

## SECTION ONE GENERAL PROVISIONS

### 1.1 Scope and Application.

The provisions of these regulations shall apply to the construction, modification or revision of any facility providing vehicular access between a public street and private property within the City of Duncan.

### 1.2 Statement of Purpose

It is the purpose of these regulations to provide for the public health, safety and general welfare by controlling the number, location and design of driveways and appurtenant improvements in order to:

- A. minimize conflicts between traffic on public streets and traffic entering and exiting private property;
- B. protect the traffic capacity of public streets;
- C. protect street rights-of-way from encroachments which may restrict future public improvements therein;
- D. assure safe and adequate ingress and egress to private property; and
- E. supplement the provisions and requirements of the Major Street Plan for the City of Duncan.

### 1.3 Permit Required:

- A. It shall be unlawful and a violation of these regulations for any person, firm, corporation, partnership or association to remove, alter, erect or construct any curb, gutter, approach, driveway or drainage facility upon or within a public street right-of-way without first obtaining a permit therefor from the Director of Public Works or his/her designated representative.
- B. Application for a permit, as herein required, shall be made on the form specified by the Director of Public Works and shall be accompanied by such plot plan or survey as may be required to assure compliance with these regulations. At a minimum, such plan or survey shall accurately indicate existing and proposed: buildings, driveways, utilities, parking arrangements, property lines and adjacent street improvements.

C. The application for a driveway permit shall be accompanied by a permit fee as shall be set by motion of the City Council. Such fee shall be non-refundable and shall be considered as including necessary and appropriate site inspection fees.

D. A separate driveway permit shall not be required in conjunction with a building permit provided that:

1) the Public Works Director shall approve the plans for any multi-family, commercial or industrial facilities prior to issuance of a building permit

and,

2) the Public Works Director shall be notified of issuance of all building permits involving driveway improvements.

#### 1.4 Certificate of Completion or Occupancy.

No building, construction or site improvement issued a driveway permit or building permit shall be considered satisfactorily completed until driveway construction or modification therein required has been completed, and no certificate of occupancy or completion shall be issued therefore without the approval of the Public Works Director, or his/her designated representative.

#### 1.5 Right of Access.

Nothing in these regulations shall be construed as denying reasonable access to a public street from an adjacent property unless such street is a limited access roadway. In such instance where the size, shape or topography of a tract of land makes compliance with the provision of these regulations impractical or imposes an undue hardship, the owner or tenant thereof may appeal the strict application of these regulations to the Public Works Director.

#### 1.6 Appeals.

A. Any person appealing the strict application of these standards shall submit to the Public Works Director a written appeal specifying:

1. the portion or portions of the ordinance provisions being appealed;
2. the conditions unique to the property which make the application of such provisions impractical and unreasonable; and
3. plans showing the applicant's proposed alternative.

B. Upon receipt of an application on appeal, the Public Works Director shall, within five (5) working days, make a determination as to the merits of the appeal. Such determination shall be made in writing and shall consider:

1. validity of the hardship claimed, as compared to an inconvenience;
2. ability of the site to provide access without the relief requested;

and,

3. uniqueness of the size, shape or topographic conditions claimed to create an undue hardship.

C. Upon a finding that an appeal is reasonable and necessary, the Public Works Director may issue a driveway permit granting such relief as necessary to allow suitable access to the site and bearing such conditions as necessary to meet the spirit and intent of this ordinance.

D. Upon a finding that an appeal is not reasonable or necessary, the Public Works Director shall so inform the applicant in writing, accompanied by the findings.

E. Upon receipt of the Public Works Director's findings, an applicant may request a hearing of his appeal before the Board of Adjustment. Such hearing shall be held only after notice of hearing as required for a Zoning Variance. At such hearing the applicant, interested parties and Public Works Director shall be heard.

F. In considering an appeal, the Board of Adjustment shall be required to make the same findings required for a Zoning Variance in order to grant the appeal. The Board may approve the requested driveways, modify the requested driveways or deny the request.

