measured from the pavement edge (See Figure 9).

FIGURE 9 - Shared Access Example Diagrams (Figure A2-7)



Source: Delta Township, Michigan

- (6) Distance from Intersection on Service Drives- Frontage road and service drive intersections at the collector or arterial street shall be designed according to the same minimum standards as described for driveways in Section 1.4D2.
- (7) Driveway Entrance - The Plan Commission shall approve the location of all accesses to the service drive, based on the driveway spacing standards of this Ordinance. Access to the service drive shall be located so that there is not undue interference with the free movement of service drive and emergency vehicle traffic, where there is safe sight distance, and where there is a safe driveway as established by the applicable road authority.
- (8) Driveway Radii - All driveway radii shall be concrete curbs and conform to the requirements of Section 1.4E4.
- (9) Acceleration Lanes and Tapers -The design of the driveway, acceleration, deceleration or taper shall conform to the requirements of Section 1.4E4.
- (10) Elevation -The elevation of a service drive shall be uniform or gently sloping between adjacent properties.
- (11) Service Drive Maintenance -No service drive shall be established on existing public right-of-way. The service drive shall be a public street (if dedicated to and accepted by the public), or a private road maintained by the adjoining property owners it serves who shall enter into a formal agreement for the joint maintenance of the service drive. The agreement shall also specify who is responsible for enforcing speed limits, parking and related vehicular activity on the service drive. This agreement shall be approved by the Town of Pendleton and recorded with the deed for each property it serves by the County Recorder. If the service drive is a private road, the Town of Pendleton shall reserve the right to make repairs or improvements to the service drive and charge back the costs directly or by special assessment to the benefiting landowners if they fail to properly maintain the service drive.
- (12) Parking Areas -All separate parking areas (i.e. those that do not use joint parking cross access) shall have no more than one (1) access point or driveway to the service drive.
- (13) Parking -The service road is intended to be used exclusively for circulation, not as a parking, loading, or unloading aisle. Parking shall be prohibited along two-way frontage roads and service drives that are constructed at the minimum width (See B.4. above). One-way roads designed with additional width for parallel parking may be allowed if it can be demonstrated through traffic studies that on-street parking will not significantly impact the capacity, safety, or operation of the frontage road or service drive. Perpendicular or angle parking along either side of a designated frontage road or service drive is prohibited. The Plan Commission may require the posting of “no parking” signs along the service road. As a condition to site plan approval, the Plan Commission may permit temporary parking in the easement area where a continuous service road is not yet available, provided that the layout allows removal of parking in the future to allow extension of the service road.
- (14) Directional Signs and Pavement Markings - Pavement markings may be required to help promote safety and efficient circulation. The property owner shall be required to maintain all pavement markings. All directional signs and pavement markings along the service

drive shall conform to the current Indiana Manual of Uniform Traffic Control Devices.

- (15) Assumed Width of pre-existing Service Drives -Where a service drive in existence prior to the effective date of this provision has no recorded width, the width will be considered to be forty-sixty six (40-66) feet for the purposes of establishing setbacks and measured an equal distance from the midpoint of the road surface.
- (16) Pedestrian and Bicycle Access - Separate, safe access for pedestrians and bicycles shall be provided on a sidewalk or paved path that generally parallels the service drive unless alternate and comparable facilities are approved by the Plan Commission.
- (17) Number of Lots or Dwellings Served - No more than twenty-five (25) lots or dwelling units may gain access from a service drive to a single public street.
- (18) Service Drive Signs -All new public service drives shall have a designated name on a sign meeting Town Standards.
- (19) In case of expansion, alteration or redesign of existing development where it can be demonstrated that pre-existing conditions prohibit installation of a frontage road or service drive in accordance with the aforementioned standards, the Plan Commission shall have the authority to allow and/or require alternative cross access between adjacent parking areas through the interconnection of main circulation aisles. Under these conditions, the aisles serving the parking stalls shall be aligned perpendicularly to the access aisle, as shown in Figure 9, with islands, curbing and/or signage to further delineate the edges of the route to be used by through traffic.

Section 1.6 - Temporary Access Permits

(A) A temporary access permit may be conditionally issued to a property included in an adopted corridor or access management plan that programs road improvements and installation of service drives and shared driveways that would eliminate the need for the temporary driveway.

(B) Conditions may be included in the temporary access permit including but not limited to, a limitation on development intensity on the site until adjoining parcels develop which can provide a shared driveway, shared access via a service drive, and/or cross parking lot connection consistent with the requirements of Section 1.5.

(C) A temporary access permit shall expire when the use of the site for which the temporary access permit was granted has ceased for twelve (12) months or more or the use of the site or driveway has changed such that the use of the driveway has increased from its initial use level at least fifty percent (50%).

