

ORDINANCE NO. 2012-007

ORIGINAL

**BEING AN ORDINANCE TO AMEND  
THE TEXT OF THE DELAWARE COUNTY COMPREHENSIVE ZONING ORDINANCE  
REGARDING PARKING AND LOADING**

**WHEREAS**, the State enabling act for planning and zoning empowers the Board of County Commissioners of Delaware County, Indiana to adopt a Comprehensive Zoning Ordinance and also provides for amendments to the said ordinance as the need arises; and

**WHEREAS**, the State enabling act also provides for amendments to the Comprehensive Zoning Ordinances to further promote the health, safety and general welfare; and

**WHEREAS**, there is a need to update ADA parking standard references in accordance with federal ADA standards; and

**WHEREAS**, the Board of County Commissioners of Delaware County, Indiana has given reasonable regard to the Comprehensive Plan; current conditions and the character of current structures and uses in each district; the most desirable use for which land in each district is adapted; the conservation of property values throughout the jurisdiction; and responsible growth and development.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Delaware County, Indiana, that the text of the Delaware County Comprehensive Zoning Ordinance, heretofore adopted on the 11th day of December, 1973, be amended, changed and supplemented as follows:

**Section 1.** That Article XXX, Section 2, PARKING AND LOADING, C STANDARDS, Subsection 6 of the Delaware County Comprehensive Zoning Ordinance shall be amended by inserting the following subsections:

a. Accessible car parking spaces shall be ninety six (96) inches wide minimum and accessible van parking spaces shall be one hundred thirty two (132) inches wide minimum, shall be marked to define the width, and shall have an adjacent access aisle that is sixty (60) inches wide minimum running the entire length of the parking space. The access aisle shall adjoin an accessible route (example, ramp access to sidewalk).


b. For every six accessible spaces, one space is to be marked for vans.


**Section 2.** That Article XXX, Section 2, PARKING AND LOADING, C STANDARDS, Subsection 6 of the Delaware County Comprehensive Zoning Ordinance shall be amended by inserting the attached table, Table C-6.

**Section 3.** That this Ordinance shall be in full force and effect from and after its passage by the Board of Commissioners of Delaware County, Indiana, and such publication as may be required by law.

**Section 4.** That this Ordinance is adopted this 20 day of FEBRUARY, 2012.

**BOARD OF COUNTY COMMISSIONERS  
DELAWARE COUNTY, INDIANA**

  
\_\_\_\_\_  
Todd Donati, President

  
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Larry Bledsoe, Jr., Member

  
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Donald Dunnuck, Member

ATTEST:


  
\_\_\_\_\_  
Judy Rust, Auditor of Delaware County, Indiana

Table C-6

**ADA Standards for Minimum Number of Accessible Parking Spaces**

Total # of Parking Spaces Provided	Minimum # of Required Accessible Parking Spaces	Minimum # of Accessible Van Parking Spaces
1 to 25	1	1
26 to 50	2	1
51 to 75	3	1
76 to 100	4	1
101 to 150	5	1
151 to 200	6	1
201 to 300	7	2
301 to 400	8	2
401 to 500	9	2
501 to 1000	2% of total	1 for each 6 accessible
1001 and over	20, plus 1 for each 100, or fraction thereof, over 1000	parking spaces, or fraction thereof

*The following types of facilities have different requirements for the number of accessible parking spaces.*

**\* Outpatient Hospital Facilities -**

10% of patient and visitor parking spaces must be accessible.

**\* Rehabilitation & Outpatient Physical Therapy Facilities -**

20% of patient and visitor parking spaces must be accessible.

**\* Residential Facilities -**

> At least 1 accessible parking space for each accessible residential dwelling.

> 2%, but no fewer than 1 space not covered by the term above shall be accessible.

> In areas where parking spaces are provided for persons other than residents, parking shall be provided in accordance with the table above.

**REPORT TO THE BOARD OF COUNTY COMMISSIONERS  
OF DELAWARE COUNTY, INDIANA**

February 6th, 2012

**To the Honorable:**

Board of County Commissioners of Delaware County, Indiana

**Dear Board Members:**

The Delaware-Muncie Metropolitan Plan Commission hereby submits to you the following report on AN ORDINANCE TO AMEND THE TEXT OF THE DELAWARE COUNTY COMPREHENSIVE ZONING ORDINANCE REGARDING PARKING AND LOADING.

**WHEREAS**, the Delaware-Muncie Metropolitan Plan Commission is charged, by state statute, with the preparation of amendments to the zoning ordinance in order to maintain a viable updated ordinance dealing with planning and zoning and said Commission has reviewed, revised and adapted certain standards for Delaware County, Indiana.


**WHEREAS**, the said Plan Commission initiated a public hearing and, following discussion and the public hearing, a motion was made, seconded and approved to forward a favorable recommendation for the proposed amendment.

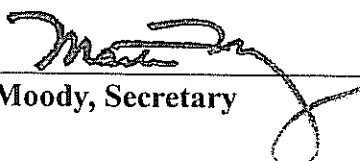
**WHEREAS**, the said Plan Commission has given reasonable regard to the comprehensive plan, current conditions and the character of current structures and uses in each district, the most desirable use for which the land in each district is adapted, the conservation of property values throughout in the jurisdiction and responsible growth and development.

**NOW, THEREFORE**, the Delaware-Muncie Metropolitan Plan Commission hereby **FAVORABLY RECOMMENDS** (6-0) the proposed amendment to the Delaware County Comprehensive Zoning Ordinance regarding parking and loading as more accurately set forth in the attached Ordinance to Amend.

**DELAWARE-MUNCIE METROPOLITAN  
PLAN COMMISSION**

**BY:**

  
\_\_\_\_\_  
Tom Green, President

  
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Marta Moody, Secretary