G. Appeal from the Board of Adjustment's action may be taken to district court as provided in the Zoning Ordinance.

#### 1.7 Penalty for Violation.

Violation of the provision of these regulations shall be considered an offense against the City, punishable, upon conviction, in accordance with Section 1-108 of the City Code.

## SECTION TWO DRIVEWAY REGULATIONS

### 2.1 Standard Driveway Dimensions.

A. For purposes of these regulations, allowable driveway dimensions shall vary with the type of land use they serve as classified under the Zoning Ordinance, and as follows:

1. Residential driveways serve one- and two-family dwelling sites.
2. Multifamily driveways serve three or more dwellings and uses permitted on review in a residential district and churches.
3. Commercial driveways serve uses permitted by right and upon review in any commercial zoning district.
4. Industrial driveways serve uses allowed only in industrial zoning districts.

B. Allowable driveway dimensions are hereby established as contained in Table One, Standard Driveway Dimensions, City of Duncan, Oklahoma.

1. The requirements of the Table of Standard Driveway Dimensions and the terms used therein are illustrated in Figures 1 through 5, which are adopted as a portion of these regulations.

### 2.2 Limitations on Number and Total Driveway Opening.

A. In order to restrict the number of points of conflict between traffic upon a public street and traffic entering and exiting private property, the number and total width of driveways shall be limited in proportion to the street frontage of the property served, in accordance with Table Two, Limitations on Number and Total Driveway Opening.

B. The limitations on driveways shall be applied to individual tracts of record under the same ownership as shown in the office of the County Clerk for Stephens County, OK.

C. Calculation of allowable driveways and widths shall be based on a single street frontage. Properties with frontage on two or more streets shall have limitations calculated for each frontage. Allowable driveways and widths must be located adjacent to the frontage on which they are based.

TABLE 1  
STANDARD DRIVEWAY DIMENSIONS  
City of Duncan, OK

<u>Type Of Use</u>	<u>Standard Dimensions</u>				<u>Separation and Setback:</u>		<u>(1,2)</u>
	<u>Width</u>	<u>Min.</u>	<u>Max</u>	<u>Radius</u>	<u>Between Intersecting Drives (3)</u>	<u>Street (4)</u>	
<u>Residential</u>	12'	25'	(6)	5'	10'	20'	10'
	30'				Maximum width may be increased to thirty feet where residential drive serves garages with more than sixteen feet of opening facing directly upon a local or collector street.		
Other provisions of Tables 1 and 2 shall still apply.							
<u>Multifamily and Commercial</u>							
One Way	12'	16'		15'	25'	20'	20'
Two Way	24'	36'		15'	25'	20'	20'
<u>Industrial</u>							
One Way	12'	30'		30'	- -	40'	20'
Two Way	24'	50'		30'	- -	40'	20'

1. Distances are measured from point of radius/return at edge of street or curb.
2. Setback from an interior property line shall be at least one foot from radius/return.
3. Pairs of one way drives separated by an island of between five and twenty feet shall be considered a single driveway.
4. See Section 2.3 for additional setback requirements on or adjacent to major streets.
5. Residential properties shall provide a minimum of two off-street parking spaces per dwelling.
6. Maximum driveway width and total driveway opening allowed subject to additional limitations in Table 2.

TABLE 2  
 LIMITATIONS ON NUMBER  
 AND  
 TOTAL DRIVEWAY OPENING  
 City of Duncan, OKLAHOMA

<u>Street Frontage</u>	<u>Maximum No. of Drives</u>	<u>Total Driveway Opening Permitted</u>
Less than 200 feet	2	<u>Residential</u> 50 % of frontage or 50 feet, whichever is less
200 to 400 feet	3	<u>Other</u> 50% of frontage or 70 feet whichever is less
400 to 800 feet	3	Not to exceed 100 feet total
800 or more feet	1 plus one per 400 feet	Not to exceed Standard Dimensions

Individual drives shall not exceed width allowed in Table 1.