(D) A site plan for property that cannot meet the access requirements of Section 1.5, the waiver standards in Section 1.8, and has no alternative means of reasonable access to the public road system may be issued a temporary access permit. When adjoining parcels develop which can provide a shared driveway, shared access via a service drive or a cross parking lot connection, the temporary access permit shall be rescinded and an application for an access permit consistent with the requirements of Section 1.5 shall be required.

Section 1. 7 - Nonconforming Driveways

(A) Driveways that do not conform to the regulations in the Ordinance and were constructed before the effective date of the Ordinance, shall be considered legal nonconforming driveways. Existing driveways granted a temporary access permit are legal nonconforming driveways until the temporary access permit expires.

(B) Loss of legal nonconforming status results when a nonconforming driveway ceases to be used for its intended purpose as shown on an approved site plan or a plot plan for a period of twelve (12) months or more. Any reuse of the driveway may only take place after the driveway conforms to all aspects of this Ordinance.

(C) Legal nonconforming driveways may remain in use until the use of the driveway or property is changed, the use of the driveway increases in number of vehicle trips per day, or if the type of vehicles using the driveway impacts the design of the driveway. At this time, the driveway shall be required to conform to all aspects of the Ordinance.

(D) When the owner of a property with an existing, nonconforming driveway or driveways applies for a permit to upgrade or change the building footprint of the property, the Plan Commission will determine whether it is necessary and appropriate to retrofit the existing driveway or driveways.

(1) If it is determined that the property owner shall be required to establish a retrofit plan, the retrofit plan shall minimize the traffic and safety impacts of development by bringing the number, spacing, location, and design of driveways into conformance with the standards and requirements of this Ordinance to the greatest extent possible without imposing unnecessary hardship on the property owner. The retrofit plan may include:

- (a) Elimination of driveways,
- (b) Realignment or relocation of driveways,
- (c) Provision of shared driveways and/or cross parking lot connection,
- (d) Access by means of a service drive,
- (e) Restriction of vehicle movements (e.g. elimination of left-turns in and out),
- (f) Relocation of parking,
- (g) Traffic demand management (e.g. a reduction in peak hour trips)
- (h) Signalization
- (i) Such other changes as may enhance traffic safety

(2) The requirements of the retrofit plan shall be incorporated as conditions to the permit for the change or upgrade of use and the property owner shall be responsible for the retrofit.

(E) Driveways that do not conform to the regulations in this Ordinance and have been constructed after adoption of this Ordinance shall be considered illegal driveways.

(F) Illegal driveways are a violation of this Ordinance. The property owner shall be issued a violation notice that may include closing off the driveway until any nonconforming aspects of the driveway

are corrected. Driveways constructed in illegal locations shall be immediately closed upon detection and all evidence of the driveway removed from the right-of-way and the site on which it is located. The costs of such removal shall be borne by the property owner.

(G) Nothing in this Ordinance shall prohibit the repair, improvement, or modernization of lawful nonconforming driveways, provided it is done consistent with the requirements of this Ordinance.

Section 1.8 - Waivers

(A) The granting of waivers shall be in harmony with the purpose and intent of these regulations and shall not be considered until every feasible option for meeting access standards is explored. Under no circumstances shall a waiver be granted unless not granting the waiver would deny all reasonable access, endanger public health, welfare or safety, or cause an exceptional and undue hardship on the applicant. No waiver shall be granted where such hardship is self-created.

(B) Any applicant for access approval under the provisions of this Ordinance may apply for a waiver of its standards if the applicant cannot meet one or more of the standards according to the procedures provided below:

- (1) For waivers on properties involving land uses with less than five hundred (500) vehicle trips per day (based on rates published in the Trip Generation Manual of the Institute of Transportation Engineers). Where the standards of this Ordinance cannot be met, suitable alternatives substantially achieving the intent of the Chapter may be accepted by the Plan Commission if all the following apply:
 - (a) The use has insufficient size to meet the dimensional standards.
 - (b) Adjacent development renders adherence to these standards economically unfeasible.
 - (c) There is no other reasonable access due to topographic or other considerations.
- (2) For waivers on properties involving land uses with more than five hundred (500) vehicle trips per day (based on the rates published in the Trip Generation Manual of the Institute of Transportation Engineers). During site development plan review the Plan Commission shall have the authority to waive or otherwise modify the standards of this Ordinance following an analysis of suitable alternatives documented by a registered traffic engineer and substantially achieving the intent of this Ordinance provided all the following apply:
 - (a) Access via a shared driveway or front or rear service drive is not possible due to the presence of existing buildings or topographic conditions.
 - (b) Roadway improvements (such as the addition of a traffic signal, a center turn lane or bypass lane) will be made to improve overall traffic operations prior to project completion, or occupancy of the building.
 - (c) The use involved the redesign of an existing development or a new use that will generate less traffic than the previous use.
 - (d) The proposed location and design is supported by INDOT, as applicable, as an acceptable design under the circumstances.

Section 1.9 - Repayment Policy

(A) Any application for rezoning, subdivision approval, location improvement permit, site plan approval, Special Use Permit, Planned Unit Development, variance, or other use or activity requiring a permit under this Ordinance above the following threshold, shall reference the existing Town Ordinance establishing a repayment policy for engineering and other professional service charges.