2.3 Driveways on or Adjacent to Major Streets and Section Line Roads.

A. Except as provided in paragraph B. below, no portion of a driveway upon a major street or section line road shall be located closer to the right-of-way of an intersecting major street or section line road than a distance equal to one half (1/2) of the frontage upon which the driveway is located or fifty (50) feet, whichever provides the greater setback; provided that a setback of over one hundred fifty (150) feet shall not be required.

B. Driveways located upon properties at the intersection of two major streets shall not be required to meet the provisions of subparagraph 2.3 A. above, when entering upon a divided roadway with a median which prohibits exiting vehicles from making left-hand turns.

C. Residential lots with primary frontage upon a local street shall not be permitted secondary driveway access from a major street or section line road from the rear yard or side yard of such lots.

2.4 Angle of Intersection with Streets

A. Driveways should intersect with the public street at right angles whenever feasible. In no instance shall the angle of intersection be less than seventy-five (75) degrees.

B. The angle of intersection shall be measured upon a line from the center-points of the driveway at the edge of the street and at the right-of-way line.

C. On curvilinear streets or cul-de-sacs, the angle of intersection shall be measured from the tangent of the street radius.

2.5 Alternative Design Options.

A. Insufficient Right-of-Way for Radius. When a full radius cannot be achieved due to insufficient separation between the right-of-way and back of curb or street edge, the radius may be either:

- 1) terminated at the right-of-way, or
- 2) extended beyond the right-of-way.

B. Compound Radius Returns. When desired, a compound radius may be laid upon the right-of-way in order to allow easier access to paved areas immediately behind the right-of-way line, provided that the minimum radius is maintained to within five (5) feet of the right-of-way.

C. Existing Conditions and Driveways. It is the intent of these regulations to require modification of existing driveways as a condition for approval of building permits for the remodeling or expansion on commercial and industrial properties. In instances where full compliance with these standards is impractical, the Public Works Director may require alternative improvements in order to control turning movements and restrict the number and width of driveways. These alternative improvements may include, but shall not be limited to:

- 1) reduction of existing driveway openings;
- 2) installation of radius/returns;
- 3) installation of barrier islands adjacent to the edge of street;
- 4) modification of parking arrangement or striping in order to restrict backing onto a public street.

## 2.6 Interpretation of Design Terms.

Words and terms used in these regulations shall be interpreted as follows:

A. Driveway shall mean any facility, pavement or construction intended or used for vehicular ingress and egress from a street to private property, within the limits of the right-of-way as herein defined.

B. Street shall mean the paved portion of a street right-of-way intended for vehicular traffic and/or parking where permitted.

C. Right-of-Way (ROW) shall mean either:

- 1) the limits of existing right-of-way platted, dedicated or deeded to the public for street purposes, or
- 2) the limits of future right-of-way required as designated by the Major Street Plan of the City of Duncan, whichever is greater.

D. Driveway Width (W) shall mean the width of a driveway at the right-of-way measured parallel to the right-of-way, or the narrowest dimension of the driveway measured perpendicular to the centerline if drive is not at a 90° angle to the street.

E. Radius/Return shall mean a true radius from the back of curb or edge of pavement towards the right-of-way. The radius/return shall begin at a right angle to the right-of-way and continue on an arc of not less than 75° degrees.

## SECTION THREE CONSTRUCTION STANDARDS

### 3.1 Standard Construction Details.

All driveways installed or modified after the effective date of these regulations shall be constructed in accordance with the provisions of this section and the "Standard Details for Driveways", Figures 2 through 5, unless alternative designs are approved by the Public Works Director.

### 3.2 Materials.

Materials used for driveway construction shall be new materials conforming to the following specifications, unless alternative materials are approved by the Public Works Director.

A. Concrete shall be six (6) inch thick transit mixed Portland cement concrete consisting of fine and coarse aggregate, Portland cements and such additional materials as approved by the Public Works Director and having a compressing strength of 3,500 psi at an age of twenty-eight (28) days.