DEFINITIONS

ACCESSIBILITY - Shall refer to the ability to reach opportunities.

CAPACITY- Shall be the maximum rate of flow at which persons or vehicles can be reasonably expected to traverse a point or segment of a lane or roadway during a specified time period under prevailing roadway, traffic, and control conditions. Usually expressed as vehicles per hour or persons per hour.

CHANNELIZATION - Shall be the separation or regulation of conflicting traffic movements into definite paths of travel by traffic islands or pavement markings to facilitate the safe and orderly movements of pedestrians and vehicles.

COLLECTOR STREET- Shall be a street system that provides both land access service and traffic circulation within residential neighborhoods and commercial and industrial areas.

DECELERATION LANES - Shall be a protected area for deceleration outside the through lanes for righthturning traffic.

FHWA - Shall refer to the acronym for the Federal Highway Administration, which is the agency within the U.S. Department of Transportation that supports state and local governments in the design, construction, and maintenance of the nation’s highway system and various federally and tribally owned lands.

FRONTAGE ROADS/SERVICE DRIVES - Shall be access roads that run parallel to a higher-speed road, usually a freeway, that feeds traffic to residential, commercial, and industrial land uses.

FUNCTIONAL CLASSIFICATION - Shall refer to a system that characterizes roadways by their position in the transportation network and the type of service they provide to motor vehicles. Functional Classifications are defined by the Federal Highway Administration (FHWA).

HIGHWAY CAPACITY MANUAL - Shall refer to the book published by the Transportation Research

Board which provides methods for quantifying highway capacity.

INDOT- Shall refer to the acronym for the Indiana Department of Transportation.

LOCAL STREET - Shall be a street system that comprises all facilities not in one of the higher, above systems.

MEDIAN/BOULEVARD DRIVEWAYS - Shall be intersections with paved or landscaped areas in the middle of driveways that separate traffic traveling in opposite directions.

MINOR ARTERIAL - Shall be a street system that interconnects with and augments the principal arterial system. Minor arterial street systems include all arterials not classified as principal.

MOBILITY - Shall refer to the efficient movement of people and goods.

PRINCIPAL ARTERIAL - Shall be a system of streets and highways the serve the major centers of activity, highest traffic volume corridors, and the longest trip lengths.

SHARED ACCESS - Shall refer to two or more land uses sharing an access point to the adjacent roadway.

TAPERS - Shall be a transitional area or start of a deceleration lane that move traffic laterally form the through lane to an adjacent lane of traffic.

THROAT LENGTH - Shall be the distance from the outer edge of the through lane of the roadway to the first point along the driveway at which there are conflicting vehicular traffic movements. “Trip Generation Manual” shall refer to the book published by the Institute of Transportation Engineers which is a collection of information about vehicular traffic that is generated by different land uses.

VEHICLE STACKING/STORAGE SPACE - Shall be the length of a turning lane that is free of conflicts for vehicles entering or leaving a driveway.

ADOPTING DOCUMENTS

...



ORDINANCE NO. 21-03

AN ORDINANCE OF THE TOWN OF PENDLETON, MADISON COUNTY, INDIANA, FOR THE ACCESS MANAGEMENT AND CONTROL OF PROPERTY TO RIGHT-OF-WAY

RECITALS

WHEREAS, the Town Council of the Town of Pendleton ("Town Council"), upon recommendation of the Town of Pendleton Plan Commission ("Plan Commission"), and in order to provide for the orderly traffic control and flow, find it necessary to adopt an Access Management and Control Ordinance; and

WHEREAS, on February 2, 2021, the Plan Commission recommended the adoption of The Access Management and Control Ordinance attached hereto as "Exhibit A"; and

WHEREAS, after receiving information from Plan Commission and planning staff, the Town Council deems it desirable to adopt the Town's Access Management and Control Ordinance as illustrated on "Exhibit A".

NOW, THEREFORE, IT IS HEREBY ORDAINED that the Town of Pendleton Access Management and Control Ordinance is hereby approved as shown in the attached Exhibit "A".

[Signature Page Follows]



ADOPTING DOCUMENTS

Passed and adopted by the Town Council of the Town of Pendleton, Indiana, this 11th
day of ~~February~~ ^{March}, 2021.

TOWN OF PENDLETON, INDIANA, BY ITS TOWN COUNCIL

Voting Affirmative:

Chet W. Babb
Chet Babb, President

Shane Davis
Shane Davis, Vice President

Robert Jones
Robert Jones

Steve Denny
Steve Denny

Marissa Skaggs
Marissa Skaggs

Voting Opposed:

Chet Babb, President

Shane Davis, Vice President

Robert Jones

Steve Denny

Marissa Skaggs

ATTEST:

Willie Boles
Willie Boles
Clerk-Treasurer

Prepared By:

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