Maximum slump shall be three (3) inches. Applicable ASTM standards are: C-31, C-39, C-94.

B. Contraction joint Filler shall be ready mix cold applied joint sealer and shall be a rubbery, resistant, adhesive, internal setup mastic joint sealer which bonds to concrete.

C. Expansion Joint Filler shall be a bituminous type preformed asphalt impregnated material meeting the requirements of AASHO Designation M-59. material shall be  $\frac{3}{4}$ " wide and equal to the thickness of the concrete.

### 3.3 Construction Methods and Equipment.

The following construction methods, practices and equipment shall be used in constructing a driveway. All work shall be performed in a workmanlike, professional manner.

A. Sawing. Sawing shall be done with equipment of sufficient power to complete the work required. No concrete within the existing street shall be removed prior to saw cutting as required in the "Standard Details for Driveways." Where a driveway abuts an asphaltic street without curb and gutter contractor shall saw cut and remove asphalt as indicated in the "Standard Details for Driveways."

B. Forming. All forms shall be braced in such a manner that no bowing or movement will occur when pouring concrete. Straight forms shall be not less than 1 1/2" in thickness, if wooden. Radius forms shall be of such material that a true radius can be obtained. All forms shall have a depth equal to the prescribed thickness of concrete. FORMS SHALL BE INSPECTED AND APPROVED BEFORE CONCRETE IS POURED.

C. Hand Floats. Floats shall have a smooth finish and adjusted or held so the screed will have a small amount of concrete in front of it at all times. The use of a finishing machine may be used provided that surface smoothness and tolerance are obtained.

D. Small Tools. The Contractor shall furnish a sufficient number of work bridges, hand floats, 10' straight edge and small tools to satisfactorily complete the work.

E. Cleanup. All chunks of concrete, excess dirt, forms, etc. must be hauled off and all sidewalks, curbs and drive approaches are to be backfilled before final inspection is made.

F. Dirt Work. All rough grading shall be done before curb removal. Existing soil shall be removed a minimum of 6" deep and a maximum of 8" unless soft ground is encountered, then all soft material shall be removed and brought back to grade with river sand.

G. Contraction Joints. Contraction joints shall be sawed one-third (1/3) the thickness of the concrete and placed as shown on the "Standard Details for Driveways." Contraction joints shall be cut as soon as concrete has hardened sufficiently to permit sawing without excessive raveling and before uncontrolled cracking occurs. All sawed joints exposed to traffic shall be filled with approved joint sealer.

### 3.4 Drainage Provision

#### A. Curb and Gutter Streets.

1) Driveways on curb and gutter section streets shall rise six (6) inches from the gutter elevation at a point six (6) feet from the back of the original curb line. From that point the grade of the driveway may rise or fall.

2) Surface drainage may be carried across the driveway to the gutter, provided alternative drainage improvements are not required in conjunction with a building permit or development approval.

B. Open Ditch Streets.

- 1) Driveway improvements crossing an open ditch (bar ditch) shall include a drainage culvert sized and installed at a grade approved by the Public Works Director. A minimum diameter of fifteen (15) inches shall be required unless otherwise authorized by the Public Works Director.
- 2) Culverts shall either:
  - a. extend not less than four (4) feet beyond the nearest paved portion of the driveway, excluding prefabricated end sections; or
  - b. extend not less than two (2) feet beyond the nearest paved portion of the driveway when finished with a P.C. Concrete headwall which is not more than six (6) inches below the level of the nearest portion of the driveway.
- 3) Culverts shall have concrete headwalls or prefabricated end sections.
- 4) Surface drainage across a driveway (low water crossings) shall be permitted only upon specific approval of the Public Works Director.
- 5) The maximum slope of backfill within the working area shall be one (1) foot of fall within two and one-half (2.5) feet of horizontal distance.

3.5 Abandoned and Closed Driveways.

Where existing driveways are proposed or required to be abandoned, they shall be completely removed. When adjacent to a curb and gutter street, the curb and gutter shall be replaced.